

STATE OF MINNESOTA

EIGHTY-SIXTH SESSION — 2009

 FIFTEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, FEBRUARY 26, 2009

The House of Representatives convened at 10:30 a.m. and was called to order by Al Juhnke, Speaker pro tempore.

Prayer was offered by the Reverend Andy Smith, First Lutheran Church, Brainerd, Minnesota.

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

The Speaker assumed the chair.

The roll was called and the following members were present:

Abeler	Dettmer	Haws	Lanning	Newton	Shimanski
Anderson, B.	Dill	Hayden	Lenczewski	Nornes	Simon
Anderson, P.	Dittrich	Hilstrom	Lesch	Norton	Slawik
Anderson, S.	Doepke	Hilty	Liebling	Obermueller	Slocum
Anzelc	Doty	Holberg	Lieder	Olin	Smith
Atkins	Downey	Hoppe	Lillie	Otremba	Solberg
Beard	Drazkowski	Hornstein	Loeffler	Paymar	Sterner
Bigham	Eastlund	Hortman	Loon	Pelowski	Swails
Bly	Eken	Hosch	Mack	Peppin	Thao
Brod	Emmer	Howes	Mahoney	Persell	Thissen
Brown	Falk	Huntley	Mariani	Peterson	Tillberry
Brynaert	Faust	Jackson	Marquart	Poppe	Torkelson
Buesgens	Fritz	Johnson	Masin	Reinert	Urdahl
Bunn	Gardner	Juhnke	McFarlane	Rosenthal	Wagenius
Carlson	Garofalo	Kahn	McNamara	Rukavina	Ward
Champion	Gottwalt	Kalin	Morgan	Ruud	Welti
Clark	Greiling	Kath	Morrow	Sailer	Westrom
Cornish	Gunther	Kelly	Mullery	Sanders	Winkler
Davids	Hackbarth	Kiffmeyer	Murdock	Scalze	Zellers
Davnie	Hamilton	Knuth	Murphy, E.	Scott	Spk. Kelliher
Dean	Hansen	Koenen	Murphy, M.	Seifert	
Demmer	Hausman	Laine	Nelson	Sertich	

A quorum was present.

Benson, Kohls, Magnus and Severson were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Scott moved that further reading of the

Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
REPORTS OF CHIEF CLERK

S. F. No. 162 and H. F. No. 177, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Thissen moved that S. F. No. 162 be substituted for H. F. No. 177 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communication was received:

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

The Honorable Margaret Anderson Kelliher
 Speaker of the House of Representatives

The Honorable James P. Metzen
 President of the Senate

I have the honor to inform you that the following enrolled Act of the 2009 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2009</i>	<i>Date Filed 2009</i>
94		4	3:39 p.m. February 24	February 24

Sincerely,

MARK RITCHIE
 Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 12, A bill for an act relating to unemployment compensation; modifying definitions; amending Minnesota Statutes 2008, sections 268.035, subdivision 21a; 268.085, subdivision 15.

Reported the same back with the recommendation that the bill pass and be re-referred to the Higher Education and Workforce Development Finance and Policy Division.

The report was adopted.

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

H. F. No. 103, A bill for an act relating to state tort claims; removing the single occurrence liability cap; conforming cross references; amending Minnesota Statutes 2008, sections 3.736, subdivision 4, as amended; 3.7393, subdivision 11; 3.7394, subdivision 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **FINDINGS.**

The legislature finds that the state and municipal tort liability limitations contained in Minnesota Statutes, sections 3.736 and 466.04, are rationally related to the legitimate government objective of ensuring fiscal stability to meet and carry out the manifold responsibilities of government. The legislature finds that, unlike municipalities, the state of Minnesota has the fiscal capacity and ability to absorb the cost of and pay for multiple tort claims arising out of a single occurrence without a dollar limitation on that liability. The ability of the state to respond to monetary judgments is quantitatively greater than that of a municipality because of significant differences in the size of their respective budgets and their tax base and taxing authority. A limitation on the total liability of municipalities for multiple tort claims arising out of a single occurrence is necessary to protect the fiscal stability and integrity of municipalities and to protect the taxpayers within municipalities from the effect of unlimited tort liability exposure. The legislature retains and reaffirms the public purpose served by the continuance of the limitation on liability for tort claims arising out of a single occurrence applicable to municipalities under Minnesota Statutes, section 466.04.

Sec. 2. Minnesota Statutes 2008, section 3.736, subdivision 4, is amended to read:

Subd. 4. **Limits.** (a) The total liability of the state and its employees acting within the scope of their employment on any tort claim shall not exceed:

~~(a)~~ (1) \$300,000 when the claim is one for death by wrongful act or omission and \$300,000 to any claimant in any other case, for claims arising before August 1, 2007;

~~(b)~~ (2) \$400,000 when the claim is one for death by wrongful act or omission and \$400,000 to any claimant in any other case, for claims arising on or after August 1, 2007, and before July 1, 2009;

~~(c)~~ (3) \$500,000 when the claim is one for death by wrongful act or omission and \$500,000 to any claimant in any other case, for claims arising on or after July 1, 2009;

~~(d)~~ (4) \$750,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 1998, and before January 1, 2000;

~~(e)~~ (5) \$1,000,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2000, and before January 1, 2008; or

~~(f)~~ (6) \$1,200,000 for any number of claims arising out of a single occurrence, for claims arising on or after January 1, 2008, and before ~~July 1, 2009~~; ~~or~~

~~(g)~~ ~~\$1,500,000 for any number of claims arising out of a single occurrence, for claims arising on or after July 1,~~

2009.

(b) There is no limit on the total liability of the state and its employees acting within the scope of their employment for any number of claims arising out of a single occurrence for claims arising on or after July 1, 2009.

(c) If the amount awarded to or settled upon multiple claimants exceeds the applicable limit under ~~clause (d), (e), (f), or (g)~~ paragraph (a), clause (4), (5), or (6), any party may apply to the district court to apportion to each claimant a proper share of the amount available under the applicable limit ~~under clause (d), (e), (f), or (g)~~. The share apportioned to each claimant shall be in the proportion that the ratio of the award or settlement bears to the aggregate awards and settlements for all claims arising out of the occurrence.

(d) The limitation imposed by this subdivision on individual claimants includes damages claimed for loss of services or loss of support arising out of the same tort.

EFFECTIVE DATE. This section is effective July 1, 2009.

Sec. 3. Minnesota Statutes 2008, section 3.736, subdivision 7, is amended to read:

Subd. 7. **Payment.** A state agency, including an entity defined as part of the state in section 3.732, subdivision 1, clause (1), incurring a tort claim judgment or settlement obligation or whose employees acting within the scope of their employment incur the obligation shall seek approval to make payment by submitting a written request to the commissioner of finance. The request shall contain a description of the tort claim that causes the request, specify the amount of the obligation and be accompanied by copies of judgments, settlement agreements or other documentation relevant to the obligation for which the agency seeks payment. Upon receipt of the request and review of the claim, the commissioner of finance shall determine the proper appropriation from which to make payment. If there is enough money in an appropriation or combination of appropriations to the agency for its general operations and management to pay the claim without unduly hindering the operation of the agency, the commissioner shall direct that payment be made from that source, except that payment may not be made from the trunk highway fund in excess of the amount specifically appropriated by the legislature for payment of tort claims. Claims relating to activities paid for by appropriations of dedicated receipts shall be paid from those appropriations if practicable. On determining that an agency has sufficient money in these appropriations to pay only part of a claim, the commissioner shall pay the remainder of the claim from the money appropriated to the commissioner for the purpose. On determining that the agency does not have enough money to pay any part of the claim, the commissioner shall pay all of the claim from money appropriated to the commissioner for the purpose. Payment shall be made only upon receipt of a written release by the claimant in a form approved by the attorney general, or the person designated as the university attorney, as the case may be.

No attachment or execution shall issue against the state.

Sec. 4. Minnesota Statutes 2008, section 3.7393, subdivision 11, is amended to read:

Subd. 11. **Offers of settlement; limit on amount.** (a) The amount of an offer of settlement or payment required by a settlement agreement must not exceed \$400,000. This limitation does not apply to a supplemental payment made under subdivision 12. An offer of settlement must be accompanied by a notice to the survivor of the remainder of the amount calculated under subdivision 10 that is not included in the offer because of the limitation under this paragraph and the amount of the remainder for which a supplemental payment may be awarded.

(b) Notwithstanding section 3.736, subdivision 4, paragraph (a), clause ~~(e)~~ (5), or 466.04, subdivision 1,

paragraph (a), clause (5), the \$1,000,000 limitation on state or municipal liability for claims arising out of a single occurrence otherwise applicable to the catastrophe does not apply to payments made to survivors under this section. The amount that may be paid by the state is limited by the appropriations for this purpose.

EFFECTIVE DATE. This section is effective July 1, 2009.

Sec. 5. Minnesota Statutes 2008, section 3.7394, subdivision 6, is amended to read:

Subd. 6. **Amounts not considered for purposes of limit on government tort liability.** Payments made to survivors under section 3.7393 or from the emergency relief fund are not to be considered in calculating the \$1,000,000 limit on tort claims in civil actions against the state arising out of the catastrophe for purposes of section 3.736, subdivision 4, paragraph (a), clause (5), or a municipality arising out of the catastrophe for purposes of section 466.04, subdivision 1, clause (5).

EFFECTIVE DATE. This section is effective July 1, 2009.

Sec. 6. **CONTINGENT REPEALER.**

The amendments in sections 2 to 5 are repealed if a final nonappealable court decision holds that the limit in Minnesota Statutes, section 466.04, subdivision 1, paragraph (a), clause (7), is unconstitutional based on the amendments in this act."

Delete the title and insert:

"A bill for an act relating to state tort claims; removing the single occurrence liability cap; conforming cross references; amending Minnesota Statutes 2008, sections 3.736, subdivisions 4, as amended, 7; 3.7393, subdivision 11; 3.7394, subdivision 6."

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

The report was adopted.

Mariani from the Committee on K-12 Education Policy and Oversight to which was referred:

H. F. No. 106, A bill for an act relating to education; establishing a P-20 education partnership; proposing coding for new law in Minnesota Statutes, chapter 127A.

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

The report was adopted.

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

H. F. No. 120, A bill for an act relating to health; establishing oversight for rural health cooperative arrangements; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62R.

Reported the same back with the following amendments:

Page 2, line 1, after the period, insert "If the commissioner requests additional information and does not act within 60 days of receiving additional information sufficient to evaluate the application, as determined by the commissioner, the application shall be deemed approved."

Page 2, line 2, delete "that the" and insert ", using the criteria in paragraph (g), that: (1) the anticompetitive effects of the arrangement on the marketplace exceed the procompetitive effects or efficiencies, or that any price agreements included in the arrangement are not necessary to achieve the efficiencies that are expected to result from the arrangement; or (2) the applicant has not provided complete or sufficient information requested by the commissioner to evaluate the impact of the proposed arrangement on the health care marketplace."

Page 2, delete lines 3 and 4 and insert:

"(c) The commissioner may collect information from other parties, such as health plan companies or other health care providers operating in the same geographic area as the health care cooperative, to assist in evaluating the impact of the proposed arrangement on the health care marketplace. Data collected from health plan companies and health care providers under this paragraph are nonpublic data or private data on individuals, as defined in section 13.02.

(d) The commissioner may solicit public comment on the impact of the proposed arrangement."

Page 2, line 5, delete "(c)" and insert "(e)"

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

Page 2, after line 14, insert:

"(g) In evaluating applications received under this section, the commissioner shall consider whether:

(1) the arrangement is likely to produce significant efficiencies that benefit consumers, such as cost savings or improvements in quality of or access to care;

(2) the arrangement is likely to have any anticompetitive effects on the marketplace; and

(3) the potential anticompetitive effects outweigh the procompetitive efficiencies resulting from the arrangement."

Page 2, delete lines 19 to 21 and insert:

"(2) the participation rules for the cooperative, including the terms and conditions under which participating providers may be members of the cooperative;

(3) a description of the geographic areas served by the cooperative and the products provided, and a list of competing providers that are not members of the cooperative;

(4) a description of any restriction on participating members of the cooperative entering into other contracts with payers; and

(5) a description of the increased efficiency, improved health care access, improved health care quality, or increased market competition that will result from the arrangement."

Page 2, line 27, delete "shall be deposited into the state government special revenue fund and"

Amend the title as follows:

Page 1, line 2, delete "rural health" and insert "health care"

Page 1, line 3, before "appropriating" insert "increasing access to health care services in rural areas;"

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

The report was adopted.

