

## STATE OF MINNESOTA

## EIGHTY-SIXTH SESSION — 2009

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 NINETEENTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, MARCH 12, 2009

The House of Representatives convened at 10:30 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by Imam Hassan Mohamud, Islamic Dáwah Center, St. Paul, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Severson was excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Abeler 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. 451 and H. F. No. 121, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Sailer moved that the rules be so far suspended that S. F. No. 451 be substituted for H. F. No. 121 and that the House File be indefinitely postponed. The motion prevailed.

## REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 42, A bill for an act relating to health; waiving the four-month waiting period for unemployed persons for MinnesotaCare; appropriating money; amending Minnesota Statutes 2008, section 256L.07, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 62A.65, subdivision 5, is amended to read:

Subd. 5. **Portability and conversion of coverage.** (a) No individual health plan may be offered, sold, issued, or with respect to children age 18 or under renewed, to a Minnesota resident that contains a preexisting condition limitation, preexisting condition exclusion, or exclusionary rider, unless the limitation or exclusion is permitted under this subdivision and under chapter 62L, provided that, except for children age 18 or under, underwriting restrictions may be retained on individual contracts that are issued without evidence of insurability as a replacement for prior individual coverage that was sold before May 17, 1993. The individual may be subjected to an 18-month preexisting condition limitation, unless the individual has maintained continuous coverage as defined in section 62L.02. The individual must not be subjected to an exclusionary rider. An individual who has maintained continuous coverage may be subjected to a onetime preexisting condition limitation of up to 12 months, with credit for time covered under qualifying coverage as defined in section 62L.02, at the time that the individual first is covered under an individual health plan by any health carrier. Credit must be given for all qualifying coverage with respect to all preexisting conditions, regardless of whether the conditions were preexisting with respect to any previous qualifying coverage. The individual must not be subjected to an exclusionary rider. Thereafter, the individual must not be subject to any preexisting condition limitation, preexisting condition exclusion, or exclusionary rider under an individual health plan by any health carrier, except an unexpired portion of a limitation under prior coverage, so long as the individual maintains continuous coverage as defined in section 62L.02.

(b) A health carrier must offer an individual health plan to any individual previously covered under a group health plan issued by that health carrier, regardless of the size of the group, so long as the individual maintained continuous coverage as defined in section 62L.02. If the individual has available any continuation coverage provided under sections 62A.146; 62A.148; 62A.17, subdivisions 1 and 2; 62A.20; 62A.21; 62C.142; 62D.101; or 62D.105, or continuation coverage provided under federal law, the health carrier need not offer coverage under this paragraph until the individual has exhausted the continuation coverage. The offer must not be subject to underwriting, except as permitted under this paragraph. A health plan issued under this paragraph must be a qualified plan as defined in section 62E.02 and must not contain any preexisting condition limitation, preexisting

condition exclusion, or exclusionary rider, except for any unexpired limitation or exclusion under the previous coverage. The individual health plan must cover pregnancy on the same basis as any other covered illness under the individual health plan. The offer of coverage by the health carrier must inform the individual that the coverage, including what is covered and the health care providers from whom covered care may be obtained, may not be the same as the individual's coverage under the group health plan. The offer of coverage by the health carrier must also inform the individual that the individual, if a Minnesota resident, may be eligible to obtain coverage from (i) other private sources of health coverage, or (ii) the Minnesota Comprehensive Health Association, without a preexisting condition limitation, and must provide the telephone number used by that association for enrollment purposes. The initial premium rate for the individual health plan must comply with subdivision 3. The premium rate upon renewal must comply with subdivision 2. In no event shall the premium rate exceed 100 percent of the premium charged for comparable individual coverage by the Minnesota Comprehensive Health Association, and the premium rate must be less than that amount if necessary to otherwise comply with this section. An individual health plan offered under this paragraph to a person satisfies the health carrier's obligation to offer conversion coverage under section 62E.16, with respect to that person. Coverage issued under this paragraph must provide that it cannot be canceled or nonrenewed as a result of the health carrier's subsequent decision to leave the individual, small employer, or other group market. Section 72A.20, subdivision 28, applies to this paragraph.

(c) A health carrier must offer, sell, issue, and renew an individual health plan on a guaranteed issue basis, without any preexisting condition limitation, to individuals and their family members who exhaust temporary MinnesotaCare coverage for unemployed individuals under section 256L.07, subdivision 8, who are not eligible for regular MinnesotaCare coverage as determined by the commissioner of human services, and who apply for coverage from the health carrier within 63 days after denial of eligibility for regular MinnesotaCare coverage. Guaranteed issue coverage under this paragraph must be retroactive to the date of denial of eligibility for regular MinnesotaCare coverage. For purposes of this paragraph, "guaranteed issue" means that a health carrier shall not decline to cover under a health plan any individual or eligible dependent, including persons who become eligible dependents after issuance of the health plan. For purposes of this paragraph, "family" has the meaning provided in section 256L.07, subdivision 8. This paragraph expires July 1, 2011.

**EFFECTIVE DATE.** This section is effective July 1, 2009, and applies to health plans offered, sold, issued, or renewed on or after that date.

Sec. 2. Minnesota Statutes 2008, section 256L.07, is amended by adding a subdivision to read:

Subd. 8. **Temporary MinnesotaCare coverage for unemployed individuals.** (a) An individual is eligible for temporary MinnesotaCare coverage under this subdivision if the individual:

(1) is involuntarily unemployed, but not for cause, and had been employed for at least 18 consecutive months prior to the loss of employment;

(2) is either not eligible for continuation coverage as described by the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), Public Law 99-272, as amended, or state continuation coverage under sections 62A.146, 62A.148, 62A.17, 62A.20, 62A.21, 62D.101, and 62D.105, and similar laws of other states under which a Minnesota resident is eligible, or premiums for this continuation coverage exceed eight percent of gross household income;

(3) has gross individual or family income that does not exceed 275 percent of the federal poverty guidelines; and

(4) does not have available to them health coverage through Medicare or employer-subsidized coverage through a spouse. For purposes of this requirement, "employer-subsidized coverage" means health coverage for which the employer pays at least 50 percent of the cost of coverage for the employee or dependent.

(b) Members of the individual's family are also eligible for MinnesotaCare under this subdivision. For purposes of this subdivision "family" has the meaning provided in Minnesota Rules, part 9506.0010, subpart 11, but also includes any individual who had been covered under health coverage provided by the most recent employer of the individual applying for temporary MinnesotaCare coverage.

(c) Individuals and family members eligible under this subdivision are exempt from subdivisions 2 and 3; and section 256L.17. All other requirements of this chapter apply.

(d) The commissioner of employment and economic development shall provide all individuals eligible to receive unemployment benefits under chapter 268, a Minnesota emergency unemployment compensation program, or a federal emergency compensation program, with written notice that the individual and family members may be eligible under this subdivision for temporary MinnesotaCare coverage, and an application for this coverage. This information must be provided by the commissioner of employment and economic development at the same time that information about eligibility for unemployment benefits is provided.

(e) Individuals and family members shall submit applications for temporary MinnesotaCare coverage to the commissioner of human services. The commissioner of human services shall determine eligibility for persons seeking coverage under this subdivision, using the procedures specified in this chapter, unless otherwise provided in this subdivision.

(f) Individuals eligible under this subdivision shall receive coverage for the health services provided under section 256L.03 to nonpregnant adults with children, except that the annual limit on inpatient hospital services in section 256L.03, subdivision 3, shall not apply.

(g) Individuals eligible under this subdivision shall receive coverage on a fee-for-service basis with state-only funds, and are exempt from managed care enrollment under section 256L.12. The commissioner of human services shall seek federal approval for matching funds within 30 days of the effective date of this subdivision.

(h) Individuals eligible under this subdivision shall pay premiums as determined under section 256L.15. These individuals are subject to the cost-sharing requirements specified in section 256L.03, subdivision 5, except that the ten percent coinsurance requirement for inpatient hospital services shall not apply. Individuals eligible under this subdivision are exempt from disenrollment for failure to pay premiums.

(i) Individuals and family members are eligible under this subdivision for 145 days of coverage, regardless of whether the eligibility criteria under paragraph (a) continue to be met after the initial determination of eligibility.

(j) Coverage under this subdivision is secondary to a plan of insurance or benefit program under which an individual or family member has coverage, and the commissioner of human services shall apply the procedures in section 256L.05, subdivision 3, paragraph (d). To be eligible under this subdivision, individuals and family members must comply with section 256L.04, subdivision 2.

(k) Individuals and family members who are no longer eligible under this subdivision may reapply for MinnesotaCare. The commissioner of human services shall provide individuals covered under this subdivision with reapplication materials no later than 115 days from the effective date of coverage. All eligibility, premium payment, and other requirements of this chapter shall apply at the time of reapplication. The effective date of coverage for persons reapplying shall be the day following the last day of coverage under this subdivision, for persons who have submitted a written request for retroactive MinnesotaCare coverage with a completed application within 30 days of the loss of eligibility. The applicant must provide all required verifications within 30 days of the written request for verification. For all other persons, the effective date of coverage is the day specified in section 256L.05, subdivision 3. Individuals denied MinnesotaCare coverage upon reapplication are eligible to purchase private sector individual health coverage on a guaranteed issue basis, as provided in section 62A.65, subdivision 5, paragraph (c), and health carriers as defined in that section must accept applicants and issue coverage on that basis.

(l) This subdivision expires July 1, 2011.

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

Sec. 3. **APPROPRIATION.**

\$...... is appropriated from the health care access fund to the commissioner of human services for the biennium beginning July 1, 2009, to implement Minnesota Statutes, section 256L.07, subdivision 8."

Delete the title and insert:

"A bill for an act relating to health; providing temporary MinnesotaCare eligibility for certain individuals receiving unemployment benefits; requiring guaranteed issue in the individual insurance market for certain individuals who had received temporary MinnesotaCare coverage; appropriating money; amending Minnesota Statutes 2008, sections 62A.65, subdivision 5; 256L.07, by adding a subdivision."

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. 84, A bill for an act relating to consumer protection; regulating consumer fraud; amending Minnesota Statutes 2008, section 325F.69, by adding a subdivision.

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

The report was adopted.

Eken from the Committee on Environment Policy and Oversight to which was referred:

H. F. No. 128, A bill for an act relating to game and fish; removing bow and gun case requirements; amending Minnesota Statutes 2008, sections 97A.091, subdivision 1; 97B.036; 97B.045, subdivision 1; 97B.051; repealing Minnesota Statutes 2008, sections 97B.035, subdivision 2; 97B.045, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 97B.035, subdivision 2, is amended to read:

Subd. 2. **Possession of crossbows.** A person may not possess a crossbow outdoors or in a motor vehicle during the open season for any game, unless the crossbow is ~~unstrung, and in a case or in a closed trunk of~~ a motor vehicle and the bow is not armed with a bolt or arrow.

Sec. 2. Minnesota Statutes 2008, section 97B.041, is amended to read:

**97B.041 POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED IN DEER ZONES.**

A person may not possess a firearm or ammunition outdoors during the period beginning the fifth day before the open firearms season and ending the second day after the close of the season within an area where deer may be taken by a firearm, except:

(1) during the open season and in an area where big game may be taken, a firearm and ammunition authorized for taking big game in that area may be used to take big game in that area if the person has a valid big game license in possession;

(2) an unloaded firearm ~~that is in a case or in a closed trunk of a motor vehicle;~~

(3) a shotgun and shells containing No. 4 buckshot or smaller diameter lead shot or steel shot;

(4) a handgun or rifle capable of firing only rimfire cartridges of .17 and .22 caliber, including .22 magnum caliber cartridges;

(5) handguns possessed by a person authorized to carry a handgun under sections 624.714 and 624.715 for the purpose authorized; and

(6) on a target range operated under a permit from the commissioner.

This section does not apply during an open firearms season in an area where deer may be taken only by muzzleloader, except that muzzleloading firearms lawful for the taking of deer may be possessed only by persons with a valid license to take deer by muzzleloader during that season.

Sec. 3. Minnesota Statutes 2008, section 97B.045, subdivision 1, is amended to read:

Subdivision 1. **Restrictions.** (a) A person may not transport a firearm in a motor vehicle unless the firearm is:

(1) unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed; restricted under section 97A.091, 97B.081, or 97B.086; or

~~(2) unloaded and in the closed trunk of a motor vehicle; or~~

(3) a handgun carried in compliance with sections 624.714 and 624.715; (2) within the boundaries of a home rule charter or statutory city, including a city of the first class, county, town, municipal corporation, or other government subdivision that has prohibited the discharge of a firearm under section 471.633, in which case a firearm must be unloaded and in a gun case expressly made to contain a firearm, and the case must fully enclose the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed.

(b) For the purposes of this section, "firearm" does not include a pistol as defined in section 624.712, subdivision 2.

Sec. 4. Minnesota Statutes 2008, section 97B.051, is amended to read:

**97B.051 TRANSPORTATION OF ARCHERY BOWS.**

Except as specified under section 97B.055, subdivision 2, a person may not transport an archery bow in a motor vehicle unless the bow is: not armed with a bolt or arrow.

~~(1) unstrung;~~

~~(2) completely contained in a case; or~~

~~(3) in the closed trunk or rear most enclosed portion of a motor vehicle that is not accessible from the passenger compartment.~~

Sec. 5. Minnesota Statutes 2008, section 609.66, subdivision 1d, is amended to read:

Subd. 1d. **Possession on school property; penalty.** (a) Except as provided under paragraphs (c) and (e), whoever possesses, stores, or keeps a dangerous weapon or uses or brandishes a replica firearm or a BB gun while knowingly on school property is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

(b) Whoever possesses, stores, or keeps a replica firearm or a BB gun on school property is guilty of a gross misdemeanor.

(c) Notwithstanding paragraph (a) or (b), it is a misdemeanor for a person authorized to carry a firearm under the provisions of a permit or otherwise to carry a firearm on or about the person's clothes or person in a location the person knows is school property. Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not subject to forfeiture.

(d) As used in this subdivision:

(1) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less in diameter;

(2) "dangerous weapon" has the meaning given it in section 609.02, subdivision 6;

(3) "replica firearm" has the meaning given it in section 609.713; and

(4) "school property" means:

(i) a public or private elementary, middle, or secondary school building and its improved grounds, whether leased or owned by the school;

(ii) a child care center licensed under chapter 245A during the period children are present and participating in a child care program;

(iii) the area within a school bus when that bus is being used by a school to transport one or more elementary, middle, or secondary school students to and from school-related activities, including curricular, cocurricular, noncurricular, extracurricular, and supplementary activities; and

(iv) that portion of a building or facility under the temporary, exclusive control of a public or private school, a school district, or an association of such entities where conspicuous signs are prominently posted at each entrance that give actual notice to persons of the school-related use.

(e) This subdivision does not apply to:

(1) active licensed peace officers;

(2) military personnel or students participating in military training, who are on-duty, performing official duties;

(3) persons authorized to carry a pistol under section 624.714 while in a motor vehicle or outside of a motor vehicle to directly place a firearm in, or retrieve it from, the trunk or rear area of the vehicle;

(4) persons who keep or store in a motor vehicle pistols in accordance with section 624.714 or 624.715, or other firearms ~~in accordance with section 97B.045~~ provided:

(i) the firearm is unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed; or

(ii) the firearm is unloaded and in the closed trunk of a motor vehicle;

(5) firearm safety or marksmanship courses or activities conducted on school property;

(6) possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;

(7) a gun or knife show held on school property;

(8) possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or

(9) persons who are on unimproved property owned or leased by a child care center, school, or school district unless the person knows that a student is currently present on the land for a school-related activity.