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

H. F. No. 172, A bill for an act relating to elections; clarifying that election judge may affirm oath; amending Minnesota Statutes 2008, section 204B.24.

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

The report was adopted.

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

H. F. No. 208, A bill for an act relating to creditors' remedies; changing the type of mailed notification to secured creditors required in connection with foreclosure of a mechanics lien on a motor vehicle; amending Minnesota Statutes 2008, section 514.20.

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

The report was adopted.

Hilstrom from the Committee on Public Safety Policy and Oversight to which was referred:

H. F. No. 267, A bill for an act relating to traffic regulations; requiring restraint of child under age eight and shorter than four feet nine inches while passenger in motor vehicle and modifying seat belt requirements accordingly; amending Minnesota Statutes 2008, sections 169.685, subdivision 5; 169.686, subdivision 1.

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

The report was adopted.

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

H. F. No. 292, A bill for an act relating to health; providing for the medical use of marijuana; providing civil and criminal penalties; appropriating money; amending Minnesota Statutes 2008, section 13.3806, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 152.

Reported the same back with the following amendments:

Page 1, line 19, delete "qualified" and insert "qualifying"

Page 4, line 8, delete "identify" and insert "place"

Page 7, line 34, delete "may" and insert "must"

Page 9, line 12, delete "6" and insert "7"

Page 9, line 20, after "fund" insert "and are appropriated to the commissioner of health to administer these sections"

Page 12, line 16, delete everything after "not" and insert "qualify for federal tax exemption under the Internal Revenue Code."

Page 12, delete line 17

Page 13, line 9, delete "caregivers" and insert "caregiver"

Page 15, delete section 11

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

The report was adopted.

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

H. F. No. 300, A bill for an act relating to elections; applying certain privileges to major political party caucuses held in cities of the first class during odd-numbered years; proposing coding for new law in Minnesota Statutes, chapter 202A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [202A.191] MAJOR POLITICAL PARTY CAUCUS WITHIN CITIES OF THE FIRST CLASS.

Subdivision 1. **Applicability.** This section applies to a major political party precinct caucus held within a city of the first class in an odd-numbered year, on the date determined as provided in subdivision 2.

Subd. 2. **Date of caucus.** (a) The chairs of the two largest major political parties' city organization within each city of the first class shall jointly submit to the governing body of that city the single date on which the two parties have agreed to conduct their precinct caucuses in the next odd-numbered year. The date must be submitted no later than August 1 of each even-numbered year.

(b) On August 1 of each even-numbered year, or at the next regularly scheduled meeting following that date, the governing body within each city of the first class shall publicly announce the official date for major political party precinct caucuses to be held in the next odd-numbered year within the city.

(c) If the chairs of the two largest major political parties do not jointly submit to the governing body of a city of the first class a single date for conducting precinct caucuses in that city as provided in this subdivision, then for purposes of the next odd-numbered year, the first Tuesday in February shall be considered the day of a major political party precinct caucus within that city, and this section shall only apply within that city on that date.

(d) For purposes of this subdivision, the two largest major political parties shall be the parties whose candidates for governor received the greatest and second greatest number of votes at the most recent election.

Subd. 3. **Prohibited meetings and activities.** (a) The following meetings and activities are prohibited after 6:00 p.m. on the night of a major party precinct caucus held within a first class city:

(1) a meeting of a school board or city council;

(2) a meeting of the governing body of a special taxing district, as defined in section 275.066, if the special taxing district is wholly contained within the first-class city; and

(3) an event sponsored by a public elementary or secondary school.

(b) This subdivision only applies to meetings and activities held within the first class city in which the major party caucus is to be held.

Subd. 4. **Absence from work.** Every employee who is entitled to attend a major political party precinct caucus within a city of the first class is entitled, after giving the employer at least ten days' written notice, to be absent from work for the purpose of attending the caucus during the time for which the caucus is scheduled without penalty or deduction from salary or wages on account of the absence, other than a deduction in salary for the time of absence from employment.

Subd. 5. **Public school buildings.** No school official may deny the use of a public school building for the holding of a major political party precinct caucus within a city of the first class if the school office has received a written request for the use of the school building 30 days or more prior to the date of the caucus.

Subd. 6. **Use of facilities.** Every public agency, including the University of Minnesota and other public colleges and universities located within a city of the first class, must make their facilities available for the holding of a major party precinct caucus on the date determined according to this section. A charge for the use of the facilities may be imposed in an amount that does not exceed the lowest amount charged to any public or private group."

With the recommendation that when so amended the bill pass.

The report was adopted.

Hilty from the Energy Finance and Policy Division to which was referred:

H. F. No. 357, A bill for an act relating to energy; providing for C-BED project contracts; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 216B.1612, subdivision 1, is amended to read:

Subdivision 1. **Tariff establishment.** A tariff shall be established;

(1) to optimize local, regional, and state benefits from renewable energy development and;

(2) to facilitate widespread development of community-based renewable energy projects throughout Minnesota, especially in rural communities; and

(3) to enable Minnesotans to develop, own, and invest in renewable electric generation despite their inability to benefit from existing federal tax credit and other financial incentives.

Sec. 2. Minnesota Statutes 2008, section 216B.1612, subdivision 3, is amended to read:

Subd. 3. **Tariff rate.** (a) The tariff described in subdivision 4 must have a rate schedule that allows for a net present value rate over the 20-year life of the power purchase agreement. The tariff must provide for a rate that is higher in the first ten years of the power purchase agreement than in the last ten years. The discount rate required to calculate the net present value must be the utility's normal discount rate used for its other business purposes.

~~(b) The commission shall consider mechanisms to encourage the aggregation of C-BED projects. The tariff for a C-BED project of five megawatts or less must be the net present value equal to the annual average of the previous year's Midwest Independent System Operator (MISO) Average Day Ahead Market Price calculated over the term of the contract, which must extend at least 20 years.~~

(c) The commission shall require that qualifying and nonqualifying owners provide sufficient security to secure performance under the power purchase agreement, and shall prohibit the transfer of the C-BED project to a nonqualifying owner during the initial 20 years of the contract.

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

Sec. 3. Minnesota Statutes 2008, section 216B.1612, subdivision 5, is amended to read:

Subd. 5. **Priority for C-BED projects.** (a) A utility subject to section 216B.1691 that needs to construct new

generation, or purchase the output from new generation, as part of its plan to satisfy its good faith objective and standard under that section must ~~take reasonable steps to determine if one or more C-BED projects are available that meet the utility's cost and reliability requirements, applying standard reliability criteria, to fulfill some or all of the identified need at minimal impact to customer rates, contract with C-BED projects until the commission determines that the aggregate capacity of such projects installed or for which contracts have been signed in this state reaches 800 megawatts. Only if C-BED projects of any capacity are unavailable or are insufficient to meet the utility's need for additional electricity may the utility purchase electricity from a non-C-BED source.~~

~~Nothing in this section shall be construed to obligate a utility to enter into a power purchase agreement under a C-BED tariff developed under this section.~~

(b) A utility subject to section 216B.1691, as part of its plan to satisfy its good faith objective and standard under that section, must, by December 31, 2011, contract with C-BED projects with a nameplate capacity of five megawatts or less until the commission determines that the aggregate capacity of such projects installed or for which contracts have been signed in this state reaches 200 megawatts.

~~(b)~~ (c) Each utility shall include in its resource plan submitted under section 216B.2422 a description of its efforts to purchase energy from C-BED projects, including a list of the projects under contract and the amount of C-BED energy purchased.

~~(e)~~ (d) The commission shall consider the efforts and activities of a utility to purchase energy from C-BED projects when evaluating its good faith effort towards meeting the renewable energy objective under section 216B.1691.

~~(d)~~ (e) A municipal power agency or generation and transmission cooperative shall, when issuing a request for proposals for C-BED projects to satisfy its standard obligation under section 216B.1691, provide notice to its member distribution utilities that they may propose, in partnership with other qualifying owners, a C-BED project for the consideration of the municipal power agency or generation and transmission cooperative.

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

Sec. 4. Minnesota Statutes 2008, section 216B.1612, subdivision 7, is amended to read:

Subd. 7. **Other C-BED tariff issues.** (a) A community-based project developer and a utility shall negotiate the rate and power purchase agreement terms consistent with the tariff established under subdivision 4.

(b) At the discretion of the developer, a community-based project developer and a utility may negotiate a power purchase agreement with terms different from the tariff established under subdivision 4.

~~(c) A qualifying owner, or any combination of qualifying owners, may develop a joint venture project with a nonqualifying renewable energy project developer. However, the terms of the C-BED tariff may only apply to the portion of the energy production of the total project that is directly proportional to the equity share of the project owned by the qualifying owners.~~

~~(d)~~ A project that is operating under a power purchase agreement under a C-BED tariff is not eligible for net energy billing under section 216B.164, subdivision 3, or for production incentives under section 216C.41.

~~(e)~~ (d) A public utility must receive commission approval of a power purchase agreement for a C-BED tariffed project. The commission shall provide the utility's ratepayers an opportunity to address the reasonableness of the proposed power purchase agreement. Unless a party objects to a contract within 30 days of submission of the

contract to the commission the contract is deemed approved.

(e) Each contract for a C-BED project with a nameplate capacity of five megawatts or less must contain a provision requiring the qualified owners to make a deposit each year throughout the term of the contract into a maintenance reserve account. The annual payment must be of a magnitude to reasonably insure that revenues in the account are sufficient to pay projected maintenance costs over the term of the contract, including provision for contingencies.

(f) A qualifying owner of a C-BED project with a nameplate capacity of five megawatts or less that is aggregated into a larger project may not sign a contract to receive the price established in subdivision 3, paragraph (b).

(g) A qualifying owner receiving the rate established in subdivision 3, paragraph (b), may not participate in the ownership of another C-BED project receiving the rate established in subdivision 3, paragraph (b), if the second project is located within a five-mile radius of the project receiving that rate.

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

Sec. 5. **[216B.1613] STANDARDIZED C-BED CONTRACT.**

Subdivision 1. **Commission proceeding.** Within 60 days of the effective date of this section, the commission shall initiate a proceeding to standardize all contract provisions, except those establishing the power purchase price, for two classes of C-BED projects: (1) projects with a nameplate capacity of five megawatts or less; and (2) projects with a nameplate capacity of greater than five megawatts. The proceeding shall provide for participation by the public and stakeholders. The commission shall issue an order containing standardized contract language for each class of C-BED project identified in this subdivision no later than 90 days after the opening of the proceeding. Any applicable C-BED contract signed after the date of the commission's order whose provisions are not identical to the standardized contract contained in the commission's order is invalid.

Subd. 2. **Expiration.** This section expires the day following issuance of the order required under subdivision 1."

Delete the title and insert:

"A bill for an act relating to energy; modifying provisions relating to tariffs and contracts for community-based energy development projects; amending Minnesota Statutes 2008, section 216B.1612, subdivisions 1, 3, 5, 7; proposing coding for new law in Minnesota Statutes, chapter 216B."

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

The report was adopted.

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

H. F. No. 359, A bill for an act relating to insurance; requiring coverage for autism spectrum disorders; proposing coding for new law in Minnesota Statutes, chapter 62A.

Reported the same back with the following amendments:

Page 1, delete lines 20 to 24

Page 2, delete lines 1 to 3

Page 2, line 7, after "evaluation," insert "assessment," and delete the period and insert ", including but not limited to the following:"

Page 2, after line 7, insert:

"(1) intensive behavior therapy, such as applied behavior analysis, intensive early intervention behavior therapy, intensive behavior intervention, and Lovaas therapy;

(2) behavior services, instruction, and management;

(3) speech therapy;

(4) occupational therapy;

(5) physical therapy; and

(6) medications."

Page 2, line 9, delete "a" and insert "an individualized"

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

The report was adopted.

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

H. F. No. 412, A bill for an act relating to real estate; adjusting the statute of repose for homeowner warranty claims; amending Minnesota Statutes 2008, section 541.051, subdivision 4.

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

The report was adopted.

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

H. F. No. 417, A bill for an act relating to insurance; providing recovery of damages and attorney fees for breach of an insurance policy; amending Minnesota Statutes 2008, section 471.982, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 60A.

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

The report was adopted.

Mariani from the Committee on K-12 Education Policy and Oversight to which was referred:

H. F. No. 439, A bill for an act relating to education; requiring statewide academic standards for physical education; amending Minnesota Statutes 2008, sections 120B.021, subdivision 1; 120B.023, subdivision 2; 120B.024.