(f) Notwithstanding section 471.634, a school district or other entity composed exclusively of school districts may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with this subdivision."

Delete the title and insert:

"A bill for an act relating to game and fish; removing bow and gun case requirements; amending Minnesota Statutes 2008, sections 97B.035, subdivision 2; 97B.041; 97B.045, subdivision 1; 97B.051; 609.66, subdivision 1d."

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

The report was adopted.

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

H. F. No. 286, A bill for an act relating to insurance; providing equal access to acupuncture and a memorial to Edith R. Davis, Minnesota's pioneer acupuncturist; requiring equal access to acupuncture services by certain group policies and subscriber contracts; requiring claim determinations regarding acupuncture services to be made or

reviewed by acupuncture practitioners; requiring reporting on referrals to acupuncture practitioners and reimbursement rates; amending Minnesota Statutes 2008, section 62A.15, subdivision 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62D.

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. 328, A bill for an act relating to adoption; modifying provisions governing access to adoption records and original birth certificates; amending Minnesota Statutes 2008, sections 13.465, subdivision 8; 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivision 1; 259.89, subdivision 1; 260C.317, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2008, sections 259.83, subdivision 3; 259.89, subdivisions 2, 3, 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.

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

H. F. No. 466, A bill for an act relating to education; establishing a State Board of Education; amending Minnesota Statutes 2008, section 120A.05, by adding a subdivision; 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.

Hornstein from the Transportation and Transit Policy and Oversight Division to which was referred:

H. F. No. 486, A bill for an act relating to transportation; highways; removing or altering routes on the trunk highway system; amending Minnesota Statutes 2008, section 161.115, subdivision 118.

Reported the same back with the following amendments:

Page 1, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "or altering"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 491, A bill for an act relating to health; prohibiting the use of certain prescription information for marketing of pharmaceutical products; proposing coding for new law in Minnesota Statutes, chapter 62J.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 151.50, is amended to read:

**151.50 RULES.**

The board shall adopt rules to carry out the purposes and enforce the provisions of ~~sections 151.42 to 151.51~~ this chapter. All rules adopted under this section shall conform to wholesale drug distributor licensing guidelines formally adopted by the United States Food and Drug Administration; and in case of conflict between a rule adopted by the board and a Food and Drug Administration wholesale drug distributor guideline, the latter shall control.

Sec. 2. **[151.60] PRESCRIPTION RECORD PRIVACY.**

Subdivision 1. **Intent; purpose.** It is the intent of the legislature to safeguard the confidentiality of prescribing information, protect the integrity of the doctor-patient relationship, maintain the integrity and public trust in the medical profession, combat vexatious and harassing sales practices, restrain undue influence exerted by pharmaceutical industry marketing representatives over prescribing decisions, and further the state interest in improving the quality and lowering the cost of health care. The purpose of this legislation is to regulate the monitoring of prescribing practices only for commercial marketing purposes by companies selling prescribed products. The intent is not to regulate monitoring for other uses, such as quality control, research unrelated to marketing, or use by governments or other entities not in the business of selling health care products.

Subd. 2. **Definitions.** For the purposes of this section, the terms defined in this subdivision have the meanings given.

(a) "Bona fide clinical trial" means any research project that prospectively assigns human subjects to intervention and comparison groups to study the cause and effect relationship between a medical intervention and a health outcome, has received approval from an appropriate institutional review board, and has been registered at ClinicalTrials.gov prior to commencement.

(b) "Individual identifying information" means information, which directly or indirectly identifies a practitioner or a patient in this state, where the information is derived from or relates to a prescription for any prescribed product.

(c) "Marketing" means any activity by an entity making or selling prescribed products or the entity's agent that is intended to influence prescribing or purchasing choices of the entity's products including, but not limited to:

(1) advertising, publicizing, promoting, or sharing information about a product;

(2) identifying individuals to receive a message promoting use of a particular product including, but not limited to, an advertisement, brochure, or contact by a sales representative;

(3) planning the substance of a sales representative visit or communication or the substance of an advertisement or other promotional message or document;

(4) evaluating or compensating sales representatives;

(5) identifying individuals to receive any form of gift, product sample, consultancy, or any other item, service, compensation, or employment of value; or

(6) advertising or promoting prescribed products directly to patients.

(d) "Nonmarketing purposes" include, but are not limited to:

(1) educational or quality assurance programs conducted by a health plan company or a benefits management program to ensure compliance with an independently established formulary based on evidence-based prescribing guidelines and cost-containment goals;

(2) communication by a pharmacist about patient safety or generic substitution, or in response to patient questions about a medication; or

(3) safety warnings, adverse event reporting, labeling changes, or Risk Evaluation and Management Strategy (REMS) compliance communications.

(e) "Person" means a business, individual, corporation, union, association, firm, partnership, committee, or other organization or group of persons.

(f) "Pharmacy" means any individual or entity licensed or authorized under this chapter to dispense prescribed products.

(g) "Prescribed product" means a biological product as defined in section 351 of the Public Health Service Act, United States Code, title 42, section 262, or a drug as defined in section 201 of the federal Food, Drug, and Cosmetic Act, United States Code, title 21, section 321.

(h) "Regulated record" means information or documentation from a prescription written by a practitioner doing business in this state or a prescription dispensed in this state.

**Subd. 3. Privacy provisions.** (a) No person shall knowingly disclose or use regulated records in this state that include prescription information containing individual identifying information for the purpose of marketing a prescribed product.

(b) A regulated record containing individual identifying information may be transferred to another entity, including to another branch or subsidiary of the same entity, if there is satisfactory assurance in writing that the recipient of the record will safeguard the record from being disclosed or used in the state for any marketing purpose that is prohibited under this section.

(c) Regulated records containing individual identifying information may be disclosed, sold, transferred, exchanged, or used for nonmarketing purposes.

(d) This section does not prohibit conduct involving the collection, use, transfer, or sale of regulated records for marketing purposes if:

(1) the data are aggregated;

(2) the data do not contain individually identifying information; and

(3) there is no reasonable basis to believe that the data can be used to obtain individually identifying information.

(e) This section shall not prevent any person from disclosing regulated records to the identified individual as long as the information does not include protected information pertaining to any other person.

Subd. 4. **Enforcement.** (a) Any person who knowingly fails to comply with the requirements of this section by using or disclosing regulated records in a manner not authorized under this section shall be subject to an administrative penalty of at least \$10,000 per violation and not more than \$50,000 per violation, as assessed by the Board of Pharmacy. Each disclosure of a regulated record shall constitute a violation.

(b) The Office of the Attorney General shall take necessary action to enforce payment of penalties assessed under this subdivision.

Subd. 5. **Consumer fraud.** In addition to any other remedy provided by law, a violation of this section shall be an unfair or deceptive act in trade or commerce and an unfair method of competition and may be enforced under chapter 325F.

Subd. 6. **No extraterritorial effect.** Nothing in this section shall be interpreted to regulate conduct that takes place entirely outside of the state.

Subd. 7. **No effect on truthful speech of doctors or patients.** Nothing in this section shall be interpreted to regulate the content, time, place, or manner of any discussion between a practitioner and their patient, or a practitioner and any person representing a prescription drug manufacturer.

Subd. 8. **Statement of compliance.** Each pharmaceutical manufacturer, wholesale drug distributor, or pharmacy licensed under this chapter shall submit to the board with their annual registration or license renewal a statement on a form prescribed by the board indicating that they have complied with and will continue to comply with this section. The statement must be signed by owner, president, or chief executive owner of the manufacturer, distributor, or pharmacy.

Subd. 9. **Severability.** If any provision of this section or its application to any person or circumstance is held invalid, the remainder of the section or the application of the provisions to other persons or circumstances is not affected."

Delete the title and insert:

"A bill for an act relating to health; prohibiting the use of certain prescription information for marketing purposes; imposing administrative penalties; amending Minnesota Statutes 2008, section 151.50; proposing coding for new law in Minnesota Statutes, chapter 151."

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.

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

H. F. No. 501, A bill for an act relating to education; creating an alternative means of graduation for students; amending Minnesota Statutes 2008, section 120B.30, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 120B.30, subdivision 1, is amended to read:

Subdivision 1. **Statewide testing.** (a) The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, consistent with subdivision 1a, shall include in the comprehensive assessment system, for each grade level to be tested, state-constructed tests developed from and aligned with the state's required academic standards under section 120B.021 and administered annually to all students in grades 3 through 8 and at the high school level. A state-developed test in a subject other than writing, developed after the 2002-2003 school year, must include both ~~machine-scoreable~~ **multiple choice** and constructed response questions. The commissioner shall establish one or more months during which schools shall administer the tests to students each school year. For students enrolled in grade 8 before the 2005-2006 school year, ~~only~~ Minnesota basic skills tests in reading, mathematics, and writing shall fulfill students' basic skills testing requirements for a passing state notation. The passing scores of basic skills tests in reading and mathematics are the equivalent of 75 percent correct for students entering grade 9 in 1997 and thereafter, as based on the first uniform test administration of February 1998. Students who have not successfully passed a Minnesota basic skills test by the end of the 2011-2012 school year must pass the graduation-required assessments for diploma under paragraph (b).

(b) For students enrolled in grade 8 in the 2005-2006 school year and later, only the following options shall fulfill students' state graduation test requirements:

(1) for reading and mathematics:

(i) obtaining an achievement level equivalent to or greater than proficient as determined through a standard setting process on the Minnesota comprehensive assessments in grade 10 for reading and grade 11 for mathematics or achieving a passing score as determined through a standard setting process on the graduation-required assessment for diploma in grade 10 for reading and grade 11 for mathematics or subsequent retests;

(ii) achieving a passing score as determined through a standard setting process on the state-identified language proficiency test in reading and the mathematics test for English language learners or the graduation-required assessment for diploma equivalent of those assessments for students designated as English language learners;

(iii) achieving an individual passing score on the graduation-required assessment for diploma as determined by appropriate state guidelines for students with an individual education plan or 504 plan;

(iv) obtaining achievement level equivalent to or greater than proficient as determined through a standard setting process on the state-identified alternate assessment or assessments in grade 10 for reading and grade 11 for mathematics for students with an individual education plan; or

(v) achieving an individual passing score on the state-identified alternate assessment or assessments as determined by appropriate state guidelines for students with an individual education plan; and

(2) for writing:

- (i) achieving a passing score on the graduation-required assessment for diploma;
- (ii) achieving a passing score as determined through a standard setting process on the state-identified language proficiency test in writing for students designated as English language learners;
- (iii) achieving an individual passing score on the graduation-required assessment for diploma as determined by appropriate state guidelines for students with an individual education plan or 504 plan; or
- (iv) achieving an individual passing score on the state-identified alternate assessment or assessments as determined by appropriate state guidelines for students with an individual education plan.

(c) Students enrolled in grade 8 in any school year from the 2005-2006 school year to the 2009-2010 school year who do not pass the reading or math graduation-required assessment for diploma under paragraph (b) are eligible to receive a high school diploma with a passing state notation if they:

(1) complete with a passing score or grade all coursework and credits required for graduation by the school board granting the students their diploma;

(2) participate in district-prescribed academic remediation in those subject areas of the graduation-required assessment for diploma in which they did not receive a passing score; and

(3) fully participate in at least two retest attempts after the initial spring administration of the graduation-required assessment for diploma in those subject areas they have not passed. A school district issuing a student a high school diploma in any school year from the 2009-2010 school year through the 2013-2014 school year must record on the student's high school transcript whether or not the student received a passing score on the reading and mathematics graduation-required assessments for diploma under this subdivision.

In addition, the school board granting the students their diplomas may formally decide to include a notation of high achievement on the high school diplomas of those graduating seniors who, according to established school board criteria, demonstrate exemplary academic achievement during high school.

(d) The 3rd through 8th grade and high school level test results shall be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must disseminate to the public the test results upon receiving those results.

~~(d)~~ (e) State tests must be constructed and aligned with state academic standards. The testing process and the order of administration shall be determined by the commissioner. The statewide results shall be aggregated at the site and district level, consistent with subdivision 1a.

~~(e)~~ (f) In addition to the testing and reporting requirements under this section, the commissioner shall include the following components in the statewide public reporting system:

(1) uniform statewide testing of all students in grades 3 through 8 and at the high school level that provides appropriate, technically sound accommodations; or alternate assessments; or exemptions consistent with applicable federal law, only with parent or guardian approval, for those very few students for whom the student's individual education plan team under sections 125A.05 and 125A.06 determines that the general statewide test is inappropriate for a student, or for a limited English proficiency student under section 124D.59, subdivision 2;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including average daily attendance, high school graduation rates, and high school drop-out rates by age and grade level;

(3) state results on the American College Test; and

(4) state results from participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement.

**EFFECTIVE DATE.** This section is effective the day following final enactment. Paragraph (c) applies to the 2009-2010 through 2013-2014 school years only. Notwithstanding any other law to the contrary, requirements related to the math graduation-required assessment for diploma under this section are repealed June 30, 2014, and the commissioner of education must not implement any alternative to the math graduation-required assessment for diploma without specific legislative authority.

Sec. 2. Minnesota Statutes 2008, section 120B.30, subdivision 1a, is amended to read:

Subd. 1a. **Statewide and local assessments; results.** (a) The commissioner must develop reading, mathematics, and science assessments aligned with state academic standards that districts and sites must use to monitor student growth toward achieving those standards. The commissioner must not develop statewide assessments for academic standards in social studies, health and physical education, and the arts. The commissioner must require:

(1) annual reading and mathematics assessments in grades 3 through 8 and at the high school level for the 2005-2006 school year and later; and

(2) annual science assessments in one grade in the grades 3 through 5 span, the grades 6 through 9 span, and a life sciences assessment in the grades 10 through 12 span for the 2007-2008 school year and later, and the commissioner must not require students to achieve a passing score on high school-level science assessments under this clause as a condition of receiving a high school diploma.

(b) The commissioner must ensure that all statewide tests administered to elementary and secondary students measure students' academic knowledge and skills and not students' values, attitudes, and beliefs.

(c) Reporting of assessment results must:

(1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;

(2) include, by no later than the 2008-2009 school year, a value-added component that is in addition to a measure for student achievement growth over time; and

(3)(i) for students enrolled in grade 8 before the 2005-2006 school year, determine whether students have met the state's basic skills requirements; and

(ii) for students enrolled in grade 8 in the 2005-2006 school year and later, determine whether students have met the state's academic standards.

(d) Consistent with applicable federal law and subdivision 1, paragraph (d), clause (1), the commissioner must include appropriate, technically sound accommodations or alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for students with limited English proficiency.

(e) A school, school district, and charter school must administer statewide assessments under this section, as the assessments become available, to evaluate student progress in achieving the academic standards. If a state assessment is not available, a school, school district, and charter school must determine locally if a student has met the required academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.