Reported the same back with the following amendments:

Page 2, line 1, delete "six"

Page 2, line 2, delete "standards" and insert "benchmarks" and delete "department's"

Page 2, line 3, delete "six"

Page 2, line 7, delete "department's"

Page 2, line 8, delete "standards" and insert "benchmarks"

Page 2, line 10, delete "8" and insert "12"

Page 2, line 32, delete "to students entering 9th grade" and after "later" insert ", and is a requirement for graduation for students entering the 9th grade in the 2009-2010 school year and later"

Page 2, after line 32, insert:

"Sec. 2. Minnesota Statutes 2008, section 120B.021, subdivision 1a, is amended to read:

Subd. 1a. **Rigorous course of study; waiver.** (a) Upon receiving a student's application signed by the student's parent or guardian, a school district, area learning center, or charter school must declare that a student meets or exceeds a specific academic standard required for graduation under this section if the local school board, the school board of the school district in which the area learning center is located, or the charter school board of directors determines that the student:

(1) is participating in a course of study, including an advanced placement or international baccalaureate course or program; a learning opportunity outside the curriculum of the district, area learning center, or charter school; or an approved preparatory program for employment or postsecondary education that is equally or more rigorous than the corresponding state or local academic standard required by the district, area learning center, or charter school;

(2) would be precluded from participating in the rigorous course of study, learning opportunity, or preparatory employment or postsecondary education program if the student were required to achieve the academic standard to be waived; and

(3) satisfactorily completes the requirements for the rigorous course of study, learning opportunity, or preparatory employment or postsecondary education program.

Consistent with the requirements of this section, the local school board, the school board of the school district in

which the area learning center is located, or the charter school board of directors also may formally determine other circumstances in which to declare that a student meets or exceeds a specific academic standard that the site requires for graduation under this section.

(b) A student who satisfactorily completes a postsecondary enrollment options course or program under section 124D.09, or an advanced placement or international baccalaureate course or program under section 120B.13, is not required to complete other requirements of the academic standards corresponding to that specific rigorous course of study.

(c) A school board may exempt a student from the physical education graduation requirement under section 120B.024 if the board approves an application showing that the student has demonstrated mastery of the subject matter or that participation in another learning opportunity meets or exceeds the physical education standard required for graduation. This waiver shall not be construed as reducing the total credits required for graduation."

Page 4, line 17, delete "to students entering 9th grade"

Page 5, after line 11, insert:

"Sec. 5. **[121A.215] LOCAL SCHOOL DISTRICT WELLNESS POLICIES; WEB SITE.**

When available, a school district must post its current local school wellness policy on its Web site.
EFFECTIVE DATE. This section is effective the day following final enactment."

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

Hilstrom from the Committee on Public Safety Policy and Oversight to which was referred:

H. F. No. 509, A bill for an act relating to public defenders; modifying provisions providing for representation by a public defender; amending Minnesota Statutes 2008, sections 609.131, subdivision 1; 611.16; 611.17; 611.18; 611.20, subdivisions 3, 4; repealing Minnesota Statutes 2008, section 611.20, subdivisions 6, 7.

Reported the same back with the following amendments:

Page 1, delete section 2

Renumber the sections in sequence

Correct the title numbers accordingly

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

The report was adopted.

Hilstrom from the Committee on Public Safety Policy and Oversight to which was referred:

H. F. No. 668, A bill for an act relating to public safety; school buses; providing for postcrash procedures for school bus in an accident; amending Minnesota Statutes 2008, section 169.4511, subdivision 1.

Reported the same back with the recommendation that the bill pass and be re-referred to the Transportation and Transit Policy and Oversight Division.

The report was adopted.

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

H. F. No. 736, A bill for an act relating to state government; changing the name of a state agency.

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

The report was adopted.

Hilstrom from the Committee on Public Safety Policy and Oversight to which was referred:

H. F. No. 755, A bill for an act relating to crime; adding felony theft to the racketeering statute; adding identity theft to the enhanced penalty for theft; amending Minnesota Statutes 2008, sections 609.52, subdivision 3; 609.902, subdivision 4.

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

The report was adopted.

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

H. F. No. 801, A bill for an act relating to state government; modifying laws regarding state reports and documents; amending Minnesota Statutes 2008, sections 3.195, subdivisions 1, 3; 3.302, subdivision 3; 6.72, subdivision 1; 11A.17, subdivision 11; 16A.27, subdivision 2; 214.07, subdivision 2.

Reported the same back with the following amendments:

Page 2, line 8, before "a" insert "on its Web site"

Page 3, delete section 6 and insert:

"Sec. 6. Minnesota Statutes 2008, section 16A.27, subdivision 2, is amended to read:

Subd. 2. **Daily report record.** ~~By 9:00 a.m. every business day, a depository holding a total of over \$100,000 in non-interest-bearing state deposits shall report the balances as of the close of the last business day to the commissioner. The commissioner shall record the balances and send a copy of them to the Legislative Reference Library. Each day the commissioner shall maintain a record on the department's Web site of all depositories holding noninterest bearing state deposits in excess of \$100,000.~~"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 811, A bill for an act relating to insurance; increasing maximum dollar amounts on protection for policyholders of insolvent life and health insurance companies to provide greater comparability with limits of federal deposit insurance of bank accounts; amending Minnesota Statutes 2008, sections 61B.19, subdivisions 4, 6; 61B.28, subdivision 8.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 61B.19, subdivision 4, is amended to read:

Subd. 4. **Limitation of benefits.** The benefits for which the association may become liable shall in no event exceed the lesser of:

(1) the contractual obligations for which the insurer is liable or would have been liable if it were not an impaired or insolvent insurer; or

(2) subject to the limitation in clause (5), with respect to any one life, regardless of the number of policies or contracts:

(i) ~~\$300,000~~ \$410,000 in life insurance death benefits, but not more than ~~\$100,000~~ \$130,000 in net cash surrender and net cash withdrawal values for life insurance;

(ii) ~~\$300,000~~ \$410,000 in health insurance benefits, including any net cash surrender and net cash withdrawal values;

(iii) ~~\$100,000~~ \$250,000 in annuity net cash surrender and net cash withdrawal values;

(iv) ~~\$300,000~~ \$410,000 in present value of annuity benefits for structured settlement annuities or for annuities in regard to which periodic annuity benefits, for a period of not less than the annuitant's lifetime or for a period certain of not less than ten years, have begun to be paid, on or before the date of impairment or insolvency; or

(3) subject to the limitations in clauses (5) and (6), with respect to each individual resident participating in a retirement plan, except a defined benefit plan, established under section 401, 403(b), or 457 of the Internal Revenue Code of 1986, as amended through December 31, 1992, covered by an unallocated annuity contract, or the beneficiaries of each such individual if deceased, in the aggregate, ~~\$100,000~~ \$250,000 in net cash surrender and net cash withdrawal values;

(4) where no coverage limit has been specified for a covered policy or benefit, the coverage limit shall be ~~\$300,000~~ \$410,000 in present value;

(5) in no event shall the association be liable to expend more than ~~\$300,000~~ \$410,000 in the aggregate with respect to any one life under clause (2), items (i), (ii), (iii), (iv), and clause (4), and any one individual under clause (3);

(6) in no event shall the association be liable to expend more than ~~\$7,500,000~~ \$10,250,000 with respect to all unallocated annuities of a retirement plan, except a defined benefit plan, established under section 401, 403(b), or 457 of the Internal Revenue Code of 1986, as amended through December 31, 1992. If total claims from a plan exceed ~~\$7,500,000~~ \$10,250,000, the ~~\$7,500,000~~ \$10,250,000 shall be prorated among the claimants;

(7) for purposes of applying clause (2)(ii) and clause (5), with respect only to health insurance benefits, the term "any one life" applies to each individual covered by a health insurance policy;

(8) where covered contractual obligations are equal to or less than the limits stated in this subdivision, the association will pay the difference between the covered contractual obligations and the amount credited by the estate of the insolvent or impaired insurer, if that amount has been determined or, if it has not, the covered contractual limit, subject to the association's right of subrogation;

(9) where covered contractual obligations exceed the limits stated in this subdivision, the amount payable by the association will be determined as though the covered contractual obligations were equal to those limits. In making the determination, the estate shall be deemed to have credited the covered person the same amount as the estate would credit a covered person with contractual obligations equal to those limits; or

(10) the following illustrates how the principles stated in clauses (8) and (9) apply. The example illustrated concerns hypothetical claims subject to the limit stated in clause (2)(iii). The principles stated in clauses (8) and (9), and illustrated in this clause, apply to claims subject to any limits stated in this subdivision.

CONTRACTUAL OBLIGATIONS OF:

	\$50,000	
	Estate	Guaranty Association
0% recovery from estate	\$0	\$50,000
25% recovery from estate	\$12,500	\$37,500
50% recovery from estate	\$25,000	\$25,000
75% recovery from estate	\$37,500	\$12,500
	\$100,000	
	Estate	Guaranty Association

0% recovery from estate	\$0	\$100,000
25% recovery from estate	\$25,000	\$75,000
50% recovery from estate	\$50,000	\$50,000
75% recovery from estate	\$75,000	\$25,000

\$200,000

	Estate	Guaranty Association
0% recovery from estate	\$0	\$100,000
25% recovery from estate	\$50,000	\$75,000
50% recovery from estate	\$100,000	\$50,000
75% recovery from estate	\$150,000	\$25,000

For purposes of this subdivision, the commissioner shall determine the discount rate to be used in determining the present value of annuity benefits.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to member insurers who are first determined to be impaired or insolvent on or after this effective date. Member insurers who are subject to an order of impairment in effect on the effective date but are not declared insolvent until after the effective date shall continue to be governed by the law in effect prior to the effective date.

Sec. 2. Minnesota Statutes 2008, section 61B.19, subdivision 6, is amended to read:

Subd. 6. **Adjustment of liability limits.** The dollar amounts stated in subdivision 4 shall be adjusted for inflation based upon the implicit price deflator for the gross domestic product compiled by the United States Department of Commerce and hereafter referred to as the index. The dollar amounts stated in subdivision 4 are based upon the value of the index for the fourth quarter of ~~1992~~ 2008, which is the reference base index for purposes of this subdivision. The dollar amounts in subdivision 4 shall change on October 1 of each year after ~~1993~~ 2008 based upon the percentage difference between the index for the fourth quarter of the preceding year and the reference base index, calculated to the nearest whole percentage point. The commissioner shall announce and publish, on or before April 30 of each year, the changes in the dollar amounts required by this subdivision to take effect on October 1 of that year. The commissioner shall use the most recent revision of the relevant gross domestic product implicit price deflators available as of April 1. If the United States Department of Commerce changes the base year for the gross domestic product implicit price deflator, the commissioner shall make the calculations necessary to convert from the old to the new base year. Changes must be in increments of \$10,000. No adjustment may be made until the change in the index results in at least a \$10,000 increase. The commissioner shall promptly notify the revisor of statutes in writing of the changes announced and published. The revisor shall publish the changes in the next edition of Minnesota Statutes.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to member insurers who are first determined to be impaired or insolvent on or after this effective date. Member insurers who are subject to an order of impairment in effect on the effective date but are not declared insolvent until after the effective date shall continue to be governed by the law in effect prior to the effective date.

Sec. 3. Minnesota Statutes 2008, section 61B.28, subdivision 8, is amended to read:

Subd. 8. **Form.** The form of notice referred to in subdivision 7, paragraph (a), is as follows:

"
.....
.....

(insert name, current address, and telephone number of insurer)

NOTICE CONCERNING POLICYHOLDER RIGHTS IN AN
INSOLVENCY UNDER THE MINNESOTA LIFE AND HEALTH
INSURANCE GUARANTY ASSOCIATION LAW

If the insurer that issued your life, annuity, or health insurance policy becomes impaired or insolvent, you are entitled to compensation for your policy from the assets of that insurer. The amount you recover will depend on the financial condition of the insurer.

In addition, residents of Minnesota who purchase life insurance, annuities, or health insurance from insurance companies authorized to do business in Minnesota are protected, SUBJECT TO LIMITS AND EXCLUSIONS, in the event the insurer becomes financially impaired or insolvent. This protection is provided by the Minnesota Life and Health Insurance Guaranty Association.