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

Sec. 3. **EXAMINING THE CHARACTERISTICS AND IMPACT OF "HIGH STAKES" MATH AND SCIENCE TESTS IN THE CONTEXT OF AWARDED HIGH SCHOOL DIPLOMAS.**

(a) To carefully and responsibly determine the state policy of administering "high stakes" math and science tests in the context of awarding high school diplomas, the Independent Office of Educational Accountability under Minnesota Statutes, section 120B.31, subdivision 3, must convene and facilitate an advisory group that includes measurement experts selected by the State Council on Measurement in Education, three regionally diverse school district research and evaluation directors selected by the Minnesota Assessment Group, one school superintendent selected by the Minnesota Association of School Administrators, one high school principal selected by the Minnesota Board of School Administrators, one University of Minnesota faculty member selected by the dean of the College of Education and Human Development, one licensed math teacher and one licensed science teacher selected by Education Minnesota, the director of evaluation and testing at the Minnesota Department of Education, two parents of currently enrolled high school students selected by the Minnesota Parent Teacher Association, one representative of the business community selected by the Minnesota Chamber of Commerce, one representative of the business community selected by the Minnesota Business Partnership, one representative of Minnesota's two-year postsecondary institutions selected by Minnesota State Colleges and Universities, one representative of Minnesota's four-year postsecondary institutions selected by the University of Minnesota, an interested member of the public, and mathematicians, scientists, and workforce development experts that the Office of Educational Accountability selects to consider and recommend how best to motivate students and improve students' academic achievement in the context of "high stakes" math and science exams required for high school graduation. The advisory group at least must evaluate and make recommendations on:

(1) particular kinds of math and science exams that Minnesota might use as "high stakes" exams to award or deny students a high school diploma;

(2) appropriate levels of high school math and science proficiency and the educational support to help students achieve those proficiency levels;

(3) the relationship between math and science proficiency levels and state definitions of college and career readiness;

(4) the interrelationship between requiring students to demonstrate math and science proficiency and college or career readiness, and awarding or denying students a high school diploma;

(5) the interrelationship between "high stakes" testing and other coursework and credits required for graduation or college and career readiness; and

(6) appropriate accommodations for students with individualized education plans and students with limited English proficiency in some circumstances.

(b) The advisory group under paragraph (a) is not subject to Minnesota Statutes, section 15.059. The Office of Educational Accountability must present the advisory group's evaluation and recommendations under paragraph (a) to the education policy and finance committees of the legislature by February 15, 2010. The advisory group expires on June 1, 2010.

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

Delete the title and insert:

"A bill for an act relating to education; creating an alternative means of graduation for students; studying graduation exams; amending Minnesota Statutes 2008, section 120B.30, subdivisions 1, 1a."

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

The report was adopted.

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

H. F. No. 557, A bill for an act relating to state government; authorizing preferences in state procurement for veteran-owned small businesses and disabled veteran-owned small businesses; amending Minnesota Statutes 2008, sections 16C.16, by adding a subdivision; 16C.19.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 16C.16, is amended by adding a subdivision to read:

**Subd. 6a. Veteran-owned businesses.** (a) The commissioner shall award up to a six percent preference, but no less than the percentage awarded to any other group under this section, in the amount bid on state procurement to certified small businesses that are majority-owned and operated either:

(1) by veterans, as indicated by the person's United States Department of Defense form DD-214 or by the commissioner of veterans affairs; or

(2) by veterans having service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs.

(b) The purpose of this designation is to facilitate the transition of veterans from military to civilian life, and to help compensate veterans for their sacrifices, including but not limited to their sacrifice of health and time, to the state and nation during their military service, as well as to enhance economic development within Minnesota.

(c) For purposes of this section and section 16C.19, the following terms have the meanings given them:

(1) "veteran" has the meaning given in section 197.447;

(2) "service-connected disability" has the meaning given in United States Code, title 38, section 101(16), as determined by the United States Department of Veterans Affairs.

**EFFECTIVE DATE.** This section is effective July 1, 2009, and applies to procurement contract bid solicitations issued on and after that date.

Sec. 2. Minnesota Statutes 2008, section 16C.19, is amended to read:

**16C.19 ELIGIBILITY; RULES.**

(a) A small business wishing to participate in the programs under section 16C.16, subdivisions 4 to 7, must be certified by the commissioner. The commissioner shall adopt by rule standards and procedures for certifying that small businesses, small targeted group businesses, and small businesses located in economically disadvantaged areas are eligible to participate under the requirements of sections 16C.16 to 16C.21. The commissioner shall adopt by rule standards and procedures for hearing appeals and grievances and other rules necessary to carry out the duties set forth in sections 16C.16 to 16C.21.

(b) The commissioner may make rules which exclude or limit the participation of nonmanufacturing business, including third-party lessors, brokers, franchises, jobbers, manufacturers' representatives, and others from eligibility under sections 16C.16 to 16C.21.

(c) The commissioner may make rules that set time limits and other eligibility limits on business participation in programs under sections 16C.16 to 16C.21.

(d) Notwithstanding paragraphs (b) and (c), for purposes of sections 16C.16 to 16C.21, a veteran-owned small business or service-disabled veteran-owned small business, the principal place of business of which is in Minnesota, is certified if it has been verified by the United States Department of Veterans Affairs as being a veteran-owned small business or service disabled veteran-owned small business in accordance with Public Law 109-461 and Code of Federal Regulations, title 38, part 74.

**EFFECTIVE DATE.** This section is effective July 1, 2009, and applies to procurement contract bid solicitations issued on and after that date.

Delete the title and insert:

"A bill for an act relating to state government; authorizing preferences in state procurement for veteran-owned small businesses, including service-disabled veteran-owned small businesses; amending Minnesota Statutes 2008, sections 16C.16, by adding a subdivision; 16C.19."

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

The report was adopted.

Eken from the Committee on Environment Policy and Oversight to which was referred:

H. F. No. 569, A bill for an act relating to solid waste; requiring a pilot program to be implemented by paint manufacturers to recycle paint; amending Minnesota Statutes 2008, section 13.7411, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

The report was adopted.

Hornstein from the Transportation and Transit Policy and Oversight Division to which was referred:

H. F. No. 575, A bill for an act relating to drivers' licenses; modifying provision relating to driving instruction permits for home-school students; amending Minnesota Statutes 2008, section 171.05, subdivision 2.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 171.05, subdivision 2, is amended to read:

Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision in subdivision 1 to the contrary, the department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or ~~is enrolled in either:~~

(i) the applicant has completed:

(A) the classroom phase of instruction in a public, private, or commercial driver education program that is approved by the commissioner of public safety and that includes classroom and behind-the-wheel training; or;

~~(ii) an approved behind-the-wheel driver education program~~ (B) home-classroom driver training, when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a homeschool diploma, the student's status as a homeschool student has been certified by the superintendent of the school district in which the student resides, and ~~the student is taking home-classroom driver training with classroom materials~~ are approved by the commissioner of public safety; or

(C) an Internet-based theory driver education program that is approved by the commissioner; and

(ii) the applicant is enrolled in or has completed behind-the-wheel training in a public, private, or commercial driver education program that is approved by the commissioner;

~~(2) has completed the classroom phase of instruction in the driver education program;~~

~~(3)~~ (2) has passed a test of the applicant's eyesight;

~~(4)~~ (3) has passed a department-administered test of the applicant's knowledge of traffic laws;

~~(5)~~ (4) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (v) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and

~~(6)~~ (5) has paid the fee required in section 171.06, subdivision 2.

(b) The instruction permit is valid for two years from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2."

Delete the title and insert:

"A bill for an act relating to drivers' licenses; modifying driver education requirements for obtaining an instruction permit; amending Minnesota Statutes 2008, section 171.05, subdivision 2."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on K-12 Education Policy and Oversight.

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. 691, A bill for an act relating to state employees; modifying the vacation donation program; amending Minnesota Statutes 2008, section 43A.1815.

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. 702, A bill for an act relating to public safety; requiring the collection and reporting of specified summary data relating to decisions that affect a child's status within the juvenile justice system; proposing coding for new law in Minnesota Statutes, chapter 260B.

Reported the same back with the recommendation that 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. 705, A bill for an act relating to health; promoting preventive health care by requiring high deductible health plans used with a health savings account to cover preventive care with no deductible as permitted by federal law; amending Minnesota Statutes 2008, section 62Q.65.

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

The report was adopted.

Eken from the Committee on Environment Policy and Oversight to which was referred:

H. F. No. 774, A bill for an act relating to the environment; providing for greenhouse gas emissions registry; proposing coding for new law in Minnesota Statutes, chapter 216H.

Reported the same back with the following amendments:

Page 1, line 14, before "The" insert "(a)"

Page 1, line 18, delete everything after the period

Page 1, after line 18, insert:

"(b) The reporting system need not include all"

Page 1, line 19, delete "should attempt to" and insert "must include:"

Page 1, delete lines 20 to 23 and insert:

"(1) all stationary sources and other facilities required to obtain a permit under Title V of the federal Clean Air Act, United States Code, title 42, section 7401 et. seq.; and

(2) facilities whose annual carbon dioxide equivalent emissions, as defined in section 216H.10, subdivision 3, exceed a threshold set by the commissioner at between 10,000 tons and 25,000 tons. The reporting threshold set by the commissioner must be consistent with the goal of accurately tracking progress in attaining greenhouse gas emissions-reduction goals and the need for emissions data to assist in developing greenhouse gas emissions-reduction strategies.

(c) In designing the greenhouse gas emissions reporting system, the commissioner shall consider requiring the reporting of greenhouse gas emissions from transportation fuels and greenhouse gas emissions from natural gas combustion that are not included in reporting from stationary sources. In determining whether to include reporting of these emissions, the commissioner must consider both the goal of accurately tracking progress in attaining greenhouse gas emissions-reduction goals and the need for emissions data to assist in developing greenhouse gas emissions-reduction strategies recommended by the Minnesota Climate Change Advisory Group. If the commissioner decides that transportation fuels and portions of natural gas combustion should not be included in the initial emissions reporting system, the commissioner must report to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction over energy and environmental policy the reasons for that decision and suggestions for steps that should be taken to allow their inclusion in the emissions reporting system in the future.

(d) A facility reporting greenhouse gas emissions under this section must maintain the data used to create the reports for a minimum of five years."

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.

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

H. F. No. 782, A bill for an act relating to human services; changing the requirements for shaken baby syndrome training in licensed child care and child foster care programs; amending Minnesota Statutes 2008, sections 245A.144; 245A.1444; 245A.40, subdivision 5; 245A.50, subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 245A.144, is amended to read:

**245A.144 SUDDEN INFANT DEATH AND SHAKEN BABY SYNDROME FOR CHILD FOSTER CARE PROVIDERS.**

(a) Licensed child foster care providers that care for infants or children through five years of age must document that before staff persons and caregivers assist in the care of infants or children through five years of age, they are instructed on the standards in section 245A.1435 and receive training on reducing the risk of sudden infant death syndrome and shaken baby syndrome for infants and young children. This section does not apply to emergency relative foster care under section 245A.035. The training on reducing the risk of sudden infant death syndrome and shaken baby syndrome may be provided as:

(1) orientation training to child foster care providers, who care for infants or children through five years of age, under Minnesota Rules, part 2960.3070, subpart 1; or

(2) in-service training to child foster care providers, who care for infants or children through five years of age, under Minnesota Rules, part 2960.3070, subpart 2.

(b) Training required under this section must be at least one hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to sudden infant death syndrome and shaken baby syndrome, means of reducing the risk of sudden infant death syndrome and shaken baby syndrome, and license holder communication with parents regarding reducing the risk of sudden infant death syndrome and shaken baby syndrome.

(c) Training for child foster care providers must be approved by the county licensing agency and fulfills, in part, training required under Minnesota Rules, part 2960.3070.

Sec. 2. Minnesota Statutes 2008, section 245A.1444, is amended to read:

**245A.1444 TRAINING ON RISK OF SUDDEN INFANT DEATH SYNDROME AND SHAKEN BABY SYNDROME BY OTHER PROGRAMS.**

A licensed chemical dependency treatment program that serves clients with infants or children through five years of age, who sleep at the program and a licensed children's residential facility that serves infants or children through five years of age, must document that before program staff persons or volunteers assist in the care of infants or children through five years of age, they are instructed on the standards in section 245A.1435 and receive training on reducing the risk of sudden infant death syndrome and shaken baby syndrome. The training conducted under this section may be used to fulfill training requirements under Minnesota Rules, parts 2960.0100, subpart 3; and 9530.6490, subpart 4, item B.

This section does not apply to child care centers or family child care programs governed by sections 245A.40 and 245A.50.

Sec. 3. Minnesota Statutes 2008, section 245A.40, subdivision 5, is amended to read:

Subd. 5. **Sudden infant death syndrome and shaken baby syndrome training.** (a) License holders must document that before staff persons care for infants, they are instructed on the standards in section 245A.1435 and receive training on reducing the risk of sudden infant death syndrome ~~and~~. In addition, license holders must document that before staff persons care for infants or children through five years of age, they receive training on the risk of shaken baby syndrome. The training in this subdivision may be provided as orientation training under subdivision 1 and in-service training under subdivision 7.

(b) Sudden infant death syndrome reduction training required under this subdivision must be at least ~~one~~ one-half hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to sudden infant death syndrome ~~and shaken baby syndrome~~, means of reducing the risk of sudden infant death syndrome ~~and shaken baby syndrome~~ in child care, and license holder communication with parents regarding reducing the risk of sudden infant death syndrome ~~and shaken baby syndrome~~.

(c) Shaken baby syndrome training under this subdivision must be at least one-half hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to shaken baby syndrome for infants and young children, means to reduce the risk of shaken baby syndrome in child care, and license holder communication with parents regarding reducing the risk of shaken baby syndrome.

(d) The commissioner shall make available for viewing a video presentation on the dangers associated with shaking infants and young children. The video presentation must be part of the orientation and annual in-service training of licensed child care ~~centers~~ center staff persons caring for children under school age. The commissioner shall provide to child care providers and interested individuals, at cost, copies of a video approved by the commissioner of health under section 144.574 on the dangers associated with shaking infants and young children.

Sec. 4. Minnesota Statutes 2008, section 245A.50, subdivision 5, is amended to read:

Subd. 5. **Sudden infant death syndrome and shaken baby syndrome training.** (a) License holders must document that before staff persons, caregivers, and helpers assist in the care of infants, they are instructed on the standards in section 245A.1435 and receive training on reducing the risk of sudden infant death syndrome ~~and~~. In addition, license holders must document that before staff persons, caregivers, and helpers assist in the care of infants and children under school age, they receive training on reducing the risk of shaken baby syndrome. The training in this subdivision may be provided as initial training under subdivision 1 or ongoing training under subdivision 7.

(b) Sudden infant death syndrome reduction training required under this subdivision must be at least ~~one~~ one-half hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to sudden infant death syndrome ~~and shaken baby syndrome~~, means of reducing the risk of sudden infant death syndrome ~~and shaken baby syndrome~~ in child care, and license holder communication with parents regarding reducing the risk of sudden infant death syndrome ~~and shaken baby syndrome~~.

(c) Shaken baby syndrome training required under this subdivision must be at least one-half hour in length and must be completed at least once every five years. At a minimum, the training must address the risk factors related to shaken baby syndrome, means of reducing the risk of shaken baby syndrome in child care, and license holder communication with parents regarding reducing the risk of shaken baby syndrome.

(d) Training for family and group family child care providers must be approved by the county licensing agency.