Minnesota Life and Health Insurance Guaranty Association

(insert current address and telephone number)

The maximum amount the guaranty association will pay for all policies issued on one life by the same insurer is limited to ~~\$300,000~~ \$410,000. Subject to this ~~\$300,000~~ \$410,000 limit, the guaranty association will pay up to ~~\$300,000~~ \$410,000 in life insurance death benefits, ~~\$100,000~~ \$130,000 in net cash surrender and net cash withdrawal values for life insurance, ~~\$300,000~~ \$410,000 in health insurance benefits, including any net cash surrender and net cash withdrawal values, ~~\$100,000~~ \$250,000 in annuity net cash surrender and net cash withdrawal values, ~~\$300,000~~ \$410,000 in present value of annuity benefits for annuities which are part of a structured settlement or for annuities in regard to which periodic annuity benefits, for a period of not less than the annuitant's lifetime or for a period certain of not less than ten years, have begun to be paid on or before the date of impairment or insolvency, or if no coverage limit has been specified for a covered policy or benefit, the coverage limit shall be ~~\$300,000~~ \$410,000 in present value. Unallocated annuity contracts issued to retirement plans, other than defined benefit plans, established under section 401, 403(b), or 457 of the Internal Revenue Code of 1986, as amended through December 31, 1992, are covered up to ~~\$100,000~~ \$250,000 in net cash surrender and net cash withdrawal values, for Minnesota residents covered by the plan provided, however, that the association shall not be responsible for more than ~~\$7,500,000~~ \$10,250,000 in claims from all Minnesota residents covered by the plan. If total claims exceed ~~\$7,500,000~~ \$10,250,000, the ~~\$7,500,000~~ \$10,250,000 shall be prorated among all claimants. These are the maximum claim amounts. Coverage by the guaranty association is also subject to other substantial limitations and exclusions and requires continued residency in Minnesota. If your claim exceeds the guaranty association's limits, you may still recover a part or all of that amount from the proceeds of the liquidation of the insolvent insurer, if any exist. Funds to pay claims may not be immediately available. The guaranty association assesses insurers licensed to sell life and health insurance in Minnesota after the insolvency occurs. Claims are paid from this assessment.

THE COVERAGE PROVIDED BY THE GUARANTY ASSOCIATION IS NOT A SUBSTITUTE FOR USING CARE IN SELECTING INSURANCE COMPANIES THAT ARE WELL MANAGED AND FINANCIALLY STABLE. IN SELECTING AN INSURANCE COMPANY OR POLICY, YOU SHOULD NOT

RELY ON COVERAGE BY THE GUARANTY ASSOCIATION.

THIS NOTICE IS REQUIRED BY MINNESOTA STATE LAW TO ADVISE POLICYHOLDERS OF LIFE, ANNUITY, OR HEALTH INSURANCE POLICIES OF THEIR RIGHTS IN THE EVENT THEIR INSURANCE CARRIER BECOMES FINANCIALLY INSOLVENT. THIS NOTICE IN NO WAY IMPLIES THAT THE COMPANY CURRENTLY HAS ANY TYPE OF FINANCIAL PROBLEMS. ALL LIFE, ANNUITY, AND HEALTH INSURANCE POLICIES ARE REQUIRED TO PROVIDE THIS NOTICE."

Additional language may be added to the notice if approved by the commissioner prior to its use in the form. Insurers shall update this notice if necessary as of October 1 of each year to account for adjustments in dollar values made under section 61B.19, subdivision 6. This section does not apply to fraternal benefit societies regulated under chapter 64B.

EFFECTIVE DATE. This section is effective 30 days following final enactment.

Sec. 4. **REPEALER; PROHIBITED SALES PRACTICE.**

Minnesota Statutes 2008, section 61B.28, subdivision 4, 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 insurance; increasing certain maximum dollar amounts on protection for policyholders of insolvent life and health insurance companies to provide greater comparability with limits of federal deposit insurance of bank accounts; updating certain other dollar amounts to reflect inflation adjustments already made by law; removing a certain prohibited sales practice; amending Minnesota Statutes 2008, sections 61B.19, subdivisions 4, 6; 61B.28, subdivision 8; repealing Minnesota Statutes 2008, section 61B.28, subdivision 4."

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

The report was adopted.

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

H. F. No. 936, A bill for an act relating to human services; specifying criteria for communities for a lifetime; requiring the Minnesota Board on Aging and the commissioner of employment and economic development to develop recommendations on the designation of communities for a lifetime; requiring a report; amending Minnesota Statutes 2008, section 256.975, by adding a subdivision.

Reported the same back with the following amendments:

Page 1, line 18, after "means" insert "counties,"

Page 1, line 22, after "extended" insert "within a reasonable distance"

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

The report was adopted.

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

S. F. No. 307, A bill for an act relating to local government; changing out-of-state travel policy requirements; amending Minnesota Statutes 2008, section 471.661.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 172, 208, 300, 417 and 801 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 162 and 307 were read for the second time.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Sertich from the Committee on Rules and Legislative Administration, pursuant to rule 1.21, designated the following bills to be placed on the Calendar for the Day for Thursday, February 26, 2009:

H. F. Nos. 598 and 334.

CALENDAR FOR THE DAY

H. F. No. 598 was reported to the House.

Eken and McNamara moved to amend H. F. No. 598 as follows:

Page 4, after line 6, insert:

"Sec. 10. **EFFECTIVE DATE.**

Sections 1 to 9 are effective the day following final enactment."

The motion prevailed and the amendment was adopted.

H. F. No. 598, A bill for an act relating to agriculture; changing certain provisions of the nursery law; amending Minnesota Statutes 2008, sections 18H.02, subdivision 12a, by adding subdivisions; 18H.07, subdivisions 2, 3; 18H.09; 18H.10; repealing Minnesota Rules, part 1505.0820.

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	Dettmer	Haws	Lanning	Newton	Shimanski
Anderson, B.	Dill	Hayden	Lenczewski	Nornes	Simon
Anderson, P.	Dittrich	Hilstrom	Lesch	Norton	Slawik
Anderson, S.	Doepke	Hilty	Liebling	Obermueller	Slocum
Anzelc	Doty	Holberg	Lieder	Olin	Smith
Atkins	Downey	Hoppe	Lillie	Otremba	Solberg
Beard	Drazkowski	Hornstein	Loeffler	Paymar	Sterner
Bigham	Eastlund	Hortman	Loon	Pelowski	Swails
Bly	Eken	Hosch	Mack	Peppin	Thao
Brod	Emmer	Howes	Mahoney	Persell	Thissen
Brown	Falk	Huntley	Mariani	Peterson	Tillberry
Brynaert	Faust	Jackson	Marquart	Poppe	Torkelson
Buesgens	Fritz	Johnson	Masin	Reinert	Urdahl
Bunn	Gardner	Juhnke	McFarlane	Rosenthal	Wagenius
Carlson	Garofalo	Kahn	McNamara	Rukavina	Ward
Champion	Gottwalt	Kalin	Morgan	Ruud	Welti
Clark	Greiling	Kath	Morrow	Sailer	Westrom
Cornish	Gunther	Kelly	Mullery	Sanders	Winkler
Davids	Hackbarth	Kiffmeyer	Murdock	Scalze	Zellers
Davnie	Hamilton	Knuth	Murphy, E.	Scott	Spk. Kelliher
Dean	Hansen	Koenen	Murphy, M.	Seifert	
Demmer	Hausman	Laine	Nelson	Sertich	

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

H. F. No. 334, A bill for an act relating to creditor remedies; modifying garnishment instructions, forms, procedures, and exemptions; amending Minnesota Statutes 2008, sections 550.143; 550.37, subdivision 14; 551.05; 571.71; 571.72, by adding a subdivision; 571.913; 571.914; 571.925.

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 129 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abeler	Anzelc	Bly	Bunn	Cornish	Demmer
Anderson, B.	Atkins	Brod	Carlson	Davids	Dettmer
Anderson, P.	Beard	Brown	Champion	Davnie	Dill
Anderson, S.	Bigham	Brynaert	Clark	Dean	Dittrich

Doepke	Hausman	Kelly	McFarlane	Persell	Solberg
Doty	Haws	Kiffmeyer	McNamara	Peterson	Sterner
Downey	Hayden	Knuth	Morgan	Poppe	Swails
Drazkowski	Hilstrom	Koenen	Morrow	Reinert	Thao
Eastlund	Hilty	Laine	Mullery	Rosenthal	Thissen
Eken	Holberg	Lanning	Murdock	Rukavina	Tillberry
Emmer	Hoppe	Lenczewski	Murphy, E.	Ruud	Torkelson
Falk	Hornstein	Lesch	Murphy, M.	Sailer	Urdahl
Faust	Hortman	Liebling	Nelson	Sanders	Wagenius
Fritz	Hosch	Lieder	Newton	Scalze	Ward
Gardner	Howes	Lillie	Nornes	Scott	Welti
Garofalo	Huntley	Loeffler	Norton	Seifert	Westrom
Gottwalt	Jackson	Loon	Obermueller	Sertich	Winkler
Greiling	Johnson	Mack	Olin	Shimanski	Zellers
Gunther	Juhnke	Mahoney	Otremba	Simon	Spk. Kelliher
Hackbarth	Kahn	Mariani	Paymar	Slawik	
Hamilton	Kalin	Marquart	Pelowski	Slocum	
Hansen	Kath	Masin	Peppin	Smith	

Those who voted in the negative were:

Buesgens

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Introduction and First Reading of House Bills.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Mahoney, Beard, Faust and Hosch introduced:

H. F. No. 1091, A bill for an act relating to energy; abolishing existing prohibition on issuing certificate of need for new nuclear power plant; amending Minnesota Statutes 2008, section 216B.243, subdivision 3b.

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

Olin introduced:

H. F. No. 1092, A bill for an act relating to capital investment; authorizing the issuance of state bonds; appropriating money for a flood mitigation project.

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

Hosch; Davids; Olin; Haws; Hoppe; Urdahl; Anderson, P.; Huntley; Juhnke; Doty; Marquart; Ward; Gottwalt; Seifert; Holberg; Peppin; Emmer; Demmer; Buesgens; Hamilton; Cornish; Dean; Beard; Howes; Magnus; Kiffmeyer; Dettmer; Downey; Mack; Otremba; Koenen; Sterner; Scott; Kelly and Shimanski introduced:

H. F. No. 1093, A bill for an act relating to health; increasing base funding for positive abortion alternatives.

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

Abeler introduced:

H. F. No. 1094, A bill for an act relating to health professions; requiring qualifications for employment as a surgical technologist; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Mullery introduced:

H. F. No. 1095, A bill for an act relating to agriculture; classifying certain research, monitoring, and assessment data; amending Minnesota Statutes 2008, section 13.643, by adding a subdivision.

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

Mullery introduced:

H. F. No. 1096, A bill for an act relating to capital improvements; appropriating money for Victory Memorial Parkway in Minneapolis; authorizing the sale and issuance of state bonds.

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

Hansen introduced:

H. F. No. 1097, A bill for an act relating to public safety; securing aircraft cockpits against lasers; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Anzcl, Brod, Abeler, Zellers, Fritz and Atkins introduced:

H. F. No. 1098, A bill for an act relating to gambling; appropriating money for compulsive gambling.

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

Lanning, Marquart, Murdock, Nornes, Otremba, Eken and Westrom introduced:

H. F. No. 1099, A bill for an act relating to rural economies; appropriating money for a workforce program.

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

Thissen, Kelliher, Kahn and Smith introduced:

H. F. No. 1100, A bill for an act relating to retirement; authorizing the consolidation of the Minneapolis Employees Retirement Fund with the general employees retirement plan of the Public Employees Retirement Association; adjusting contribution requirements; making conforming changes; amending Minnesota Statutes 2008, sections 6.67; 13D.01, subdivision 1; 43A.17, subdivision 9; 43A.316, subdivision 8; 69.011, subdivision 1; 69.021, subdivision 10; 69.031, subdivision 5; 126C.41, subdivision 3; 256D.21; 352.01, subdivision 2b; 353.01, subdivisions 2a, 2b, 10, 16; 353.0161, subdivision 1; 353.026; 353.27, subdivisions 2, 3, 3a, 3b, by adding a subdivision; 353.29, subdivisions 1, 3, by adding a subdivision; 353.30, subdivision 5; 353.31, subdivisions 1, 1a; 353.32, subdivision 1a; 353.33, subdivisions 1, 3, 12; 353.34, subdivision 3; 353.37, by adding a subdivision; 353.46, subdivision 6; 353.64, subdivision 7; 354.71; 354A.011, subdivision 27; 354A.39; 356.20, subdivision 2; 356.214, subdivision 1; 356.215, subdivisions 8, 11; 356.30, subdivision 3; 356.302, subdivisions 1, 7; 356.303, subdivision 4; 356.32, subdivision 2; 356.401, subdivision 3; 356.407, subdivision 2; 356.431, subdivision 1; 356.465, subdivision 3; 356.64; 356.65, subdivision 2; 356.91; 356.96, subdivision 1; 422A.101, subdivision 3; 422A.26; 473.511, subdivision 3; 473.606, subdivision 5; 475.52, subdivision 6; 480.181, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 2008, sections 13.63, subdivision 1; 69.011, subdivision 2a; 356.43; 422A.01, subdivisions 1, 2, 3, 4, 4a, 5, 6, 7, 8, 9, 10, 11, 12, 13, 13a, 17, 18; 422A.02; 422A.03; 422A.04; 422A.05, subdivisions 1, 2a, 2b, 2c, 2d, 2e, 2f, 5, 6, 8; 422A.06; 422A.08, subdivisions 1, 5, 5a; 422A.09; 422A.10; 422A.101, subdivisions 1, 1a, 2, 2a; 422A.11; 422A.12; 422A.13; 422A.14, subdivision 1; 422A.15; 422A.151; 422A.155; 422A.156; 422A.16, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 422A.17; 422A.18, subdivisions 1, 2, 3, 4, 5, 7; 422A.19; 422A.20; 422A.21; 422A.22, subdivisions 1, 3, 4, 6; 422A.23, subdivisions 1, 2, 5, 6, 7, 8, 9, 10, 11, 12; 422A.231; 422A.24; 422A.25.

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

Dittrich; Brown; Rukavina; Greiling; Slawik; Mariani; Poppe; Swails; Anzelc; Haws; Slocum; Laine; Peterson; Lesch; Norton; Newton; Tillberry; Ward; Morgan; Sertich; Bly; Olin; Hortman; Ruud; Gunther; Abeler; Davids; Anderson, P.; Urdahl; Hornstein; Nelson; Liedler; Johnson; Fritz and Gardner introduced:

H. F. No. 1101, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 1; providing for high quality in public education through equitable and adequate funding.

The bill was read for the first time and referred to the Committee on K-12 Education Policy and Oversight.
Paymar, Hornstein, Hansen and Clark introduced:

H. F. No. 1102, A bill for an act relating to public safety; expanding the open alcohol container law to include certain off-road recreational vehicles; amending Minnesota Statutes 2008, section 169A.35, subdivision 1.

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

Paymar, Mullery, Howes and Clark introduced:

H. F. No. 1103, A bill for an act relating to civil law; reversing the presumption outside metropolitan areas regarding trespass with recreational motor vehicles; amending Minnesota Statutes 2008, section 84.90, subdivisions 2, 3.

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

Haws, Gottwalt, Eken, Mariani, Sailer, Bly, Mahoney, Hosch, Thao, Marquart, Reinert, Welti, Lillie, Gunther and Lanning introduced:

H. F. No. 1104, A bill for an act relating to employment; appropriating money for a grant to administer a statewide program for youth job skills development.

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

Swails; Hornstein; Gardner; Masin; Winkler; Ruud; Slocum; Murphy, E.; Lieder; Scalze; Loeffler and Sterner introduced:

H. F. No. 1105, A bill for an act relating to taxation; redefining transit taxing district; authorizing tax levy outside existing transit taxing district; amending Minnesota Statutes 2008, section 473.446, subdivisions 2, 8; repealing Minnesota Statutes 2008, section 473.4461.

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

Hausman and Mariani introduced:

H. F. No. 1106, A bill for an act relating to public finance; providing the St. Paul Port Authority application fee credit toward a future bond sale.

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

Thao introduced:

H. F. No. 1107, A bill for an act relating to human services; requiring use of broker or coordinator for special transportation services and access transportation services on a statewide basis; modifying criteria for special transportation services; amending Minnesota Statutes 2008, sections 256B.04, subdivision 14; 256B.0625, subdivision 17.

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

Brod, Kohls and Dean introduced:

H. F. No. 1108, A bill for an act relating to taxation; income; phasing out corporate franchise tax; providing an exclusion for long-term capital gains; amending Minnesota Statutes 2008, sections 290.01, subdivision 19b; 290.06, subdivision 1; 290.091, subdivision 2; 290.0921, subdivision 1.

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

Eken introduced:

H. F. No. 1109, A bill for an act relating to capital improvements; appropriating money for a biofuels production facility in White Earth; authorizing the sale and issuance of state bonds.

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

Thissen, Abeler, Huntley, Liebling and Thao introduced:

H. F. No. 1110, A bill for an act relating to human services; modifying programs and licensure provisions for services to persons with disabilities; requiring a report; appropriating money; amending Minnesota Statutes 2008, sections 245A.10, subdivision 3; 245A.11, by adding a subdivision; 245C.04, subdivision 1; 245C.20; 256B.5011, subdivision 2; 256B.5012, subdivisions 4, 6, 7; 256B.5013, subdivision 1, by adding a subdivision; 256D.44, subdivision 5; repealing Minnesota Statutes 2008, section 256B.5013, subdivision 5; Minnesota Rules, part 9555.6125, subpart 4, item B.

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

Murphy, M., by request, introduced:

H. F. No. 1111, A bill for an act relating to retirement; modifying various public pension plan provisions; providing for uniformity in various administrative provisions; modifying definitions; amending Minnesota Statutes 2008, sections 3A.02, subdivision 3, by adding a subdivision; 3A.03, by adding a subdivision; 3A.04, by adding a subdivision; 3A.115; 11A.08, subdivision 1; 11A.23, subdivisions 1, 2; 352.04, subdivisions 1, 12; 352.061; 352.113, by adding a subdivision; 352.115, by adding a subdivision; 352.12, by adding a subdivision; 352.75, subdivisions 3, 4; 352.911, subdivisions 3, 5; 352.93, by adding a subdivision; 352.931, by adding a subdivision; 352.95, by adding a subdivision; 352B.02, subdivision 1d; 352B.08, by adding a subdivision; 352B.10, by adding a subdivision; 352B.11, by adding a subdivision; 352C.10; 352D.06, subdivision 1; 352D.065, by adding a subdivision; 352D.075, by adding a subdivision; 353.06; 353.27, subdivision 1; 353.29, by adding a subdivision; 353.31, subdivision 1b, by adding a subdivision; 353.33, subdivisions 3b, 7, by adding a subdivision; 353.651, by adding a subdivision; 353.656, subdivision 5a, by adding a subdivision; 353.657, subdivision 3a, by adding a subdivision; 353.665, subdivision 3; 353A.02, subdivisions 14, 23; 353A.05, subdivisions 1, 2; 353A.08, subdivisions 1, 3; 353A.081, subdivision 2; 353A.09, subdivision 1; 353A.10, subdivisions 2, 3; 353E.01, subdivisions 3, 5; 353E.04, by adding a subdivision; 353E.06, by adding a subdivision; 353E.07, by adding a subdivision; 354.07, subdivision 4; 354.33, subdivision 5; 354.35, by adding a subdivision; 354.42, subdivision 1a; 354.44, by adding a subdivision; 354.46, by adding a subdivision; 354.48, by adding a subdivision; 354.55, subdivision 13; 354.70, subdivisions 5, 6; 356.215, subdivisions 1, 11; 356.351, subdivision 2; 490.123, subdivisions 1, 3; 490.124, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 2008, sections 11A.041; 11A.18; 11A.181; 352.119, subdivisions 2, 3, 4; 352B.26, subdivisions 1, 3; 353.271; 353A.02, subdivision 20; 353A.09, subdivisions 2, 3; 354.05, subdivision 26; 354.55, subdivision 14; 354.63; 356.41; 356.431, subdivision 2; 422A.01, subdivision 13; 422A.06, subdivision 4; 490.123, subdivisions 1c, 1e.

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

Morgan introduced:

H. F. No. 1112, A bill for an act relating to elections; authorizing absentee voting without excuse; amending Minnesota Statutes 2008, sections 203B.02, subdivision 1; 203B.04, subdivisions 1, 6.

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

Morgan introduced:

H. F. No. 1113, A bill for an act relating to elections; authorizing early voting; amending Minnesota Statutes 2008, sections 201.022, subdivision 1; 203B.001; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 204C.10; 206.83; 206.89, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 203B.

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

Pelowski introduced:

H. F. No. 1114, A bill for an act relating to human services; changing capacity requirements for adult foster homes; amending Minnesota Statutes 2008, section 245A.11, subdivision 2a; repealing Minnesota Rules, part 9555.6165.

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

Brynaert, Poppe, Seifert, Pelowski and Lanning introduced:

H. F. No. 1115, A bill for an act relating to higher education; allowing waivers to the policy setting semester credit requirements; amending Laws 2007, chapter 144, article 1, section 4, subdivision 3.

The bill was read for the first time and referred to the Higher Education and Workforce Development Finance and Policy Division.

Davnie introduced:

H. F. No. 1116, A bill for an act relating to employment and economic development; making technical changes; limiting certain liability; waiving certain unemployment benefit requirements for dislocated workers; expanding the authorized use of the Minnesota investment fund; modifying unemployment insurance provisions; requiring appeals to be filed online; providing for collection of fees; regulating continued request for unemployment benefits filings; providing administrative penalties; defining and clarifying terms; appropriating money; amending Minnesota Statutes 2008, sections 15.75, subdivision 5; 16B.54, subdivision 2; 84.94, subdivision 3; 116J.035, subdivision 6; 116J.401, subdivision 2; 116J.435, subdivisions 2, 3; 116J.68, subdivision 2; 116J.8731, subdivisions 2, 3; 116L.03, subdivision 5; 116L.05, subdivision 5; 116L.871, subdivision 1; 116L.96; 123A.08, subdivision 1; 124D.49, subdivision 3; 241.27, subdivision 1; 248.061, subdivision 3; 248.07,

subdivisions 7, 8; 256J.626, subdivision 4; 256J.66, subdivision 1; 268.035, subdivisions 2, 17, by adding subdivisions; 268.042, subdivision 3; 268.043; 268.044, subdivision 2; 268.047, subdivisions 1, 2; 268.051, subdivisions 1, 4; 268.052, subdivision 2; 268.053, subdivision 1; 268.057, subdivisions 4, 5; 268.0625, subdivision 1; 268.066; 268.067; 268.069, subdivision 1; 268.07, subdivisions 1, 2, 3, 3b; 268.084; 268.085, subdivisions 1, 2, 3, 3a, 4, 5, 6, 15; 268.095, subdivisions 1, 2, 6, 10, 11; 268.101, subdivisions 1, 2; 268.103, subdivision 1, by adding a subdivision; 268.105, subdivisions 1, 2, 3a; 268.115, subdivision 5; 268.125, subdivision 5; 268.135, subdivision 4; 268.145, subdivision 1; 268.18, subdivisions 1, 2, 4a; 268.186; 268.196, subdivisions 1, 2; 268.199; 268.211; 268A.06, subdivision 1; 469.169, subdivision 3; 469.321, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 2008, sections 116J.402; 116J.413; 116J.58, subdivision 1; 116J.59; 116J.61; 116J.656; 116L.16; 116L.88; 116U.65; 268.085, subdivision 14; 268.086; 469.329; Minnesota Rules, part 3310.2925.

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

Falk introduced:

H. F. No. 1117, A bill for an act relating to education finance; authorizing a fund transfer for Independent School District No. 62, Ortonville.

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

Gardner, Demmer and Sailer introduced:

H. F. No. 1118, A bill for an act relating to taxation; modifying disposition of solid waste management tax revenue; amending Minnesota Statutes 2008, section 297H.13, subdivision 2.

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

Kath, Lesch, Hilstrom and Anderson, B., introduced:

H. F. No. 1119, A bill for an act relating to public safety; amending statutes to reflect organizational changes in Bureau of Criminal Apprehension; amending Minnesota Statutes 2008, sections 13.87, subdivision 1; 84.027, subdivision 17; 122A.18, subdivision 8; 123B.03, subdivision 1; 246.13, subdivision 2; 253B.141, subdivision 1; 299C.115; 299C.40, subdivision 1; 299C.46, subdivision 1; 299C.52, subdivisions 1, 3, 4; 299C.53, subdivision 1; 299C.62, subdivision 1; 299C.65, subdivisions 1, 5; 299C.68, subdivision 2; 388.24, subdivision 4; 401.065, subdivision 3a; 480.23; 518.165, subdivision 5; 524.5-118, subdivision 2; 611.272; 628.69, subdivision 6; repealing Minnesota Statutes 2008, sections 299C.61, subdivision 8; 299C.67, subdivision 3.