(d) (e) The commissioner shall make available for viewing by all licensed child care providers a video presentation on the dangers associated with shaking infants and young children. The video presentation shall be part of the initial and ongoing training of licensed child care providers caring for children under school age. The commissioner shall provide to child care providers and interested individuals, at cost, copies of a video approved by the commissioner of health under section 144.574 on the dangers associated with shaking infants and young children."

Amend the title as follows:

Page 1, line 3, delete "child care and child foster care"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 841, A bill for an act relating to agriculture; extending the farmer-lender mediation law; amending Minnesota Statutes 2008, section 583.215.

Reported the same back with the recommendation that 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. 849, A bill for an act relating to human services; modifying health care program renewal notice requirements; amending Minnesota Statutes 2008, section 256.962, subdivision 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 256.962, subdivision 7, is amended to read:

Subd. 7. **Renewal notice.** (a) Beginning December 1, ~~2007~~ 2009, the commissioner shall mail a renewal notice to enrollees notifying the enrollees that the enrollees eligibility must be renewed. A notice shall be sent ~~at least 90 days prior to the renewal date and~~ at least 60 days prior to the renewal date. The notice to enrollees shall explain that its purpose is to provide them with sufficient time to collect necessary financial documents and materials required as part of the eligibility renewal. The commissioner shall provide an opt-out form with the first renewal notice to allow enrollees to choose to no longer receive renewal notices unless otherwise required by federal law.

(b) For enrollees who are receiving services through managed care plans, the managed care plan must provide a follow-up renewal call at least 60 days prior to the enrollees' renewal dates.

(c) The commissioner shall include the end of coverage dates on the monthly rosters of enrollees provided to managed care organizations."

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

The report was adopted.

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

H. F. No. 866, A bill for an act relating to insurance; requiring school districts to obtain employee health coverage through the public employees insurance program; amending Minnesota Statutes 2008, sections 43A.316, subdivisions 9, 10, by adding subdivisions; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297I.05, subdivision 5.

Reported the same back with the following amendments:

Page 2, line 18, delete "14" and insert "16"

Page 4, after line 4, insert:

"Sec. 9. Minnesota Statutes 2008, section 43A.316, is amended by adding a subdivision to read:

Subd. 16. Nonidentifiable aggregate claims data from past coverage. Upon request by the commissioner, entities that are providing or have provided coverage to eligible employees of school employers within two years before the effective date of this section, shall provide to the commissioner at no charge nonidentifiable aggregate claims data for that coverage. The information must include data relating to employee group benefit sets, demographics, and claims experience. Notwithstanding section 13.203, Minnesota service cooperatives must comply with this subdivision."

Page 4, line 20, after "Creation" insert "and membership" and before "There" insert "(a)"

Page 4, line 27, after the period, insert:

"(b)"

Page 5, line 13, after "(a)" insert "in each future year"

Page 5, line 15, after "received" insert "by the school employee insurance program in that future year" and after "from" insert "the"

Page 5, line 16, after "member" insert "of the association" and after the period, insert "The association shall assess the premiums paid in each future year by those employers at the same rate as premiums paid to other members of the association."

Page 5, line 28, after "tax" insert "imposed for each year"

Page 5, line 29, after "received" insert "by the school employee insurance program" and after "in" insert "that" and delete "the"

Page 5, line 31, after the period, insert "The commissioner shall assess the premiums paid in each year by those employers at the same rate as premiums paid by entities taxed under paragraph (a)."

Page 6, after line 3, insert:

"Sec. 14. Minnesota Statutes 2008, section 297I.15, subdivision 3, is amended to read:

Subd. 3. **Public employees insurance program.** Premiums paid to the public employees insurance program under section 43A.316 are exempt from the taxes imposed under this chapter, except for premiums paid to the school employee insurance program as provided in section 297I.05, subdivision 5, paragraph (b)."

Page 6, line 5, delete "12" and insert "14"

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 Health Care and Human Services Policy and Oversight.

The report was adopted.

Eken from the Committee on Environment Policy and Oversight to which was referred:

H. F. No. 898, A bill for an act relating to environment; adding greenhouse gas reduction goals and strategies to various state and metropolitan programs and plans; establishing goals for per capita reduction in vehicle miles traveled to reduce greenhouse gases; appropriating money; amending Minnesota Statutes 2008, sections 103B.3355; 116D.04, by adding a subdivision; 123B.70, subdivision 1; 123B.71, subdivision 9; 473.121, by adding a subdivision; 473.145; 473.146, by adding a subdivision; 473.25; proposing coding for new law in Minnesota Statutes, chapters 116C; 174; 473.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **LEGISLATIVE FINDINGS; IMPROVED LAND USE PLANNING TO ACHIEVE MANDATED REDUCTIONS IN GREENHOUSE GAS EMISSIONS.**

The legislature finds that changes in development patterns are necessary for Minnesota to achieve the greenhouse gas reduction goals provided in Minnesota Statutes, section 216H.02, subdivision 1. The legislature further finds that improved land use planning and development practices that target growth in ways that reduce the number and length of vehicle trips are necessary to achieve the greenhouse gas reduction goals provided in Minnesota Statutes, section 216H.02, subdivision 1.

Sec. 2. Minnesota Statutes 2008, section 103B.3355, is amended to read:

**103B.3355 WETLAND FUNCTIONS FOR DETERMINING PUBLIC VALUES.**

(a) The public values of wetlands must be determined based upon the functions of wetlands for:

(1) water quality, including filtering of pollutants to surface and groundwater, utilization of nutrients that would otherwise pollute public waters, trapping of sediments, shoreline protection, and utilization of the wetland as a recharge area for groundwater;

(2) floodwater and stormwater retention, including the potential for flooding in the watershed, the value of property subject to flooding, and the reduction in potential flooding by the wetland;

(3) public recreation and education, including hunting and fishing areas, wildlife viewing areas, and nature areas;

(4) commercial uses, including wild rice and cranberry growing and harvesting and aquaculture;

(5) fish, wildlife, native plant habitats;

(6) low-flow augmentation; ~~and~~

(7) carbon sequestration; and

~~(7)~~ (8) other public uses.

(b) The Board of Water and Soil Resources, in consultation with the commissioners of natural resources and agriculture and local government units, shall adopt rules establishing:

(1) scientific methodologies for determining the functions of wetlands; and

(2) criteria for determining the resulting public values of wetlands.

(c) The methodologies and criteria established under this section or other methodologies and criteria that include the functions in paragraph (a) and are approved by the board, in consultation with the commissioners of natural resources and agriculture and local government units, must be used to determine the functions and resulting public values of wetlands in the state. The functions listed in paragraph (a) are not listed in order of priority.

(d) Public value criteria established or approved by the board under this section do not apply in areas subject to local comprehensive wetland protection and management plans established under section 103G.2243.

(e) The Board of Water and Soil Resources, in consultation with the commissioners of natural resources and agriculture and local government units, may identify regions of the state where preservation, enhancement, restoration, and establishment of wetlands would have high public value. The board, in consultation with the commissioners, may identify high priority wetland regions using available information relating to the factors listed in paragraph (a). The board shall notify local units of government with water planning authority of these high priority regions.

**EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to rulemaking that begins after that date.

Sec. 3. **[116C.99] SENSIBLE COMMUNITIES GRANT PROGRAM.**

The Environmental Quality Board shall make grants to local units of government for changes in municipal ordinances that will encourage development patterns that support the following measurable goals:

(1) providing citizens with safe and convenient transportation alternatives, such as transit, walking, and bicycling;

(2) increasing the quantity, quality, and accessibility of wildlands, wetlands, lakes, rivers, and streams with the goal of preserving and protecting connected ecosystem functions;

(3) increasing physical activity through community design changes that promote the convenience and safety of walking and bicycling;

(4) maximizing the efficiency and cost-effectiveness of public investments by prioritizing infrastructure maintenance and rehabilitation; and

(5) expanding lifecycle housing opportunities for all income levels, especially in job-rich jurisdictions.

Sec. 4. Minnesota Statutes 2008, section 116D.04, is amended by adding a subdivision to read:

Subd. 2c. **Greenhouse gases.** (a) This subdivision applies to transportation-related development projects for which preparation of an environmental assessment worksheet is mandatory.

(b) Environmental review documents prepared under this chapter or rules adopted under this chapter for projects that meet the requirements of paragraph (a) must consider greenhouse gas emissions.

(c) Nothing in this subdivision adds to, subtracts from, or modifies the obligation of a responsible governmental unit under this chapter to conduct environmental review because of the potential for significant environmental effects resulting from a project's greenhouse gas emissions.

(d) By November 1, 2009, the board shall develop a guidance document to implement this subdivision. In developing the guidance document, the board shall consider the Pollution Control Agency's general guidance for carbon footprint development in environmental review and, to the extent possible, shall rely on existing protocols for inventorying and analyzing greenhouse gas emissions, such as the Climate Registry. The guidance document must include examples of alternatives and mitigation measures for different types of projects.

(e) By November 1, 2009, the board shall provide an amended environmental assessment worksheet form consistent with this subdivision to be used where applicable. The amended form must include analysis of project energy use, in order to characterize and measure direct and indirect greenhouse gas emissions, and vehicle-related greenhouse emissions.

(f) By January 15, 2010, the board shall submit to the chairs of the senate and house committees with jurisdiction over environment policy a report containing specific recommendations for the most effective way to include analysis of greenhouse gas emissions, mitigations, and alternatives in all projects that undergo environmental review.

(g) For the purposes of this subdivision:

(1) "greenhouse gas emissions" means emissions of carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride from anthropogenic sources that result from a project; and

(2) "transportation-related development projects" means highways; industrial, commercial, and institutional facilities; airport projects; solid waste facilities; mixed residential and industrial-commercial projects; residential developments; wastewater systems; sport or entertainment facilities; land use conversion, including golf courses; and recreational trails.

Sec. 5. Minnesota Statutes 2008, section 123B.70, subdivision 1, is amended to read:

Subdivision 1. **Commissioner approval.** In determining whether to give a school facility a positive, negative, or unfavorable review and comment, the commissioner must evaluate the proposals for facilities using the information provided under section 123B.71, subdivision 9. The commissioner may evaluate the proposals using the most recent "Guide for Planning School Construction in Minnesota" prepared by the Department of Education, but must not issue a negative or unfavorable review and comment under this section for a school facility based on the acreage of the proposed school site. The commissioner's evaluation of whether to replace a facility must not be based upon renovation costs approaching 60 percent of the replacement costs. If a school is proposed for a new site, the commissioner must examine the energy costs associated with that facility, including the change in pupil transportation costs and the costs of establishing new infrastructure, such as roads, sidewalks, and utility lines.

**EFFECTIVE DATE.** This section is effective for review and comments issued after July 1, 2009.

Sec. 6. Minnesota Statutes 2008, section 123B.71, subdivision 9, is amended to read:

Subd. 9. **Information required.** A school board proposing to construct a facility described in subdivision 8 shall submit to the commissioner a proposal containing information including at least the following:

(1) the geographic area and population to be served, preschool through grade 12 student enrollments for the past five years, and student enrollment projections for the next five years;

(2) a list of existing facilities by year constructed, their uses, and an assessment of the extent to which alternate facilities are available within the school district boundaries and in adjacent school districts;

(3) a list of the specific deficiencies of the facility that demonstrate the need for a new or renovated facility to be provided, and a list of the specific benefits that the new or renovated facility will provide to the students, teachers, and community users served by the facility;

(4) the relationship of the project to any priorities established by the school district, educational cooperatives that provide support services, or other public bodies in the service area;

(5) a description of the pedestrian, bicycle, and transit connections between the school and nearby residential areas that make it easier for children, teachers, and parents to get to the school by walking, bicycling, and taking transit;

~~(5)~~ (6) a specification of how the project will increase community use of the facility maximizes the opportunity for cooperative use of existing park, recreation, and other public facilities and whether and how the project will increase collaboration with other governmental or nonprofit entities;

~~(6)~~ (7) a description of the project, including the specification of site and outdoor space acreage and square footage allocations for classrooms, laboratories, and support spaces; estimated expenditures for the major portions of the project; and the dates the project will begin and be completed;

~~(7)~~ (8) a specification of the source of financing the project; the scheduled date for a bond issue or school board action; a schedule of payments, including debt service equalization aid; and the effect of a bond issue on local property taxes by the property class and valuation;

~~(8)~~ (9) an analysis of how the proposed new or remodeled facility will affect school district operational or administrative staffing costs, and how the district's operating budget will cover any increased operational or administrative staffing costs;

~~(9)~~ (10) a description of the consultation with local or state ~~road and~~ transportation officials on multimodal school site access and safety issues, and the ways that the project will address those issues;

~~(40)~~ (11) a description of how indoor air quality issues have been considered and a certification that the architects and engineers designing the facility will have professional liability insurance;

~~(44)~~ (12) as required under section 123B.72, for buildings coming into service after July 1, 2002, a certification that the plans and designs for the extensively renovated or new facility's heating, ventilation, and air conditioning systems will meet or exceed code standards; will provide for the monitoring of outdoor airflow and total airflow of ventilation systems; and will provide an indoor air quality filtration system that meets ASHRAE standard 52.1;

~~(42)~~ (13) a specification of any desegregation requirements that cannot be met by any other reasonable means;

~~(43)~~ (14) a specification, ~~if applicable,~~ of how the facility will utilize environmentally sustainable school facility design concepts; and

~~(44)~~ (15) a description of how the architects and engineers have considered the American National Standards Institute Acoustical Performance Criteria, Design Requirements and Guidelines for Schools of the maximum background noise level and reverberation times.

Sec. 7. **[174.015] REDUCING VEHICLE MILES TRAVELED.**

Subdivision 1. **Definition.** "Vehicle miles traveled" means nonfreight motor vehicle miles traveled per person per calendar year.

Subd. 2. **Reduction goal.** To help achieve an overall reduction in greenhouse gas emissions in Minnesota, the commissioner of transportation shall implement, and facilitate the implementation by other public and private entities of, policies that have the goal of achieving by 2025 at least a 15 percent reduction from 2005 levels of vehicle miles traveled. The implemented policies shall not mandate that individuals reduce their vehicle miles traveled.

Sec. 8. Minnesota Statutes 2008, section 473.121, is amended by adding a subdivision to read:

Subd. 37. **Vehicle miles traveled.** "Vehicle miles traveled" has the meaning given in section 174.015.

Sec. 9. Minnesota Statutes 2008, section 473.145, is amended to read:

**473.145 DEVELOPMENT GUIDE.**

The Metropolitan Council shall prepare and adopt, after appropriate study and such public hearings as may be necessary, a comprehensive development guide for the metropolitan area. It shall consist of a compilation of policy statements, goals, standards, programs, and maps prescribing guides for the orderly and economical development, public and private, of the metropolitan area. The comprehensive development guide shall recognize and encompass physical, social, or economic needs of the metropolitan area and those future developments which will have an impact on the entire area including but not limited to such matters as land use, parks and open space land needs, greenhouse gas reduction, the necessity for and location of airports, highways, transit facilities, public hospitals, libraries, schools, and other public buildings.