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

Kath, Lesch and Hilstrom introduced:

H. F. No. 1120, A bill for an act relating to public safety; delineating uses of data in the comprehensive incident-based reporting system; amending Minnesota Statutes 2008, section 299C.40, subdivision 2.

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

Cornish introduced:

H. F. No. 1121, A bill for an act relating to cultural heritage; appropriating money for purposes of Farmamerica.

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

Juhnke, Magnus, Otremba and Hamilton introduced:

H. F. No. 1122, A bill for an act relating to appropriations; appropriating money for agriculture, the Board of Animal Health, veterans, and the military; changing certain agricultural and animal health requirements and programs; establishing a program; eliminating a sunset; amending Minnesota Statutes 2008, sections 3.737, subdivision 1; 3.7371, subdivision 3; 17.03, subdivision 12; 18B.01, subdivision 8, by adding subdivisions; 18B.065, subdivision 2a, by adding subdivisions; 18B.26, subdivision 3; 18E.03, subdivision 2; 28A.085, subdivision 1; 32.394, subdivision 8; 41A.09, subdivisions 2a, 3a; 197.585, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 18B; 41A; repealing Minnesota Statutes 2008, sections 17.49, subdivision 3; 38.02, subdivisions 3, 4.

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

Murphy, M., introduced:

H. F. No. 1123, A bill for an act relating to retirement; specifying a new process for computing Teachers Retirement Association service credit; authorizing deduction of other benefits received from Teachers Retirement Association refunds; expanding postretirement option program eligibility to include all state employees with Public Employees Retirement Association coverage; revising Public Employees Retirement Association erroneous receipts provision to provide interest on employee contribution overpayments; creating Teachers Retirement Association full actuarial value uncredited military service provision; making administrative revisions and technical corrections in various retirement provisions; amending Minnesota Statutes 2008, sections 43A.346, subdivisions 2, 6; 352B.02, subdivisions 1a, 1c; 353.01, subdivision 16; 353.0161, subdivision 1; 353.27, subdivisions 2, 3, 7; 353.33, subdivisions 1, 11, 12, by adding a subdivision; 353.65, subdivisions 2, 3; 353A.08, subdivision 6a; 354.05, by adding subdivisions; 354.091; 354.42, subdivision 2; 354.44, subdivisions 4, 5; 354.47, subdivision 1; 354.48, subdivisions 4, 6; 354.49, subdivision 2; 354.52, subdivisions 2a, 4b, 6, by adding a subdivision; 354.55, subdivision 11; 354.66, subdivision 3; 354A.096; 354A.12, subdivision 2a, by adding a subdivision; 354A.36, subdivision 6; 356.401, subdivision 2; 356.465, subdivision 1, by adding a subdivision; 356.611, subdivisions 3, 4; 356.635, subdivisions 6, 7; 356.96, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 354; repealing Minnesota Statutes 2008, sections 354.06, subdivision 6; 354.55, subdivision 14.

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

Murphy, M., introduced:

H. F. No. 1124, A bill for an act relating to retirement; modifying correctional state employees retirement plan membership; amending Minnesota Statutes 2008, section 352.91, subdivision 3d.

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

Eastlund and Gottwalt introduced:

H. F. No. 1125, A bill for an act relating to nursing homes; permitting nursing home inspections by nursing home personnel; amending Minnesota Statutes 2008, section 144A.10, by adding a subdivision.

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

Eastlund introduced:

H. F. No. 1126, A bill for an act relating to public safety; modifying and expanding the conditional release program for nonviolent drug offenders; extending the program's sunset; modifying the mandatory minimum sentence for repeat fifth-degree controlled substance offenders; amending Minnesota Statutes 2008, sections 152.025, subdivision 3; 244.055, subdivisions 2, 3, 5, 11, by adding a subdivision; repealing Minnesota Statutes 2008, section 244.055, subdivision 6.

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

Eastlund, Shimanski, Gottwalt and Kiffmeyer introduced:

H. F. No. 1127, A bill for an act relating to veterans; clarifying the circumstances under which pay differential applies for deployed National Guard and reserve members who are teachers; amending Minnesota Statutes 2008, section 471.975.

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

Hortman; Greiling; Clark; Wagenius; Hayden; Murphy, E.; Thissen; Kahn; Knuth; Liebling; Carlson; Slocum and Hornstein introduced:

H. F. No. 1128, A bill for an act relating to environment; requiring a recycling refund value to be placed on recyclable beverage containers; requiring labeling of beverage containers; providing for refunds for containers returned; requiring payment of unclaimed recycling refunds; appropriating money; amending Minnesota Statutes 2008, section 13.7411, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 115A.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.
Murphy, M., introduced:

H. F. No. 1129, A bill for an act relating to retirement; regulating volunteer firefighters' relief associations; reorganizing the defined contribution relief association provisions; recodifying the general volunteer firefighters' relief association law; making conforming changes; amending Minnesota Statutes 2008, sections 69.031, subdivision 5; 69.771, subdivision 3; 69.772, subdivisions 4, 6; 69.773, subdivision 6; 356.219, subdivision 3; 424A.001, subdivisions 1, 1a, 2, 3, 4, 5, 6, 8, 9, 10, by adding subdivisions; 424A.01; 424A.02, subdivisions 1, 2, 3, 3a, 6, 7, 8, 9, 9a, 9b, 10, 12, 13; 424A.021; 424A.03; 424A.04; 424A.05, subdivisions 1, 2, 3, 4; 424A.06; 424A.07; 424A.08; 424A.10, subdivisions 1, 2, 3, 4, 5; 424B.10, subdivision 2, by adding subdivisions; 424B.21; proposing coding for new law in Minnesota Statutes, chapters 420; 424A; 424B; repealing Minnesota Statutes 2008, sections 424A.001, subdivision 7; 424A.02, subdivisions 4, 6, 8a, 8b, 9b; 424A.09; 424B.10, subdivision 1.

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

Persell, Anzelc, Sailer, Howes, Ward and Solberg introduced:

H. F. No. 1130, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for capital improvements at Bemidji State University.

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

Bly introduced:

H. F. No. 1131, A bill for an act relating to energy; requiring study and report concerning disclosure of energy use of residential building to owners, purchasers, and renters.

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

Dill, Anzelc and Solberg introduced:

H. F. No. 1132, A bill for an act relating to natural resources; eliminating the need to scale cut forest products on state land; amending Minnesota Statutes 2008, sections 90.031, subdivision 5; 90.061, subdivisions 5, 8; 90.14; 90.151, subdivision 4; 90.181, subdivision 1; 90.221; 90.281; 90.41; repealing Minnesota Statutes 2008, sections 90.01, subdivision 4; 90.201, subdivision 2; 90.251; 90.252.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Champion and Hayden introduced:

H. F. No. 1133, A bill for an act relating to crime; providing for the Uniform Child Abduction Prevention Act; proposing coding for new law as Minnesota Statutes, chapter 518E.

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

Kath introduced:

H. F. No. 1134, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a veterans home in Owatonna.

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

Solberg, Koenen, Falk and Huntley introduced:

H. F. No. 1135, A bill for an act relating to human services; increasing and indexing the medical assistance mileage reimbursement rate; amending Minnesota Statutes 2008, section 256B.0625, subdivision 18a.

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

Lenczewski and Brod introduced:

H. F. No. 1136, A bill for an act relating to taxation; reducing corporate income tax rate; providing green job incentives; establishing small business investment company credit and job growth investment credit; abolishing political contribution refund; changing rent percentage for purposes of property tax refund; modifying capital equipment sales tax exemption; modifying incentive payment for sustainable forest resource management program; providing a federal update; providing for green job opportunity building zones; providing tax credits; allowing tax benefits; making changes to local government aid, the market value homestead credit, income, franchise, property, sales and use, minerals, and other taxes and tax-related provisions; appropriating money; amending Minnesota Statutes 2008, sections 268.19, subdivision 1; 270A.03, subdivision 7; 270B.14, subdivision 3; 270B.15; 272.02, by adding a subdivision; 272.029, subdivision 7; 273.1384, subdivision 4; 289A.02, subdivision 7; 289A.12, by adding a subdivision; 289A.50, subdivision 1; 290.01, subdivisions 6, 19, 19a, 19b, 19c, 19d, 29, 31; 290.06, subdivisions 1, 2c, by adding subdivisions; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0921, subdivisions 1, 3; 290.0922, subdivisions 2, 3; 290.095, subdivisions 2, 11; 290A.03, subdivisions 3, 11, 13, 15; 290C.07; 291.005, subdivision 1; 297A.68, subdivision 5, by adding a subdivision; 297A.75, subdivision 1; 298.285; 477A.0124, by adding a subdivision; 477A.013, subdivision 9, by adding a subdivision; 477A.03, subdivisions 2a, 2b; 477A.12, subdivision 1; 477A.14, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 116J; 297I; 469; 477A; repealing Minnesota Statutes 2008, sections 10A.322, subdivision 4; 290.06, subdivision 23; 477A.03, subdivision 5.

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

Hilty introduced:

H. F. No. 1137, A bill for an act relating to elections; changing certain provisions governing ballot validity and recounts; imposing a penalty; amending Minnesota Statutes 2008, sections 204C.22, subdivision 13; 204C.35, subdivision 1, by adding a subdivision; 204C.36, subdivision 1; 206.89, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 204C.

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

Dill introduced:

H. F. No. 1138, A bill for an act relating to game and fish; expanding all-terrain vehicle use for purposes of baiting bear; modifying winter trout season in Boundary Waters Canoe Area; amending Minnesota Statutes 2008, sections 84.926, subdivisions 2, 4; 97C.395, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Dill introduced:

H. F. No. 1139, A bill for an act relating to capital improvements; appropriating money for a renewable energy biofuels demonstration facility; authorizing the sale and issuance of state bonds.

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

Huntley introduced:

H. F. No. 1140, A bill for an act relating to human services; requiring patient-centered decision-making process before certain procedures are reimbursed under state employee health insurance program and medical assistance; amending Minnesota Statutes 2008, sections 43A.23, subdivision 1; 256B.76, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62U.

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

Huntley introduced:

H. F. No. 1141, A bill for an act relating to health; changing the expiration date for contact lens prescriptions; amending Minnesota Statutes 2008, section 145.712, subdivision 2.

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

Huntley and Greiling introduced:

H. F. No. 1142, A bill for an act relating to health; removing an exception to the smoking ban for patients in a locked psychiatric unit; amending Minnesota Statutes 2008, section 144.414, subdivision 3.

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

McNamara, Hortman, Dill and Hamilton introduced:

H. F. No. 1143, A bill for an act relating to natural resources; eliminating Department of Natural Resources programs that duplicate private market activities.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.
Bigham, Paymar, Kohls, Obermueller and Hilstrom introduced:

H. F. No. 1144, A bill for an act relating to criminal justice; repealing reports on out-of-state juvenile placement; requiring the Sentencing Guidelines Commission to review its reports; repealing Minnesota Statutes 2008, sections 260B.199, subdivision 2; 260B.201, subdivision 3.

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

Bigham, Smith, Olin, Lesch and Hilstrom introduced:

H. F. No. 1145, A bill for an act relating to public safety; modifying application request for payment of investigative and expert services for indigent defendants; amending Minnesota Statutes 2008, sections 611.17; 611.21.

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

Hackbarth, Juhnke, Otremba, Eken and Gunther introduced:

H. F. No. 1146, A bill for an act relating to natural resources; establishing a program to allow public walk-in access on private property; appropriating money; amending Minnesota Statutes 2008, section 97B.001, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 86A.

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight.

Reinert, Davids and Slawik introduced:

H. F. No. 1147, A bill for an act relating to financial institutions; regulating payday lending; providing penalties and remedies; amending Minnesota Statutes 2008, section 47.60, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 47.

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

Hilty and Murphy, M., introduced:

H. F. No. 1148, A bill for an act relating to capital improvements; appropriating money for a wastewater treatment system in the Big Lake Area Sanitary District; authorizing the sale and issuance of state bonds.

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

Juhnke and Hoppe introduced:

H. F. No. 1149, A bill for an act relating to telecommunications; modifying provisions relating to reduced rate regulation and promotion activities; amending Minnesota Statutes 2008, sections 237.411, subdivision 2; 237.626.

The bill was read for the first time and referred to the Committee on Commerce and Labor.
Urdahl, Demmer and Anderson, P., introduced:

H. F. No. 1150, A bill for an act relating to education finance; reinstating base year funding for regular special education aid; amending Minnesota Statutes 2008, sections 124D.454, subdivisions 2, 3; 125A.76, subdivisions 1, 2, 5.