Sec. 10. Minnesota Statutes 2008, section 473.146, is amended by adding a subdivision to read:

**Subd. 5. Vehicle miles traveled reduction.** (a) By July 1, 2010, the council must adopt a policy statement supporting reducing vehicle miles traveled. The policy statement must set a goal of reducing regional vehicle miles traveled by at least 17 percent from 2005 levels by 2025. The policy statement must identify broad strategies relating to transportation and land use by which the goal may be accomplished and an estimate of the 1990 vehicle miles traveled and 2005 vehicle miles traveled for all local governments in the metropolitan area. The council shall consider the policy analysis and recommendations in the Minnesota Climate Change Advisory Group's Report to the Minnesota Legislature, dated April 2008, and consult with the University of Minnesota Institute for the Environment and the University of Minnesota Center for Transportation Studies.

(b) By July 1, 2012, the council must revise the metropolitan development guide and system plans to be consistent with the policy statement under paragraph (a) and to meet the goal for reducing vehicle miles traveled in the region.

Sec. 11. Minnesota Statutes 2008, section 473.25, is amended to read:

**473.25 LIVABLE COMMUNITIES CRITERIA AND GUIDELINES.**

(a) The council shall establish criteria for uses of the fund provided in section 473.251 that are consistent with and promote the purposes of this article and the policies of the Metropolitan Development Guide adopted by the council including, but not limited to:

(1) helping to change long-term market incentives that adversely impact creation and preservation of living-wage jobs in the fully developed area;

(2) creating incentives for developing communities to include a full range of housing opportunities;

(3) creating incentives to preserve and rehabilitate affordable housing in the fully developed area; and

(4) creating incentives for all communities to implement compact and efficient development.

(b) The council shall establish guidelines for the livable community demonstration account for projects that the council would consider funding with either grants or loans. The guidelines must provide that the projects will:

(1) interrelate development or redevelopment and transit;

(2) interrelate affordable housing and employment growth areas;

(3) intensify land use that leads to more compact development or redevelopment;

(4) involve development or redevelopment that mixes incomes of residents in housing, including introducing or reintroducing higher value housing in lower income areas to achieve a mix of housing opportunities; ~~or~~

(5) encourage public infrastructure investments which connect urban neighborhoods and suburban communities, attract private sector redevelopment investment in commercial and residential properties adjacent to the public improvement, and provide project area residents with expanded opportunities for private sector employment; or

(6) reduce greenhouse gas emissions through a reduction in vehicle miles traveled.

(c) The council shall establish guidelines governing who may apply for a grant or loan from the fund, providing priority for proposals using innovative partnerships between government, private for-profit, and nonprofit sectors.

(d) The council shall prepare an annual plan for distribution of the fund based on the criteria for project and applicant selection.

(e) The council shall prepare and submit to the legislature, as provided in section 3.195, an annual report on the metropolitan livable communities fund. The report must include information on the amount of money in the fund, the amount distributed, to whom the funds were distributed and for what purposes, and an evaluation of the effectiveness of the projects funded in meeting the policies and goals of the council. The report may make recommendations to the legislature on changes to Laws 1995, chapter 255.

**Sec. 12. [473.8585] VEHICLE MILES TRAVELED REDUCTION; LOCAL COMPREHENSIVE PLAN AMENDMENTS.**

**Subdivision 1. Establish local baseline vehicle miles traveled.** By July 2011, each local governmental unit exercising land control must establish the vehicle miles traveled in its jurisdiction under its existing comprehensive plan using the model developed by the University of Minnesota under section 13, subdivision 1. The governmental unit must also identify strategies that will allow it to accomplish the goal set forth in the policy statement adopted by the council under section 473.146, subdivision 5, and report the results of its work to the council. Within the existing parameters of the metropolitan livable communities fund, expenses related to this subdivision are an allowable use.

**Subd. 2. Revision of local comprehensive plans.** By July 2012, the council must revise its metropolitan development guide and metropolitan system plans as needed to meet the goal set forth in the policy statement adopted by the council under section 473.146, subdivision 5, and issue metropolitan system statements to each local governmental unit that must prepare and submit local comprehensive plans to the council. By July 2013, each local governmental unit must revise its comprehensive plans as needed to accomplish the vehicle miles traveled reduction goal and make its local comprehensive plan consistent with the metropolitan development guide and metropolitan system plans. The revised local comprehensive plan must demonstrate that the land uses and development contemplated in the plan and the official controls, fiscal devices, and other specific actions identified to implement the plan will accomplish the vehicle miles traveled reduction goal.

**Subd. 3. Council review; local plan adoption.** Each local governmental unit must submit its revisions to the council. The council must review the revisions for consistency with the policy statement and conformity with the metropolitan systems plans. The council may require a local governmental unit to modify its revision if the council concludes that the revision does not accomplish the goal set out in the policy statement or is more likely than not to have a substantial impact on or contain a substantial departure from the metropolitan system plans. The local governmental unit must adopt its revised plan, after council review and modification, if necessary.

**Subd. 4. Continuing obligation.** After July 2013, each local comprehensive plan and plan amendment must demonstrate that the land uses and development contemplated in the plan and the official controls, fiscal devices, and other specific actions identified to implement it, will accomplish the vehicle miles traveled reduction goal.

**Sec. 13. TRANSFER OF MONEY.**

**Subdivision 1. University of Minnesota Center for Transportation Studies.** The Metropolitan Council must transfer \$500,000 from the metropolitan livable communities fund to the Board of Regents of the University of Minnesota for the Center for Transportation Studies to develop by July 1, 2010, resources for use by local governments and the Metropolitan Council to identify land-use and transportation planning strategies and processes to support the policies identified under Minnesota Statutes, section 473.146, subdivision 5. The resources should

assist local communities and the Metropolitan Council as they implement the policies under Minnesota Statutes, section 473.8585, and under Minnesota Statutes, section 473.146, subdivision 5. The resources should take into account recent transportation trends and be tailored to the specific trends within the Twin Cities. The Center for Transportation Studies should identify and use existing information and models to the extent they are useful and accurate. The Center for Transportation Studies is encouraged to collaborate with the Metropolitan Council and local units of government willing and interested in voluntary involvement with development and refinement of the resources.

Subd. 2. **University of Minnesota Center for Transportation Studies.** By July 1, 2010, the Metropolitan Council must transfer \$250,000 from the metropolitan livable communities fund to the Board of Regents of the University of Minnesota for the Center for Transportation Studies to offer a series of voluntary training sessions and outreach activities for staff from local governments in the Twin Cities and from the Metropolitan Council who are interested in using the resources identified in subdivision 1 to help implement the policies under Minnesota Statutes, section 473.8585, subdivision 1, and under Minnesota Statutes, section 473.146, subdivision 5. The Center for Transportation Studies should also maintain a Web site that provides information related to using the resources identified in subdivision 1.

Subd. 3. **University of Minnesota Center for Transportation Studies.** By July 1, 2012, the Metropolitan Council must transfer \$500,000 from the metropolitan livable communities fund to the Board of Regents of the University of Minnesota for the Center for Transportation Studies to offer voluntary technical assistance to local government staff who are interested in using the resources identified in subdivision 1 to help implement the policies under Minnesota Statutes, section 473.8585, subdivision 2, including assistance to communities on their comprehensive plan. The Center for Transportation Studies is encouraged to evaluate and enhance the resources identified in subdivision 1 based on input from the Metropolitan Council and local government staff that are using the resources.

Subd. 4. **Commissioner of administration.** The Metropolitan Council must transfer \$..... from the metropolitan livable communities fund to the commissioner of administration to fund a competitive grant program under Minnesota Statutes, section 116C.99."

Delete the title and insert:

"A bill for an act relating to environment; adding greenhouse gas reduction goals and strategies to various state and metropolitan programs and plans; establishing goals for per capita reduction in vehicle miles traveled to reduce greenhouse gases; transferring money; amending Minnesota Statutes 2008, sections 103B.3355; 116D.04, by adding a subdivision; 123B.70, subdivision 1; 123B.71, subdivision 9; 473.121, by adding a subdivision; 473.145; 473.146, by adding a subdivision; 473.25; proposing coding for new law in Minnesota Statutes, chapters 116C; 174; 473."

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.

Hornstein from the Transportation and Transit Policy and Oversight Division to which was referred:

H. F. No. 994, A bill for an act relating to motor carriers; abolishing state hazardous materials registration and permit requirements; amending Minnesota Statutes 2008, section 221.0355.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2008, section 13.721, subdivision 4, is amended to read:

Subd. 4. **Transporting hazardous material or waste; permit application.** Data submitted under section 221.0355, subdivision 9, and received by the commissioner of transportation on applications for permits to transport ~~hazardous material or hazardous waste~~ are classified under section 221.0355, subdivision 9."

Reorder 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 Transportation Finance and Policy Division.

The report was adopted.

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

H. F. No. 995, A bill for an act relating to mortgages; foreclosures by advertisement; modifying sheriff's sale procedure; amending Minnesota Statutes 2008, section 580.07.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 504B.285, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** The person entitled to the premises may recover possession by eviction when:

(1) any person holds over real property:

(i) after a sale of the property on an execution or judgment; or

(ii) after the expiration of the time for redemption on foreclosure of a mortgage, or after termination of contract to convey the property, provided that if the person holding the real property after the expiration of the time for redemption or termination was a tenant during the redemption or termination period, ~~the person entered into the lease of any duration after the date of the notice of mortgage foreclosure or contract for deed cancellation and under~~ a lease of any duration and the lease began after the date the mortgage or contract for deed was executed but prior to the expiration of the time for redemption or termination, and the person has received:

(A) at least two months' written notice to vacate no sooner than one month after the expiration of the time for redemption or termination, provided that the tenant pays the rent and abides by all terms of the lease; or

(B) at least two months' written notice to vacate no later than the date of the expiration of the time for redemption or termination, which notice shall also state that the sender will hold the tenant harmless for breaching the lease by vacating the premises if the mortgage is redeemed or the contract is reinstated;

(2) any person holds over real property after termination of the time for which it is demised or leased to that person or to the persons under whom that person holds possession, contrary to the conditions or covenants of the lease or agreement under which that person holds, or after any rent becomes due according to the terms of such lease or agreement; or

(3) any tenant at will holds over after the termination of the tenancy by notice to quit.

Sec. 2. Minnesota Statutes 2008, section 580.021, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** This section applies to foreclosure of mortgages under this chapter on property consisting of one to four family dwelling units, one of which, when the notice of pendency under section 580.03 is recorded, the owner occupies as the owner's principal place of residency ~~on the date of service of the notice of sale of the owner.~~

**EFFECTIVE DATE.** This section is effective for notices of foreclosure published or served on or after August 1, 2009.

Sec. 3. Minnesota Statutes 2008, section 580.021, subdivision 2, is amended to read:

Subd. 2. **Requirement to provide notice of opportunity for counseling.** ~~When the written notice required under section 47.20, subdivision 8, is provided and before~~ Before the notice of pendency under section 580.032, subdivision 3, is ~~filed~~ recorded, a party foreclosing ~~on~~ a mortgage must provide to the mortgagor information contained in a form prescribed in section 580.022, subdivision 1, that:

(1) foreclosure prevention counseling services provided by an authorized foreclosure prevention counseling agency are available; and

(2) ~~notice that~~ the party will transmit the homeowner's name, address, and telephone number to an approved foreclosure prevention agency.

~~Nothing in this subdivision prohibits~~ The notices required by this subdivision ~~from being~~ may be provided concurrently with ~~the~~ a written notice ~~required under section 47.20, subdivision 8 of default.~~

For the purposes of this section, an "authorized foreclosure prevention counseling agency" is a nonprofit agency approved by the Minnesota ~~Housing Finance Agency~~ Home Ownership Center or the United States Department of Housing and Urban Development to provide foreclosure prevention counseling services.

**EFFECTIVE DATE.** This section is effective for notices of foreclosure published or served on or after August 1, 2009.

Sec. 4. Minnesota Statutes 2008, section 580.025, is amended to read:

#### **580.025 FORECLOSURE DATA.**

Subdivision 1. **Applicability.** This section applies to foreclosure of mortgages under this chapter on property consisting of one to four family dwelling units.

Subd. 2. **Data required.** The notice of pendency required by section 580.032, subdivision 3; the notice of sale required by section 580.04; and the certificate of sale required by section 580.12 shall include the following information to the best of the knowledge of the party foreclosing the mortgage:

(1) the physical street address, city, and zip code of the mortgaged premises;

(2) the name of the transaction agent, residential mortgage servicer, and the lender or broker, as defined in section 58.02, if the person holding the mortgage is a transaction agent as defined in section 58.02, subdivision 30, or the name of the residential mortgage servicer and the lender or broker, as defined in section 58.02, if the person holding the mortgage is not a transaction agent as defined in section 58.02, subdivision 30;

(3) the tax parcel identification number of the mortgaged premises;

(4) if stated on the mortgage, the transaction agent's mortgage identification number; and

(5) if stated on the mortgage, the name of the residential mortgage originator as defined in section 58.02.

No liability shall accrue to the party foreclosing the mortgage or the party's attorney for de minimis, good faith, or commercially reasonable errors in this information. The omission of all or some of the information required by this section from the notice shall not invalidate the foreclosure of the mortgage.

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

Sec. 5. Minnesota Statutes 2008, section 580.04, is amended to read:

**580.04 REQUISITES OF NOTICE.**

(a) Each notice shall specify:

(1) the name of the mortgagor, the mortgagee, each assignee of the mortgage, if any, and the original or maximum principal amount secured by the mortgage;

(2) the date of the mortgage, and when and where recorded, except where the mortgage is upon registered land, in which case the notice shall state that fact, and when and where registered;

(3) the amount claimed to be due on the mortgage on the date of the notice;

(4) a description of the mortgaged premises, conforming substantially to that contained in the mortgage;

(5) the time and place of sale; and

(6) the time allowed by law for redemption by the mortgagor, the mortgagor's personal representatives or assigns; ~~and~~

(b) If the real estate is an owner-occupied, single-family dwelling, the notice must also specify the date and time by which the mortgagor must vacate the property if the mortgage is not reinstated under section 580.30 or the property redeemed under section 580.23.

~~(7)~~ (c) If the party foreclosing the mortgage desires to preserve the right to reduce the redemption period under section 582.032 after the first publication of the notice, the notice must also state in capital letters: "THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED."

**EFFECTIVE DATE.** This section is effective for notices of foreclosure published or served on or after August 1, 2009.

Sec. 6. Minnesota Statutes 2008, section 580.041, subdivision 1a, is amended to read:

Subd. 1a. **Applicability.** This section applies to foreclosure of mortgages under this chapter on property consisting of one to four family dwelling units, one of which, when the notice of pendency under section 580.03 is recorded, the owner occupies as the owner's principal place of residency on the date of service of the notice of sale on the owner.

**EFFECTIVE DATE.** This section is effective for notices of foreclosure published or served on or after August 1, 2009.

Sec. 7. Minnesota Statutes 2008, section 580.042, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** This section applies to foreclosure of mortgages under this chapter on property consisting of one or more family dwelling units, one or more of which are occupied by a tenant as a residence.

Sec. 8. Minnesota Statutes 2008, section 580.07, is amended to read:

**580.07 POSTPONEMENT.**

(a) The sale may be postponed, from time to time, by the party conducting the foreclosure, by inserting a notice of the postponement, as soon as practicable, in the newspaper in which the original advertisement was published, at the expense of the party requesting the postponement. The notice shall be published only once. The party requesting the postponement must, at the party's expense:

(1) publish, only once, a notice of postponement and the rescheduled date, if known, as soon as practicable, in the newspaper in which the notice under section 580.03 was published; and

(2) send by first class mail to the occupant, or occupants, if any, postmarked within three days of the postponed sale, notice:

(i) of the postponement; and

(ii) if known, the rescheduled date of the sale and the date and time by which the mortgagor must vacate the property if the mortgage is not reinstated under section 580.30 or the property redeemed under section 580.23.

(b) If the rescheduled date of the sale is not known at the time of the initial publication and notice to the occupant or occupants of the postponement, the foreclosing party must, at its expense, if and when a new date of sale is scheduled:

(1) publish, only once, notice of the rescheduled date of the sale, as soon as practicable, in the newspaper in which the notice under section 580.03 and the notice of postponement under paragraph (a) was published; and

(2) send by first class mail to the occupant, or occupants, if any, postmarked within ten days of the rescheduled sale, notice:

(i) of the date of the rescheduled sale; and

(ii) the date and time by which the mortgagor must vacate the property if the mortgage is not reinstated under section 580.30 or the property redeemed under section 580.23.

**EFFECTIVE DATE.** This section is effective for notices of foreclosure published or served on or after August 1, 2009.

Sec. 9. Minnesota Statutes 2008, section 580.15, is amended to read:

**580.15 PERPETUATING EVIDENCE OF SALE.**

Any party desiring to perpetuate the evidence of any sale made in pursuance of this chapter may procure:

(1) an affidavit of the publication of the notice of sale and of any notice of postponement to be made by the printer of the newspaper in which the same was inserted or by some person in the printer's employ knowing the facts;

(2) an affidavit or return of service of such notice upon the occupant of the mortgaged premises to be made by the officer or person making such service or, in case the premises were vacant or unoccupied at the time the service must be made, an affidavit or return showing that fact, to be made by the officer or person attempting to make such service;

(3) an affidavit by the person foreclosing the mortgage, or that person's attorney, or someone knowing the facts, setting forth the facts relating to the military service status of the owner of the mortgaged premises at the time of sale;

(4) an affidavit by the person foreclosing the mortgage, or that person's attorney, or someone having knowledge of the facts, setting forth the fact of service of notice of sale upon the secretary of the Treasury of the United States or the secretary's delegate in accordance with the provisions of Section 7425 of the Internal Revenue Code of 1954 as amended by Section 109 of the Federal Tax Lien Act of 1966, and also setting forth the fact of service of notice of sale upon the commissioner of revenue of the state of Minnesota in accordance with the provisions of section 270C.63, subdivision 11. Any such affidavit recorded prior to May 16, 1967 shall be effective as prima facie evidence of the facts therein contained as though recorded subsequent to May 16, 1967;

(5) an affidavit by the person foreclosing the mortgage, or that person's attorney, or someone having knowledge of the facts, setting forth the names of the persons to whom a notice of sale was mailed as provided by section 580.032;

(6) one or more affidavits by the person foreclosing the mortgage, or that person's attorney or another person having knowledge of the facts, stating that if sections 580.021, 580.041, 580.042, 582.039, 582.041, or 582.042 apply to the foreclosure proceedings all notice required under those sections have been provided.

Such affidavits and returns shall be recorded by the county recorder and registrar of titles, and they and the records thereof, and certified copies of such records, shall be prima facie evidence of the facts therein contained.

The affidavit provided for in clause (3) hereof may be made and recorded for the purpose of complying with the provisions of the Servicemembers Civil Relief Act, and may be made and recorded at any time subsequent to the date of the mortgage foreclosure sale.

**EFFECTIVE DATE.** This section is effective for sales conducted on or after August 1, 2009."

Delete the title and insert:

"A bill for an act relating to mortgages; modifying certain provisions relating to foreclosure; amending Minnesota Statutes 2008, sections 504B.285, subdivision 1; 580.021, subdivisions 1, 2; 580.025; 580.04; 580.041, subdivision 1a; 580.042, subdivision 1; 580.07; 580.15."

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. 1048, A bill for an act relating to unemployment compensation; providing eligibility for benefits under certain training programs.

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.

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

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.

Reported the same back with the recommendation that 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. 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.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

#### "ARTICLE 1

#### EARLY VOTING

Section 1. Minnesota Statutes 2008, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

(3) provide for entering data into the statewide registration system;

(4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;

(5) assign a unique identifier to each legally registered voter in the state;

(6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;

(7) coordinate with other agency databases within the state;

(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;

(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;

(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;

(11) provide access to municipal clerks to use the system;

(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; ~~and~~

(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16; and

(15) provide rosters, master lists, and other reports necessary for early voting.

The appropriate state or local official shall provide security measures to prevent unauthorized access to the computerized list established under section 201.021.

Sec. 2. Minnesota Statutes 2008, section 203B.001, is amended to read:

**203B.001 ELECTION LAW APPLICABILITY.**

The Minnesota Election Law is applicable to voting by absentee ballot and early voting unless otherwise provided in this chapter.

Sec. 3. Minnesota Statutes 2008, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Early voting.** "Early voting" means voting in person before election day at the office of the county auditor or any other location authorized in this chapter.

Sec. 4. Minnesota Statutes 2008, section 203B.03, subdivision 1, is amended to read:

Subdivision 1. **Violation.** No individual shall intentionally:

(a) make or sign any false certificate required by this chapter;

- (b) make any false or untrue statement in any application for absentee ballots or early voting ballots;
- (c) apply for absentee ballots or early voting ballots more than once in any election with the intent to cast an illegal ballot;
- (d) exhibit a ballot marked by that individual to any other individual;
- (e) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;
- (f) use information from absentee ballot or early voting materials or records for purposes unrelated to elections, political activities, or law enforcement;
- (g) provide assistance to an absentee or early voter except in the manner provided by section 204C.15, subdivision 1;
- (h) solicit the vote of an absentee or early voter while in the immediate presence of the voter during the time the individual knows the absentee or early voter is voting; or
- (i) alter an absentee or early voter ballot application after it has been signed by the voter, except by an election official for administrative purposes.

Before inspecting information from absentee ballot or early voting materials or records, an individual shall provide identification to the public official having custody of the material or information.

Sec. 5. Minnesota Statutes 2008, section 203B.05, is amended to read:

**203B.05 DESIGNATION OF MUNICIPAL CLERKS TO ADMINISTER EARLY AND ABSENTEE VOTING LAWS.**

Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the provisions of sections 203B.04 to 203B.15 if:

- (a) the county auditor of that county has designated the clerk to administer them; or
- (b) the clerk has given the county auditor of that county notice of intention to administer them.

A clerk may only administer the provisions of sections 203B.04 to 203B.15 if the clerk has technical capacity to access the absentee ballot module of the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. A clerk designated under this subdivision must receive training approved by the secretary of state on the use of the statewide voter registration system. A clerk may not use the statewide voter registration system until the clerk has received the required training.

Subd. 2. **City, school district, and town elections.** For city, town, and school district elections not held on the same day as a statewide election, applications for absentee ballots shall be filed with the city, school district, or town clerk and the duties prescribed by this chapter for the county auditor shall be performed by the city, school district, or town clerk unless the county auditor agrees to perform those duties on behalf of the city, school district, or town clerk. The costs incurred to provide absentee ballots and perform the duties prescribed by this subdivision shall be paid by the city, town, or school district holding the election.

Notwithstanding any other law, this chapter applies to school district elections held on the same day as a statewide election or an election for a county or municipality wholly or partially within the school district.

Sec. 6. Minnesota Statutes 2008, section 203B.11, subdivision 1, is amended to read:

Subdivision 1. **Generally.** Each full-time municipal clerk or school district clerk who has authority under section 203B.05 to administer absentee and early voting laws shall designate election judges to deliver ~~absentee~~ ballots in accordance with this section. The county auditor must also designate election judges to perform the duties in this section. A ballot may be delivered only to an eligible voter who is a temporary or permanent resident or patient in a health care facility or hospital located in the municipality in which the voter maintains residence. The ballots shall be delivered by two election judges, each of whom is affiliated with a different major political party. When the election judges deliver or return ballots as provided in this section, they shall travel together in the same vehicle. The election judges must bring a ballot box. Both election judges shall be present when an applicant completes the certificate of eligibility signs the certification required by section 204C.10, paragraph (b), and marks the absentee ballots, and may assist an applicant as provided in section 204C.15. Voters must insert their ballots into the ballot box. The election judges shall ~~deposit the return envelopes containing the marked absentee ballots~~ remove the ballots from the ballot box, place them in a sealed container and return them to the clerk on the same day that they are delivered and marked.

Election judges may bring an electronic ballot counter to serve as the ballot box. Election judges may bring an electronic ballot marker.

Sec. 7. **[203B.30] EARLY VOTING.**

Any eligible voter may vote in person before election day in the manner provided in sections 203B.31 to 203B.35.

Sec. 8. **[203B.31] TIME PERIOD FOR EARLY VOTING.**

Early voting must be available to any eligible voter as provided in section 203B.32 for every primary, general, and special election from 15 days before the election through 5:00 p.m. on the fourth day before the election. All voters in line at 5:00 p.m. on the fourth day before the election must be allowed to vote.

Sec. 9. **[203B.32] HOURS FOR EARLY VOTING.**

Early voting must be available between the hours of 8:00 a.m. and 4:30 p.m. on each weekday during the time period provided in section 203B.31; from 8:00 a.m. to 8:00 p.m. on at least one of those days; and from 8:00 a.m. to 4:00 p.m. on the Saturday before the election.

Sec. 10. **[203B.33] LOCATIONS FOR EARLY VOTING.**

(a) Early voting must be made available at a polling place designated in the county auditor's office, at the municipal clerk's office in every municipality that has been delegated the responsibility to administer absentee voting as provided in section 203B.05, and at any other location designated by the county auditor or municipal clerk at least 90 days before the election. At least one voting station and one ballot marking device for disabled voters must be made available in each polling place.

(b) The county auditor must make at least one ballot box available in each polling place. As soon as practicable following the public accuracy test, the county auditor must make an electronic ballot counter available.

Sec. 11. **[203B.34] NOTICE TO VOTERS.**

The county auditor must prepare a notice to the voters of the days, times, and locations for early voting. This notice must be posted on the county's Web site and the Web site for each municipality in the county where an early voting location is designated for the election at least 14 days before the first day for early voting.

Sec. 12. **[203B.35] PROCEDURES FOR EARLY VOTING.**

Subdivision 1. **Voting procedure.** Each voter shall sign an early voting roster that must include the certification provided in section 204C.10. An individual who is not registered to vote must register in the manner provided in section 201.061, subdivision 3. After the voter has signed a roster, two election judges must initial the appropriate ballot for the voter's precinct and provide it to the voter. The voter must mark the ballot and deposit it in either a precinct voting system or a sealed ballot box. A voter may not leave the polling place with the ballot.

Subd. 2. **Record of voting.** (a) The county auditor or municipal clerk must immediately record that a voter has voted early on the voter's record in the statewide voter registration system. After a voter's record has been marked to record that an individual has voted early, the individual must not be allowed to vote again at that election. Voters who are not preregistered at the voter's current address must be considered election day registrants.

(b) The early voting rosters must be marked no later than the start of voting on election day to indicate the voters who have cast a ballot at an early voting location. The roster may be marked either:

(1) by the municipal clerk before election day;

(2) by the absentee ballot board before election day; or

(3) by the election judges at the polling place on election day.

(c) A voter who has cast a ballot in person by early voting and deposited it in a ballot box or ballot counter must not be permitted to vote at the polling place on election day. An absentee ballot received from a voter who has cast a ballot in person by early voting must be rejected by the election judges.

Subd. 3. **Storage and counting of ballots.** Two staff of the county auditor or two election judges of different major political parties must:

(1) remove the ballots from the ballot box and seal and secure them at the end of each day on which early ballots were inserted into the ballot box; and

(2) ensure that the number of ballots removed from the ballot box is equal to the number of voters who voted early.

After the polls have closed, two staff of the county auditor or two election judges of different major political parties must count the early ballots, tabulating the vote in a manner that indicates each vote of the voter and the total votes cast for each candidate or question. In state primary and state general elections, the results must indicate the total votes cast for each candidate or question in each precinct and report the vote totals tabulated for each precinct. The count shall be public. No vote totals from early ballots may be made public before the close of voting on election day.

Sec. 13. Minnesota Statutes 2008, section 204C.10, is amended to read:

**204C.10 PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.**

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

(b) An individual voting early under section 203B.30 must sign a roster that meets the additional requirements of this paragraph. In addition to the content required under paragraph (a), the roster must also state: "I understand that after I have cast my ballot today, I cannot vote again in this election."

(c) All of the text contained within the quotation marks in paragraphs (a) and (b) must be in bold type in rosters provided to individuals voting under section 203B.30.

(d) A judge may, before the applicant signs the roster, confirm the applicant's name, address, and date of birth.

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

Sec. 14. Minnesota Statutes 2008, section 206.83, is amended to read:

**206.83 TESTING OF VOTING SYSTEMS.**

~~Within 14 days before election day,~~ The official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including through assistive technology, and count the votes cast for all candidates and on all questions. Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers. The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election. After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

Testing of equipment used for early voting must be conducted as soon as practicable after the equipment has been programmed. Testing of equipment used on the day of the election must be conducted within the 14 days before election day.

Sec. 15. Minnesota Statutes 2008, section 206.89, subdivision 2, is amended to read:

Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed by lot. The early ballots counted centrally must be considered a precinct eligible to be selected for the purposes of this subdivision. The county canvassing board of a county with fewer than 50,000 registered voters must conduct a postelection review of a total of at least two precincts. The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of a total of at least three precincts. The county canvassing board of a county with over 100,000 registered voters must conduct a review of a total of at least four precincts, or three percent of the total number of precincts in the county, whichever is greater. At least one precinct selected in each county must have had more than 150 votes cast at the general election.

The county auditor must notify the secretary of state of the precincts that have been chosen for review and the time and place the postelection review for that county will be conducted, as soon as the decisions are made. If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the secretary of state may require counties to select by lot additional precincts to meet the congressional district requirement. The secretary of state must post this information on the office Web site.

Sec. 16. **REPEALER.**

Minnesota Statutes 2008, section 203B.11, subdivision 2, is repealed.

Sec. 17. **EFFECTIVE DATE; APPLICABILITY.**

(a) Sections 1 to 16 are effective when the secretary of state has certified that:

(1) the statewide voter registration system has been tested, shown to properly allow for the tracking of the information required to conduct early voting, and can handle the expected volume of use; and

(2) that voting equipment that can tabulate at least 30 different ballot styles has been certified for use in this state.

(b) Upon certification, sections 1 to 16 apply to all federal, state, county, and city elections held in 2010 and thereafter, and to all other elections held in 2014 and thereafter. A municipality may implement the requirements of this chapter prior to the date provided in this paragraph, if the secretary of state has made the certification required in paragraph (a) at least 90 days prior to the date of the election at which early voting will be used.