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

Nelson and Lanning introduced:

H. F. No. 1151, A bill for an act relating to counties; modifying publication requirements for financial statements; amending Minnesota Statutes 2008, section 375.17, subdivision 3.

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

Kahn and Pelowski introduced:

H. F. No. 1152, A bill for an act relating to elections; changing certain provisions concerning vacancies in nomination; amending Minnesota Statutes 2008, sections 203B.12, subdivision 2; 204B.04, subdivisions 2, 3; 204B.07, subdivision 1; 204B.09, subdivision 1; 204B.11, subdivision 2; 204B.13, subdivisions 1, 2, by adding subdivisions; repealing Minnesota Statutes 2008, sections 204B.12, subdivision 2a; 204B.13, subdivisions 4, 5, 6; 204B.41; 204D.169.

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

Clark, Gunther and Lesch introduced:

H. F. No. 1153, A bill for an act relating to employment and economic development; appropriating money for the Metropolitan Economic Development Association.

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

Hackbarth introduced:

H. F. No. 1154, A bill for an act relating to liquor; authorizing artisan distilleries; amending Minnesota Statutes 2008, section 340A.101, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 340A.

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

H. F. No. 1155, A bill for an act relating to energy; utilities; modifying certificate of need exemption status for large wind-powered electric generation facility; amending Minnesota Statutes 2008, section 216B.243, subdivisions 8, 9.

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

Paymar, Hilstrom, Kohls and Smith introduced:

H. F. No. 1156, A bill for an act relating to civil law; authorizing referees to preside over conciliation courts; amending Minnesota Statutes 2008, section 491A.03, subdivision 1.

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

Dill introduced:

H. F. No. 1157, A bill for an act relating to commerce; regulating franchise agreements between outdoor sport equipment dealers, manufacturers, and distributors; proposing coding for new law as Minnesota Statutes, chapter 80G.

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

Liebling and Kahn introduced:

H. F. No. 1158, A bill for an act relating to elections; permitting fusion candidacies; changing requirements and procedures accordingly; authorizing rulemaking; amending Minnesota Statutes 2008, sections 204B.03; 204B.04; 204B.06, subdivision 1; 204B.07, subdivision 1; 204B.36, subdivision 2; 204C.21, subdivision 1; 204C.24, subdivision 1; 204C.33, subdivisions 1, 3; 204D.12.

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

Welti, Liebling, Norton and Demmer introduced:

H. F. No. 1159, A bill for an act relating to transportation; requiring commissioner to analyze Rochester to Twin Cities high-speed rail corridor in statewide rail plan; amending Minnesota Statutes 2008, section 174.03, subdivision 1b.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Slawik introduced:

H. F. No. 1160, A bill for an act relating to traffic regulations; modifying parking privileges in van-accessible disability parking places; amending Minnesota Statutes 2008, sections 168.021, subdivisions 1, 2; 169.345; 169.346, subdivisions 1, 2, 3.

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

Dill introduced:

H. F. No. 1161, A bill for an act relating to special assessments; expanding county authorization to abate certain improvements; amending Minnesota Statutes 2008, sections 429.011, subdivision 2a; 429.021, subdivision 1.

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

Kath, Paymar, Hilstrom and Kelly introduced:

H. F. No. 1162, A bill for an act relating to corrections; authorizing correctional facilities to forward surcharges from offender wages to court or other entity collecting the surcharge; amending Minnesota Statutes 2008, section 357.021, subdivision 6.

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

Smith, Paymar, Hilstrom, Hausman and Lesch introduced:

H. F. No. 1163, A bill for an act relating to public safety; appropriating money to provide legal advocacy services to human trafficking victims.

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

Liebling and Hornstein introduced:

H. F. No. 1164, A bill for an act relating to drivers' licenses; halting cumulative suspensions; imposing penalty for certain driving after suspension offenses; amending Minnesota Statutes 2008, sections 171.18, subdivision 1; 171.24, by adding a subdivision.

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

Seifert introduced:

H. F. No. 1165, A bill for an act relating to state government; requiring certain settlements involving the state to be paid to the state general fund; amending Minnesota Statutes 2008, section 16A.151, subdivision 2.

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

Johnson, Solberg, Slocum, Davids, Smith, Holberg, Olin, Mahoney and Jackson introduced:

H. F. No. 1166, A bill for an act relating to insurance; regulating life settlements; providing enforcement; prescribing criminal penalties and civil remedies; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2008, sections 60A.961; 60A.962; 60A.963; 60A.964; 60A.965; 60A.966; 60A.967; 60A.968; 60A.969; 60A.970; 60A.971; 60A.972; 60A.973; 60A.974.

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

H. F. No. 1167, A bill for an act relating to human services; modifying the timing for transferring the medical education and research funds.

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

Garofalo introduced:

H. F. No. 1168, A bill for an act relating to motor vehicles; authorizing municipal deputy registrar of motor vehicles in city of Farmington.

The bill was read for the first time and referred to the Transportation and Transit Policy and Oversight Division.

Rukavina, Sertich, Nelson, Howes and Smith introduced:

H. F. No. 1169, A bill for an act relating to employment; concerning certain purchases and acquisitions by public employers; concerning required work-related purchases for employees of public employers; establishing purchasing preferences; proposing coding for new law in Minnesota Statutes, chapter 181.

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

Buesgens, Hackbarth, Dean, Zellers and Emmer introduced:

H. F. No. 1170, A resolution memorializing the President and Congress to reduce the amount of proposed debt in the federal stimulus package.

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

Jackson introduced:

H. F. No. 1171, A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to laws and statutes; amending Minnesota Statutes 2008, sections 2.031, subdivision 2; 3.7393, subdivision 10; 6.67; 13.202, subdivision 3; 13.4967, by adding subdivisions; 13.681, by adding a subdivision; 13.871, subdivision 6; 16A.152, subdivision 2; 16A.19, subdivision 1; 16B.284; 16B.85, subdivision 1; 17.4986, subdivision 2; 58.05, subdivision 3; 62S.292, subdivision 4; 66A.07, subdivision 4; 116V.01, subdivision 3; 122A.31, subdivision 1; 125A.63, subdivision 5; 128B.03, subdivision 7; 144.6501, subdivision 6; 144.966, subdivision 2; 148.01, subdivision 1a; 148.71, subdivision 2; 148.725, subdivision 5; 148C.11, subdivision 3; 160.80, subdivision 1a; 161.125, subdivision 1; 168.09, subdivision 3; 168.27, subdivision 1; 169.18, subdivision 5; 181.985, subdivision 1; 201.081; 216B.241

The bill was read for the first time and referred to the Committee on Civil Justice.
Garofalo; Anderson, P.; Dettmer; Murdock; Nornes and Downey introduced:

H. F. No. 1172, A bill for an act relating to education; providing for early childhood and family, prekindergarten through grade 12, and adult education, including general education, education excellence, special programs, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, and PELRA; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2008, sections 120A.41; 120B.023, subdivision 2; 120B.024; 120B.30, subdivisions 1, 1a, 2; 120B.362; 122A.09, subdivision 4; 122A.18, subdivision 2; 122A.40, subdivision 8; 122A.413, subdivisions 1, 2; 122A.414, subdivisions 1a, 2, 2b, 3, by adding a subdivision; 122A.415, subdivisions 1, 3; 122A.416; 123B.75, subdivision 5; 124D.10, subdivision 13; 124D.11, subdivision 1; 124D.86, subdivision 3; 125A.11, subdivision 1; 125A.76, subdivision 2; 125A.79, subdivisions 1, 8; 125B.26; 126C.10, subdivisions 1, 2a, 34, by adding a subdivision; 127A.441; 127A.45, subdivisions 2, 3, 13, by adding a subdivision; 179A.18, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 120B; 122A; 124D; 127A; 179A; repealing Minnesota Statutes 2008, sections 122A.24; 122A.414, subdivisions 1a, 4; 122A.72, subdivisions 3, 4; 123B.05; 124D.091, subdivision 3; 129C.10, subdivisions 1, 2, 3, 3a, 4, 6, 7, 8; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; 179A.17, subdivision 1.

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

Dean, Brod, Buesgens, Ward, Nornes, Emmer, Sanders, Cornish, Masin, Simon and Knuth introduced:

H. F. No. 1173, A bill for an act relating to education; allowing charter school students to participate in the extracurricular activities of their resident district; amending Minnesota Statutes 2008, sections 123B.36, subdivision 1; 123B.49, subdivision 4; 124D.10, subdivision 8.

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

Kiffmeyer introduced:

H. F. No. 1174, A bill for an act relating to education finance; defining local education agency for certain special education purposes; amending Minnesota Statutes 2008, section 125A.01; proposing coding for new law in Minnesota Statutes, chapter 125A.

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

Peterson introduced:

H. F. No. 1175, A bill for an act relating to education finance; encouraging school programs offering alternative school year calendars; authorizing grants; appropriating money; amending Minnesota Statutes 2008, sections 124D.12; 124D.126, by adding a subdivision.

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

Newton, Anzelc, Hilstrom, McFarlane and Haws introduced:

H. F. No. 1176, A bill for an act relating to education finance; clarifying the health and safety revenue program; amending Minnesota Statutes 2008, section 123B.57.

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

Garofalo introduced:

H. F. No. 1177, A bill for an act relating to education finance; creating the early graduation achievement scholarship program; appropriating money; amending Minnesota Statutes 2008, sections 120B.07; 126C.126; 126C.20; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

Peterson introduced:

H. F. No. 1178, A bill for an act relating to education; establishing a grant program to provide additional student counseling services in high-need public high schools; appropriating money.

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

Mariani introduced:

H. F. No. 1179, A bill for an act relating to education; providing for prekindergarten through grade 12 education, including general education, education excellence, special programs, libraries, and self-sufficiency and lifelong learning; making technical corrections; amending Minnesota Statutes 2008, sections 16A.06, subdivision 11; 120A.40; 120B.02; 120B.021, subdivision 1; 120B.023, subdivision 2; 120B.024; 120B.13, subdivision 1; 120B.30, subdivisions 1, 1a; 120B.31, subdivision 4; 122A.07, subdivisions 2, 3; 122A.31, subdivision 4; 123A.05; 123A.06; 123A.08; 123B.14, subdivision 7; 123B.51, by adding a subdivision; 123B.77, subdivision 3; 123B.81, subdivisions 3, 4, 5; 123B.83, subdivision 3; 124D.095, subdivisions 3, 4, 7, 10; 124D.10; 124D.11, subdivision 9; 124D.128, subdivisions 2, 3; 124D.135, subdivision 3; 124D.15, subdivisions 1, 3, by adding subdivisions; 124D.19, subdivisions 10, 14; 124D.522; 124D.60, subdivision 1; 124D.68, subdivisions 2, 3, 4, 5; 125A.11, subdivision 1; 125A.15; 125A.28; 125A.51; 125A.62,

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

MOTIONS AND RESOLUTIONS

Dill moved that the names of Otremba and Eken be added as authors on H. F. No. 128. The motion prevailed.

Thissen moved that the name of Lillie be added as an author on H. F. No. 174. The motion prevailed.

Ward moved that the names of Jackson, Solberg, Otremba and Howes be added as authors on H. F. No. 225. The motion prevailed.

Brynaert moved that the name of Urdahl be added as an author on H. F. No. 245. The motion prevailed.

Thissen moved that the name of Hamilton be added as an author on H. F. No. 247. The motion prevailed.

Tillberry moved that the name of Rosenthal be added as an author on H. F. No. 253. The motion prevailed.

Hortman moved that the name of Ruud be added as an author on H. F. No. 267. The motion prevailed.
Morrow moved that the name of Demmer be added as an author on H. F. No. 270. The motion prevailed.

Fritz moved that the name of Hansen be added as an author on H. F. No. 277. The motion prevailed.

Hansen moved that the name of Johnson be added as an author on H. F. No. 297. The motion prevailed.

Seifert moved that the name of Gottwalt be added as an author on H. F. No. 312. The motion prevailed.

Hausman moved that the name of Demmer be added as an author on H. F. No. 343. The motion prevailed.

Ruud moved that the name of Benson be added as an author on H. F. No. 358. The motion prevailed.

Howes moved that the name of Holberg be added as an author on H. F. No. 415. The motion prevailed.

Scott moved that her name be stricken as an author on H. F. No. 436. The motion prevailed.

Mariani moved that the name of Benson be added as an author on H. F. No. 501. The motion prevailed.

Paymar moved that the name of Benson be added as an author on H. F. No. 507. The motion prevailed.

Davnie moved that the name of Persell be added as an author on H. F. No. 528. The motion prevailed.