## ARTICLE 2

### VACANCIES IN NOMINATION

Section 1. Minnesota Statutes 2008, section 203B.12, subdivision 2, is amended to read:

Subd. 2. **Examination of return envelopes.** Two or more election judges shall examine each return envelope and shall mark it accepted or rejected in the manner provided in this subdivision. ~~If a ballot has been prepared under section 204B.12, subdivision 2a, or 204B.41, the election judges shall not begin removing ballot envelopes from the return envelopes until 8:00 p.m. on election day, either in the polling place or at an absentee ballot board established under section 203B.13.~~

The election judges shall mark the return envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if the election judges or a majority of them are satisfied that:

(1) the voter's name and address on the return envelope are the same as the information provided on the absentee ballot application;

(2) the voter's signature on the return envelope is the genuine signature of the individual who made the application for ballots and the certificate has been completed as prescribed in the directions for casting an absentee ballot, except that if a person other than the voter applied for the absentee ballot under applicable Minnesota Rules, the signature is not required to match;

(3) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the return envelope; and

(4) the voter has not already voted at that election, either in person or by absentee ballot.

There is no other reason for rejecting an absentee ballot. In particular, failure to place the ballot within the security envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

The return envelope from accepted ballots must be preserved and returned to the county auditor.

If all or a majority of the election judges examining return envelopes find that an absent voter has failed to meet one of the requirements prescribed in clauses (1) to (4), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," and return it to the county auditor.

Sec. 2. Minnesota Statutes 2008, section 204B.04, subdivision 2, is amended to read:

Subd. 2. **Candidates seeking nomination by primary.** No individual who seeks nomination for any partisan or nonpartisan office at a primary shall be nominated for the same office by nominating petition, except as otherwise provided for partisan offices in section 204D.10, subdivision 2, ~~and for nonpartisan offices in section 204B.13, subdivision 4.~~

Sec. 3. Minnesota Statutes 2008, section 204B.04, subdivision 3, is amended to read:

Subd. 3. **Nomination for nonpartisan office.** No individual shall be nominated by nominating petition for any nonpartisan office ~~except in the event of a vacancy in nomination as provided in section 204B.13.~~

Sec. 4. Minnesota Statutes 2008, section 204B.07, subdivision 1, is amended to read:

Subdivision 1. **Form of petition.** A nominating petition may consist of one or more separate pages each of which shall state:

(a) the office sought;

(b) the candidate's name and residence address, including street and number if any; and

(c) the candidate's political party or political principle expressed in not more than three words. No candidate who files for a partisan office by nominating petition shall use the term "nonpartisan" as a statement of political principle or the name of the candidate's political party. No part of the name of a major political party may be used to designate the political party or principle of a candidate who files for a partisan office by nominating petition, except that the word "independent" may be used to designate the party or principle. ~~A candidate who files by nominating petition to fill a vacancy in nomination for a nonpartisan office pursuant to section 204B.13, shall not state any political principle or the name of any political party on the petition.~~

Sec. 5. Minnesota Statutes 2008, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filled at the state general election shall be filed not more than 70 days nor less than 56 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions on or before the state primary day pursuant to section 204B.07. ~~Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13.~~ No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices must be filed with the county auditor of that county. Affidavits and petitions for federal offices must be filed with the secretary of state. Affidavits and petitions for state offices must be filed with the secretary of state or with the county auditor of the county in which the candidate resides.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must be received by 5:00 p.m. on the last day for filing.

Sec. 6. Minnesota Statutes 2008, section 204B.11, subdivision 2, is amended to read:

Subd. 2. **Petition in place of filing fee.** At the time of filing an affidavit of candidacy, a candidate may present a petition in place of the filing fee. The petition may be signed by any individual eligible to vote for the candidate. A nominating petition filed pursuant to section 204B.07 ~~or 204B.13, subdivision 4,~~ is effective as a petition in place of a filing fee if the nominating petition includes a prominent statement informing the signers of the petition that it will be used for that purpose.

The number of signatures on a petition in place of a filing fee shall be as follows:

(a) for a state office voted on statewide, or for president of the United States, or United States senator, 2,000;

(b) for a congressional office, 1,000;

(c) for a county or legislative office, or for the office of district judge, 500; and

(d) for any other office which requires a filing fee as prescribed by law, municipal charter, or ordinance, the lesser of 500 signatures or five percent of the total number of votes cast in the municipality, ward, or other election district at the preceding general election at which that office was on the ballot.

An official with whom petitions are filed shall make sample forms for petitions in place of filing fees available upon request.

Sec. 7. Minnesota Statutes 2008, section 204B.13, subdivision 1, is amended to read:

Subdivision 1. **Death or withdrawal.** A vacancy in nomination may be filled in the manner provided by this section. A vacancy in nomination exists when:

~~(a) (1) a major political party candidate or nonpartisan candidate who was nominated at a primary dies or files an affidavit of withdrawal as provided in section 204B.12, subdivision 2a; or~~

~~(b) a candidate for a nonpartisan office, for which one or two candidates filed, dies or files an affidavit of withdrawal as provided in section 204B.12, subdivision 1. (2) a major political party candidate for state constitutional office or the candidate's legal guardian files an affidavit of vacancy at least one day prior to the general election with the same official who received the affidavit of candidacy that states that:~~

~~(i) the candidate has a catastrophic illness that was diagnosed after the deadline for withdrawal; and~~

~~(ii) the candidate's illness will permanently and continuously incapacitate the candidate and prevent the candidate from performing the duties of the office sought.~~

~~The affidavit must be accompanied by a certificate verifying that the candidate's illness meets the requirements of this clause, signed by at least two licensed physicians.~~

Sec. 8. Minnesota Statutes 2008, section 204B.13, subdivision 2, is amended to read:

Subd. 2. **Partisan office; nomination by party.** (a) A vacancy in nomination for partisan office shall be filled as provided in this subdivision effectively remove that office from the ballot. Votes cast at the general election for that office are invalid and the office must be filled in a special election held in accordance with section 204D.17, except as provided by this section.

Except for the vacancy in nomination, all other candidates whose names would have appeared on the general election ballot for this race must appear on the special election ballot for this race. There must not be a primary to fill the vacancy in nomination.

A major political party has the authority to fill a vacancy in nomination of that party's candidate by filing a nomination certificate with the same official who received the affidavits of candidacy for that office.

(b) A major political party may provide in its governing rules a procedure, including designation of an appropriate committee, to fill vacancies in nomination for all federal and state offices ~~elected statewide~~. The nomination certificate shall be prepared under the direction of and executed by the chair and secretary of the political party and filed within seven days after the vacancy in nomination occurs ~~or before the 14th day before the general election, whichever is sooner~~. ~~If the vacancy in nomination occurs through the candidate's death or catastrophic illness, the nomination certificate must be filed within seven days after the vacancy in nomination occurs but no later than four days before the general election.~~ The chair and secretary when filing the certificate shall attach an affidavit stating that the newly nominated candidate has been selected under the rules of the party and that the individuals signing the certificate and making the affidavit are the chair and secretary of the party.

Sec. 9. Minnesota Statutes 2008, section 204B.13, is amended by adding a subdivision to read:

Subd. 7. **Date of special election.** The special election must be held on the second Tuesday in December.

Sec. 10. Minnesota Statutes 2008, section 204B.13, is amended by adding a subdivision to read:

Subd. 8. **Absentee voters.** All applicants for absentee ballots for the general election must be sent ballots for the special election, without submission of a new absentee ballot application.

Sec. 11. **REPEALER.**

Minnesota Statutes 2008, sections 204B.12, subdivision 2a; 204B.13, subdivisions 4, 5, and 6; 204B.41; and 204D.169, are repealed."

Delete the title and insert:

"A bill for an act relating to elections; authorizing early voting; providing for special elections in the case of vacancies in nomination; amending Minnesota Statutes 2008, sections 201.022, subdivision 1; 203B.001; 203B.01, by adding a subdivision; 203B.03, subdivision 1; 203B.05; 203B.11, subdivision 1; 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; 204C.10; 206.83; 206.89, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 203B; repealing Minnesota Statutes 2008, sections 203B.11, subdivision 2; 204B.12, subdivision 2a; 204B.13, subdivisions 4, 5, 6; 204B.41; 204D.169."

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

The report was adopted.

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

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.

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

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. 1195, A bill for an act relating to local government; providing mandate relief; establishing the Legislative Commission on Mandate Reform; abolishing levy limits; amending Minnesota Statutes 2008, sections 3.842, subdivision 4a; 3.843; 6.80, by adding a subdivision; 16C.28, subdivision 1a; 123B.10, subdivision 1; 134.34, subdivision 4; 275.065, subdivisions 3, 6; 306.243, by adding a subdivision; 344.18; 365.28; 373.052, subdivision 1; 375.194, subdivision 5; 383A.75, subdivision 3; 429.041, subdivisions 1, 2; 446A.086, subdivision 8; 465.719, subdivision 9; 469.015; 471.61, subdivision 2b; 473.13, subdivision 1; 641.12, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 3; 14; 275; repealing Minnesota Statutes 2008, sections 275.065, subdivisions 5a, 6b, 6c, 8, 9, 10; 275.71; 275.72; 275.73; 275.74.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1

LOCAL GOVERNMENT FINANCING

Section 1. Minnesota Statutes 2008, section 123B.10, subdivision 1, is amended to read:

Subdivision 1. **Budgets; form of notification.** (a) Every board must publish revenue and expenditure budgets for the current year and the actual revenues, expenditures, fund balances for the prior year and projected fund balances for the current year in a form prescribed by the commissioner within one week of the acceptance of the final audit by the board, or November 30, whichever is earlier. The forms prescribed must be designed so that year to year comparisons of revenue, expenditures and fund balances can be made.

(b) A school board annually must notify the public of its revenue, expenditures, fund balances, and other relevant budget information. The board must ~~include the budget information required by this section in the materials provided as a part of its truth in taxation hearing,~~ post the materials in a conspicuous place on the district's official Web site, including a link to the district's school report card on the Department of Education's Web site, and publish the information in a qualified newspaper of general circulation in the district.

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

Sec. 2. Minnesota Statutes 2008, section 134.34, subdivision 4, is amended to read:

Subd. 4. **Limitation.** (a) A regional library basic system support grant shall not be made to a regional public library system for a participating city or county which decreases the dollar amount provided for support for operating purposes of public library service below the amount provided by it for the first, second, or third preceding year, whichever is less. For purposes of this subdivision and subdivision 1, any funds provided under section 473.757, subdivision 2, for extending library hours of operation shall not be considered amounts provided by a city or county for support for operating purposes of public library service. This subdivision shall not apply to participating cities or counties where the adjusted net tax capacity of that city or county has decreased, if the dollar amount of the reduction in support is not greater than the dollar amount by which support would be decreased if the reduction in support were made in direct proportion to the decrease in adjusted net tax capacity.

(b) In addition to any calendar year in which a city or county's aid under sections 477A.011 to 477A.014, or credits under section 273.1384 is reduced after the city or county has certified its levy payable in that year, it may reduce its local support by the lesser of (1) ten percent, or (2) a percent equal to the percent the aid or credit reduction is of the city or county's revenue base as defined in paragraph (e), based on aids certified for the current calendar year.

(c) In addition to any payable year in which the total amounts certified for city or county aids under sections 477A.011 to 477A.014, are less than the total amounts paid under those sections in the previous calendar year, a city or county may reduce its local support by the lesser of (1) ten percent, or (2) a percent equal to the ratio of (i) the difference between the sum of the aid it was paid under sections 477A.011 to 477A.014 and the credits it received under section 273.1398, in the previous calendar year and the aid it is certified to be paid in the current calendar year under sections 477A.011 to 477A.014 and the credits estimated to be paid under section 273.1398, to (ii) its revenue base for the previous year, based on aids actually paid in the previous calendar year.

(d) Notwithstanding paragraph (a), (b), or (c), no city or county shall reduce its support for public libraries below the minimum level specified in subdivision 1.

(e) For purposes of this subdivision, "revenue base" means the sum of:

(1) its levy for taxes payable in the current calendar year, including the levy on the fiscal disparities distribution under section 276A.06, subdivision 3, paragraph (a), or 473F.08, subdivision 3, paragraph (a);

(2) its aid under sections 477A.011 to 477A.014 in the current calendar year; and

(3) its taconite aid in the current calendar year under sections 298.28 and 298.282.

**EFFECTIVE DATE.** This section is effective for support in calendar year 2009 and thereafter for library grants paid in fiscal year 2010 and thereafter, except that the changes in paragraph (a) are effective for support in calendar year 2010 and thereafter.

Sec. 3. Minnesota Statutes 2008, section 275.065, subdivision 3, is amended to read:

Subd. 3. **Notice of proposed property taxes.** (a) The county auditor shall prepare and the county treasurer shall deliver after November 10 and on or before November 24 each year, by first class mail to each taxpayer at the address listed on the county's current year's assessment roll, a notice of proposed property taxes. Upon written request by the taxpayer, the treasurer may send the notice in electronic form or by electronic mail instead of on paper or by ordinary mail.

(b) The commissioner of revenue shall prescribe the form of the notice.

(c) The notice must inform taxpayers that it contains the amount of property taxes each taxing authority proposes to collect for taxes payable the following year. In the case of a town, or in the case of the state general tax, the final tax amount will be its proposed tax. ~~In the case of taxing authorities required to hold a public meeting under subdivision 6, the notice must clearly state that each taxing authority, including regional library districts established under section 134.201, and including the metropolitan taxing districts as defined in paragraph (i), but excluding all other special taxing districts and towns, will hold a public meeting to receive public testimony on the proposed budget and proposed or final property tax levy, or, in case of a school district, on the current budget and proposed property tax levy.~~ The notice must clearly state for each city, county, school district, regional library authority established under section 134.201, and metropolitan taxing districts as defined in paragraph (i), the time and place of the taxing authorities regularly scheduled meetings in which the budget and levy will be discussed and the final budget and levy determined. The taxing authorities must provide the county auditor with the information to be included in the notice. It must ~~clearly state the time and place of each taxing authority's meeting, provide a telephone number for the taxing authority that taxpayers may call if they have questions related to the notice, and an address where comments will be received by mail.~~

(d) The notice must state for each parcel:

(1) the market value of the property as determined under section 273.11, and used for computing property taxes payable in the following year and for taxes payable in the current year as each appears in the records of the county assessor on November 1 of the current year; and, in the case of residential property, whether the property is classified as homestead or nonhomestead. The notice must clearly inform taxpayers of the years to which the market values apply and that the values are final values;

(2) the items listed below, shown separately by county, city or town, and state general tax, net of the residential and agricultural homestead credit under section 273.1384, voter approved school levy, other local school levy, and the sum of the special taxing districts, and as a total of all taxing authorities:

(i) the actual tax for taxes payable in the current year; and

(ii) the proposed tax amount.

If the county levy under clause (2) includes an amount for a lake improvement district as defined under sections 103B.501 to 103B.581, the amount attributable for that purpose must be separately stated from the remaining county levy amount.

In the case of a town or the state general tax, the final tax shall also be its proposed tax unless the town changes its levy at a special town meeting under section 365.52. If a school district has certified under section 126C.17, subdivision 9, that a referendum will be held in the school district at the November general election, the county auditor must note next to the school district's proposed amount that a referendum is pending and that, if approved by the voters, the tax amount may be higher than shown on the notice. In the case of the city of Minneapolis, the levy for Minneapolis Park and Recreation shall be listed separately from the remaining amount of the city's levy. In the case of the city of St. Paul, the levy for the St. Paul Library Agency must be listed separately from the remaining amount of the city's levy. In the case of Ramsey County, any amount levied under section 134.07 may be listed separately from the remaining amount of the county's levy. In the case of a parcel where tax increment or the fiscal disparities areawide tax under chapter 276A or 473F applies, the proposed tax levy on the captured value or the proposed tax levy on the tax capacity subject to the areawide tax must each be stated separately and not included in the sum of the special taxing districts; and

(3) the increase or decrease between the total taxes payable in the current year and the total proposed taxes, expressed as a percentage.