Lillie moved that his name be stricken as an author on H. F. No. 545. The motion prevailed.

Lieder moved that the name of Dettmer be added as an author on H. F. No. 547. The motion prevailed.

Davnie moved that the name of Mack be added as an author on H. F. No. 549. The motion prevailed.

Ruud moved that the names of Benson and Kahn be added as authors on H. F. No. 550. The motion prevailed.

Simon moved that the name of Zellers be added as an author on H. F. No. 575. The motion prevailed.

Hosch moved that the name of Otremba be added as an author on H. F. No. 581. The motion prevailed.

Paymar moved that the name of Hausman be added as an author on H. F. No. 584. The motion prevailed.

Liebling moved that the name of Scalze be added as an author on H. F. No. 594. The motion prevailed.

Paymar moved that the name of Hausman be added as an author on H. F. No. 595. The motion prevailed.

Paymar moved that the name of Hausman be added as an author on H. F. No. 596. The motion prevailed.

Kahn moved that the name of Scalze be added as an author on H. F. No. 631. The motion prevailed.

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

Ruud moved that her name be stricken as an author on H. F. No. 666. The motion prevailed.

Knuth moved that the name of Bly be added as an author on H. F. No. 704. The motion prevailed.

Newton moved that the name of Kahn be added as an author on H. F. No. 784. The motion prevailed.

Slawik moved that the name of Mariani be added as an author on H. F. No. 790. The motion prevailed.

Murphy, E., moved that the names of Abeler and Kahn be added as authors on H. F. No. 802. The motion prevailed.

Hornstein moved that the name of Kahn be added as an author on H. F. No. 809. The motion prevailed.

Atkins moved that the name of Hornstein be added as an author on H. F. No. 819. The motion prevailed.

Hausman moved that the name of Lillie be added as an author on H. F. No. 820. The motion prevailed.

Norton moved that the name of Hansen be added as an author on H. F. No. 823. The motion prevailed.

McFarlane moved that the name of Gardner be added as an author on H. F. No. 833. The motion prevailed.

Hausman moved that the name of Kahn be added as an author on H. F. No. 855. The motion prevailed.

Hilty moved that the name of Bly be added as an author on H. F. No. 862. The motion prevailed.

Mahoney moved that the name of Benson be added as an author on H. F. No. 868. The motion prevailed.

Hortman moved that the name of Kahn be added as an author on H. F. No. 876. The motion prevailed.

Champion moved that the name of Kahn be added as an author on H. F. No. 881. The motion prevailed.

Champion moved that the name of Kahn be added as an author on H. F. No. 883. The motion prevailed.

Thissen moved that the name of Abeler be added as an author on H. F. No. 884. The motion prevailed.

Lenczewski moved that the name of Lillie be added as an author on H. F. No. 885. The motion prevailed.

Champion moved that the name of Kahn be added as an author on H. F. No. 891. The motion prevailed.

Tillberry moved that his name be stricken as an author on H. F. No. 893. The motion prevailed.

Eken moved that the name of Jackson be added as an author on H. F. No. 895. The motion prevailed.

Hornstein moved that the name of Kahn be added as an author on H. F. No. 898. The motion prevailed.

Hornstein moved that the name of Kahn be added as an author on H. F. No. 906. The motion prevailed.

Hausman moved that the names of Kahn and Paymar be added as authors on H. F. No. 916. The motion prevailed.

Jackson moved that the name of Bly be added as an author on H. F. No. 917. The motion prevailed.

Tillberry moved that the name of Benson be added as an author on H. F. No. 920. The motion prevailed.

Fritz moved that the names of Bly, Kalin and Sterner be added as authors on H. F. No. 921. The motion prevailed.

Slocum moved that the names of Murphy, E., and Bly be added as authors on H. F. No. 935. The motion prevailed.

Thissen moved that the names of Ruud and Brod be added as authors on H. F. No. 936. The motion prevailed.

Reinert moved that the name of Bly be added as an author on H. F. No. 938. The motion prevailed.

Mahoney moved that the name of Champion be added as an author on H. F. No. 939. The motion prevailed.

Thissen moved that the name of Kahn be added as an author on H. F. No. 949. The motion prevailed.

Paymar moved that the name of Hausman be added as an author on H. F. No. 953. The motion prevailed.

Hornstein moved that the names of Urdahl and Scalze be added as authors on H. F. No. 956. The motion prevailed.

Olin moved that the name of Persell be added as an author on H. F. No. 957. The motion prevailed.

Olin moved that the name of Persell be added as an author on H. F. No. 958. The motion prevailed.

Holberg moved that the name of Sterner be added as an author on H. F. No. 964. The motion prevailed.

Brod moved that the name of Scalze be added as an author on H. F. No. 970. The motion prevailed.

Bigham moved that the name of Murphy, E., be added as an author on H. F. No. 972. The motion prevailed.

Swails moved that the name of Benson be added as an author on H. F. No. 973. The motion prevailed.

Hansen moved that the name of Lillie be added as an author on H. F. No. 983. The motion prevailed.

Gottwalt moved that the name of Scalze be added as an author on H. F. No. 989. The motion prevailed.

Bunn moved that the name of Murphy, E., be added as an author on H. F. No. 990. The motion prevailed.

Dill moved that the names of Bly, Lillie and Scalze be added as authors on H. F. No. 992. The motion prevailed.

Seifert moved that the names of Westrom, Abeler, Zellers, Demmer and Anderson, P., be added as authors on H. F. No. 997. The motion prevailed.

Emmer moved that the name of Zellers be added as an author on H. F. No. 998. The motion prevailed.

Garofalo moved that the names of Bly and Scalze be added as authors on H. F. No. 1009. The motion prevailed.

Kalin moved that the names of Lenczewski, Benson, Simon and Morgan be added as authors on H. F. No. 1010. The motion prevailed.

Hilty moved that the name of Kalin be added as an author on H. F. No. 1011. The motion prevailed.

Laine moved that the names of Benson; Murphy, E., and Champion be added as authors on H. F. No. 1012. The motion prevailed.

Laine moved that the names of Benson and Champion be added as authors on H. F. No. 1013. The motion prevailed.

Laine moved that the names of Bly and Benson be added as authors on H. F. No. 1014. The motion prevailed.

Kalin moved that the names of Slocum, Simon and Morgan be added as authors on H. F. No. 1018. The motion prevailed.

Winkler moved that the names of Kalin and Benson be added as authors on H. F. No. 1029. The motion prevailed.

Solberg moved that the name of Bly be added as an author on H. F. No. 1030. The motion prevailed.

Fritz moved that the names of Bly and Kahn be added as authors on H. F. No. 1032. The motion prevailed.

Hosch moved that the name of Benson be added as an author on H. F. No. 1035. The motion prevailed.

Swails moved that the names of Demmer, Drazkowski and Seifert be added as authors on H. F. No. 1037. The motion prevailed.

Smith moved that the names of Kalin and Scalze be added as authors on H. F. No. 1039. The motion prevailed.

Mariani moved that the names of Bly and Benson be added as authors on H. F. No. 1046. The motion prevailed.

Hornstein moved that the names of Ruud and Slocum be added as authors on H. F. No. 1047. The motion prevailed.

Olin moved that the name of Persell be added as an author on H. F. No. 1050. The motion prevailed.

Simon moved that the names of Kalin and Benson be added as authors on H. F. No. 1053. The motion prevailed.

Brod moved that the names of Cornish, Hamilton, Kohls, Garofalo, Pelowski, Drazkowski, Westrom, Peppin, Eastlund, Emmer, Olin, Hosch, Holberg, Ward, Beard, Magnus, Buesgens, Kiffmeyer, Otremba and Fritz be added as authors on H. F. No. 1057. The motion prevailed.

Fritz moved that the names of Sterner, Cornish, Hamilton, Kohls, Garofalo, Pelowski, Drazkowski, Westrom, Peppin, Eastlund, Emmer, Olin, Hosch, Holberg, Ward, Beard, Abeler, Magnus, Buesgens, Kiffmeyer and Otremba be added as authors on H. F. No. 1058. The motion prevailed.

Otremba moved that the names of Sterner, Cornish, Hamilton, Kohls, Garofalo, Pelowski, Drazkowski, Westrom, Peppin, Eastlund, Emmer, Olin, Hosch, Holberg, Ward, Beard, Abeler, Magnus, Buesgens, Kiffmeyer and Fritz be added as authors on H. F. No. 1059. The motion prevailed.

Rukavina moved that the names of Lillie and Reinert be added as authors on H. F. No. 1063. The motion prevailed.

Thao moved that the name of Lillie be added as an author on H. F. No. 1064. The motion prevailed.

Abeler moved that the name of Kalin be added as an author on H. F. No. 1069. The motion prevailed.

Abeler moved that the name of Kalin be added as an author on H. F. No. 1076. The motion prevailed.
Thissen moved that the name of Kalin be added as an author on H. F. No. 1078. The motion prevailed.

Wagenius moved that the names of Scalze and Slocum be added as authors on H. F. No. 1086. The motion prevailed.

Hilstrom moved that the name of Paymar be added as an author on H. F. No. 1087. The motion prevailed.

Ruud moved that the name of Murphy, E., be added as an author on H. F. No. 1089. The motion prevailed.

Mariani moved that H. F. No. 1046 be recalled from the Committee on K-12 Education Policy and Oversight and be re-referred to the Committee on Finance. The motion prevailed.

PROTEST AND DISSENT

Pursuant to Section 11 of Article IV of the Constitution of the State of Minnesota, we, the undersigned Members of the Minnesota House of Representatives, do hereby register our protest and dissent against Representative Gene Pelowski, Jr., of Winona for conduct which is injurious to the maintenance of democratic liberty in the legislative branch.

On Monday, February 23, 2009, Representative Gene Pelowski, Jr., of Winona was entrusted with the leadership of the Minnesota House of Representatives as Speaker pro tempore. At 2:31:00 of that Floor Session, Representative Gene Pelowski, Jr., of Winona took up properly filed motions and resolutions by Representatives Tim Sanders, Gail Kulick Jackson, Paul Thissen, Jim Abeler, Larry Hosch and Mindy Greiling.

At 2:34:55 of the session, the Clerk of the House announced a properly filed motion by Representative Paul Kohls. Rather than allow Representative Kohls to address his motion in the same manner which six other Representatives had been allowed to speak, Representative Gene Pelowski, Jr., of Winona instead recognized Representative Anthony Sertich for a motion to set a time to reconvene.

Over the protests of Representatives Kohls, Marty Seifert and Kurt Zellers, Representative Gene Pelowski, Jr., of Winona immediately held a voice vote on the motion of Representative Sertich at 2:35:12 of the Floor Session.

Representative Gene Pelowski, Jr., of Winona then rebuffed an inquiry by Representative Seifert as to why Representative Kohls had not been allowed to address his proper motion.

Rather than respond to Representative Kohls' proper motion or Representative Seifert's proper inquiry, Representative Gene Pelowski, Jr., of Winona did then recognize Representative Sertich for a motion to adjourn at 2:35:42 of the Floor Session. A roll call was granted and the House adjourned at 2:37:36 of the Floor Session.

On the basis of the foregoing reasons, we, the undersigned Members of the Minnesota House of Representatives, do admonish Representative Gene Pelowski, Jr., of Winona for his autocratic and anti-democratic conduct.

Further, pursuant to Section 11 of Article IV of the Constitution of the State of Minnesota, we direct that our protest and dissent be entered into the Journal of the House of Representatives.

Signed:

MARTY SEIFERT
PAUL KOHLS
CAROL MCFARLANE
MARK BUESGENS
DAN SEVERSON
ROB EASTLUND
TIM SANDERS
CONNIE DOEPKE
SARAH ANDERSON
BUD NORNES
RON SHIMANSKI
STEVE DRAZKOWSKI
PAUL ANDERSON
JOYCE PEPPIN
PEGGY SCOTT
TIMOTHY J. KELLY
JIM ABELER
JENIFER LOON

STEVE SMITH
KURT D. ZELLERS
TOM HACKBARTH
MARY LIZ HOLBERG
TONY CORNISH
BRUCE ANDERSON
RANDY DEMMER
MARK MURDOCK
MICHAEL BEARD
PAUL TORKELSON
BOB GUNTHER
DEAN URDAHL
PAT GAROFALO
DENNY MCNAMARA
STEVE GOTTWALT
MARY KIFFMEYER
TARA MACK
TORREY WESTROM

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 1:00 p.m., Monday, March 2, 2009. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Monday, March 2, 2009.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