For purposes of this section, the amount of the tax on homesteads qualifying under the senior citizens' property tax deferral program under chapter 290B is the total amount of property tax before subtraction of the deferred property tax amount.

(e) The notice must clearly state that the proposed or final taxes do not include the following:

(1) special assessments;

(2) levies approved by the voters after the date the proposed taxes are certified, including bond referenda and school district levy referenda;

(3) a levy limit increase approved by the voters by the first Tuesday after the first Monday in November of the levy year as provided under section 275.73;

(4) amounts necessary to pay cleanup or other costs due to a natural disaster occurring after the date the proposed taxes are certified;

(5) amounts necessary to pay tort judgments against the taxing authority that become final after the date the proposed taxes are certified; and

(6) the contamination tax imposed on properties which received market value reductions for contamination.

(f) Except as provided in subdivision 7, failure of the county auditor to prepare or the county treasurer to deliver the notice as required in this section does not invalidate the proposed or final tax levy or the taxes payable pursuant to the tax levy.

(g) If the notice the taxpayer receives under this section lists the property as nonhomestead, and satisfactory documentation is provided to the county assessor by the applicable deadline, and the property qualifies for the homestead classification in that assessment year, the assessor shall reclassify the property to homestead for taxes payable in the following year.

(h) In the case of class 4 residential property used as a residence for lease or rental periods of 30 days or more, the taxpayer must either:

(1) mail or deliver a copy of the notice of proposed property taxes to each tenant, renter, or lessee; or

- (2) post a copy of the notice in a conspicuous place on the premises of the property.

The notice must be mailed or posted by the taxpayer by November 27 or within three days of receipt of the notice, whichever is later. A taxpayer may notify the county treasurer of the address of the taxpayer, agent, caretaker, or manager of the premises to which the notice must be mailed in order to fulfill the requirements of this paragraph.

(i) For purposes of this subdivision, ~~subdivisions and subdivision 5a and 6~~, "metropolitan special taxing districts" means the following taxing districts in the seven-county metropolitan area that levy a property tax for any of the specified purposes listed below:

- (1) Metropolitan Council under section 473.132, 473.167, 473.249, 473.325, 473.446, 473.521, 473.547, or 473.834;

- (2) Metropolitan Airports Commission under section 473.667, 473.671, or 473.672; and

- (3) Metropolitan Mosquito Control Commission under section 473.711.

For purposes of this section, any levies made by the regional rail authorities in the county of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington under chapter 398A shall be included with the appropriate county's levy ~~and shall be discussed at that county's public hearing.~~

(j) The governing body of a county, city, or school district may, with the consent of the county board, include supplemental information with the statement of proposed property taxes about the impact of state aid increases or decreases on property tax increases or decreases and on the level of services provided in the affected jurisdiction. This supplemental information may include information for the following year, the current year, and for as many consecutive preceding years as deemed appropriate by the governing body of the county, city, or school district. It may include only information regarding:

- (1) the impact of inflation as measured by the implicit price deflator for state and local government purchases;

- (2) population growth and decline;

- (3) state or federal government action; and

- (4) other financial factors that affect the level of property taxation and local services that the governing body of the county, city, or school district may deem appropriate to include.

The information may be presented using tables, written narrative, and graphic representations and may contain instruction toward further sources of information or opportunity for comment.

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

Sec. 4. Minnesota Statutes 2008, section 275.065, subdivision 6, is amended to read:

Subd. 6. **Public hearing; Adoption of budget and levy.** ~~(a) For purposes of this section, the following terms shall have the meanings given:~~

- (1) ~~"Initial hearing" means the first and primary hearing held to discuss the taxing authority's proposed budget and proposed property tax levy for taxes payable in the following year, or, for school districts, the current budget and the proposed property tax levy for taxes payable in the following year.~~

~~(2) "Continuation hearing" means a hearing held to complete the initial hearing, if the initial hearing is not completed on its scheduled date.~~

~~(3) "Subsequent hearing" means the hearing held to adopt the taxing authority's final property tax levy, and, in the case of taxing authorities other than school districts, the final budget, for taxes payable in the following year.~~

~~(b) Between November 29 and December 20, the governing bodies of a city that has a population over 500, county, metropolitan special taxing districts as defined in subdivision 3, paragraph (i), and regional library districts shall each hold an initial public hearing to discuss and seek public comment on its final budget and property tax levy for taxes payable in the following year, and the governing body of the school district shall hold an initial public hearing to review its current budget and proposed property tax levy for taxes payable in the following year. The metropolitan special taxing districts shall be required to hold only a single joint initial public hearing, the location of which will be determined by the affected metropolitan agencies. A city, county, metropolitan special taxing district as defined in subdivision 3, paragraph (i), regional library district established under section 134.201, or school district is not required to hold a public hearing under this subdivision unless its proposed property tax levy for taxes payable in the following year, as certified under subdivision 1, has increased over its final property tax levy for taxes payable in the current year by a percentage that is greater than the percentage increase in the implicit price deflator for government consumption expenditures and gross investment for state and local governments prepared by the Bureau of Economic Analysts of the United States Department of Commerce for the 12-month period ending March 31 of the current year.~~

~~(c) The initial hearing must be held after 5:00 p.m. if scheduled on a day other than Saturday. No initial hearing may be held on a Sunday.~~

~~(d) At the initial hearing under this subdivision, the percentage increase in property taxes proposed by the taxing authority, if any, and the specific purposes for which property tax revenues are being increased must be discussed. During the discussion, the governing body shall hear comments regarding a proposed increase and explain the reasons for the proposed increase. The public shall be allowed to speak and to ask questions. At the public hearing, the school district must also provide and discuss information on the distribution of its revenues by revenue source, and the distribution of its spending by program area.~~

~~(e) If the initial hearing is not completed on its scheduled date, the taxing authority must announce, prior to adjournment of the hearing, the date, time, and place for the continuation of the hearing. The continuation hearing must be held at least five business days but no more than 14 business days after the initial hearing. A continuation hearing may not be held later than December 20 except as provided in paragraphs (f) and (g). A continuation hearing must be held after 5:00 p.m. if scheduled on a day other than Saturday. No continuation hearing may be held on a Sunday.~~

~~(f) The governing body of a county shall hold its initial hearing on the first Thursday in December each year, and may hold additional initial hearings on other dates before December 20 if necessary for the convenience of county residents. If the county needs a continuation of its hearing, the continuation hearing shall be held on the third Tuesday in December. If the third Tuesday in December falls on December 21, the county's continuation hearing shall be held on Monday, December 20.~~

~~(g) The metropolitan special taxing districts shall hold a joint initial public hearing on the first Wednesday of December. A continuation hearing, if necessary, shall be held on the second Wednesday of December even if that second Wednesday is after December 10.~~

~~(h) The county auditor shall provide for the coordination of initial and continuation hearing dates for all school districts and cities within the county to prevent conflicts under clauses (i) and (j).~~

~~(i) By August 10, each school board and the board of the regional library district shall certify to the county auditors of the counties in which the school district or regional library district is located the dates on which it elects to hold its initial hearing and any continuation hearing. If a school board or regional library district does not certify these dates by August 10, the auditor will assign the initial and continuation hearing dates. The dates elected or assigned must not conflict with the initial and continuation hearing dates of the county or the metropolitan special taxing districts.~~

~~(j) By August 20, the county auditor shall notify the clerks of the cities within the county of the dates on which school districts and regional library districts have elected to hold their initial and continuation hearings. At the time a city certifies its proposed levy under subdivision 1 it shall certify the dates on which it elects to hold its initial hearing and any continuation hearing. Until September 15, the first and second Mondays of December are reserved for the use of the cities. If a city does not certify its hearing dates by September 15, the auditor shall assign the initial and continuation hearing dates. The dates elected or assigned for the initial hearing must not conflict with the initial hearing dates of the county, metropolitan special taxing districts, regional library districts, or school districts within which the city is located. To the extent possible, the dates of the city's continuation hearing should not conflict with the continuation hearing dates of the county, metropolitan special taxing districts, regional library districts, or school districts within which the city is located. This paragraph does not apply to cities of 500 population or less.~~

~~(k) The county initial hearing date and the city, metropolitan special taxing district, regional library district, and school district initial hearing dates must be designated on the notices required under subdivision 3. The continuation hearing dates need not be stated on the notices.~~

~~(l) At a subsequent hearing, each county, school district, city over 500 population, and metropolitan special taxing district may amend its proposed property tax levy and must adopt a final property tax levy. Each county, city over 500 population, and metropolitan special taxing district may also amend its proposed budget and must adopt a final budget at the subsequent hearing. The final property tax levy must be adopted prior to adopting the final budget. A school district is not required to adopt its final budget at the subsequent hearing. The subsequent hearing of a taxing authority must be held on a date subsequent to the date of the taxing authority's initial public hearing. If a continuation hearing is held, the subsequent hearing must be held either immediately following the continuation hearing or on a date subsequent to the continuation hearing. The subsequent hearing may be held at a regularly scheduled board or council meeting or at a special meeting scheduled for the purposes of the subsequent hearing. The subsequent hearing of a taxing authority does not have to be coordinated by the county auditor to prevent a conflict with an initial hearing, a continuation hearing, or a subsequent hearing of any other taxing authority. All subsequent hearings must be held prior to five working days after December 20 of the levy year. The date, time, and place of the subsequent hearing must be announced at the initial public hearing or at the continuation hearing.~~

~~(m)~~ (a) The property tax levy certified under section 275.07 by a city of any population, county, metropolitan special taxing district, regional library district, or school district must not exceed the proposed levy determined under subdivision 1, except by an amount up to the sum of the following amounts:

(1) the amount of a school district levy whose voters approved a referendum to increase taxes under section 123B.63, subdivision 3, or 126C.17, subdivision 9, after the proposed levy was certified;

(2) the amount of a city or county levy approved by the voters after the proposed levy was certified;

(3) the amount of a levy to pay principal and interest on bonds approved by the voters under section 475.58 after the proposed levy was certified;

(4) the amount of a levy to pay costs due to a natural disaster occurring after the proposed levy was certified, if that amount is approved by the commissioner of revenue under subdivision 6a;

(5) the amount of a levy to pay tort judgments against a taxing authority that become final after the proposed levy was certified, if the amount is approved by the commissioner of revenue under subdivision 6a;

(6) the amount of an increase in levy limits certified to the taxing authority by the commissioner of education or the commissioner of revenue after the proposed levy was certified; and

(7) the amount required under section 126C.55.

~~(b)~~ (b) This subdivision does not apply to towns and special taxing districts other than regional library districts and metropolitan special taxing districts.

~~(c)~~ (c) Notwithstanding the requirements of this section, the employer is required to meet and negotiate over employee compensation as provided for in chapter 179A.

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

**Sec. 5. [275.77] TEMPORARY SUSPENSION OF NEW OR INCREASED MAINTENANCE OF EFFORT AND MATCHING FUND REQUIREMENTS.**

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

(i) "maintenance of effort" means a requirement imposed on a political subdivision by state law to continue providing funding of a service or program at a given or increasing level based on its funding of the service and program in prior years;

(ii) "matching fund requirements" means a requirement imposed on a political subdivision by state law to fund a portion of a program or service but does not mean required nonstate contributions to state capital funded projects or other nonstate contributions required in order to receive a grant or loan the political subdivision has requested or applied for; and

(iii) "political subdivision" means a county, town, or statutory or home rule charter city.

**Subd. 2. Temporary suspension.** (a) Notwithstanding any other provision of law to the contrary, any new maintenance of effort or matching fund requirement enacted after January 1, 2009, that will require spending by a political subdivision shall not be effective until January 1, 2012.

(b) Notwithstanding any other provision of law to the contrary, any changes to existing maintenance of effort or matching fund requirement enacted after January 1, 2009, that will require new spending by a political subdivision shall not be effective until January 1, 2012.

(c) The suspension of changes to existing maintenance of effort and matching fund requirements under paragraph (b) does not apply if the spending is required by federal law and there would be a cost to the state budget without the change.

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

Sec. 6. Minnesota Statutes 2008, section 375.194, subdivision 5, is amended to read:

**Subd. 5. Determination of county tax rate.** The eligible county's proposed and final tax rates shall be determined by dividing the certified levy by the total taxable net tax capacity, without regard to any abatements granted under this section. ~~The county board shall make available the estimated amount of the abatement at the public hearing under section 275.065, subdivision 6.~~

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

Sec. 7. Minnesota Statutes 2008, section 383A.75, subdivision 3, is amended to read:

Subd. 3. **Duties.** The committee is authorized to and shall meet from time to time to make appropriate recommendations for the efficient and effective use of property tax dollars raised by the jurisdictions for programs, buildings, and operations. In addition, the committee shall:

(1) identify trends and factors likely to be driving budget outcomes over the next five years with recommendations for how the jurisdictions should manage those trends and factors to increase efficiency and effectiveness;

(2) agree, by October 1 of each year, on the appropriate level of overall property tax levy for the three jurisdictions and publicly report such to the governing bodies of each jurisdiction for ratification or modification by resolution; and

~~(3) plan for the joint truth in taxation hearings under section 275.065, subdivision 8; and~~

~~(4)~~ (3) identify, by December 31 of each year, areas of the budget to be targeted in the coming year for joint review to improve services or achieve efficiencies.

In carrying out its duties, the committee shall consult with public employees of each jurisdiction and with other stakeholders of the city, county, and school district, as appropriate.

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

Sec. 8. Minnesota Statutes 2008, section 446A.086, subdivision 8, is amended to read:

Subd. 8. **Tax levy for repayment.** (a) With the approval of the authority, a governmental unit may levy in the year the state makes a payment under this section an amount up to the amount necessary to provide funds for the repayment of the amount paid by the state plus interest through the date of estimated repayment by the governmental unit. The proceeds of this levy may be used only for this purpose unless they exceed the amount actually due. Any excess must be used to repay other state payments made under this section or must be deposited in the debt redemption fund of the governmental unit. The amount of aids to be reduced to repay the state are decreased by the amount levied.

(b) If the state is not repaid in full for a payment made under this section by November 30 of the calendar year following the year in which the state makes the payment, the authority shall require the governmental unit to certify a property tax levy in an amount up to the amount necessary to provide funds for repayment of the amount paid by the state plus interest through the date of estimated repayment by the governmental unit. To prevent undue hardship, the authority may allow the governmental unit to certify the levy over a five-year period. The proceeds of the levy may be used only for this purpose unless they are in excess of the amount actually due, in which case the excess must be used to repay other state payments made under this section or must be deposited in the debt redemption fund of the governmental unit. If the authority orders the governmental unit to levy, the amount of aids reduced to repay the state are decreased by the amount levied.

~~(c) A levy under this subdivision is an increase in the levy limits of the governmental unit for purposes of section 275.065, subdivision 6, and must be explained as a specific increase at the meeting required under that provision.~~

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

Sec. 9. Minnesota Statutes 2008, section 465.719, subdivision 9, is amended to read:

Subd. 9. **Application of other laws.** A corporation created by a political subdivision under this section must comply with every law that applies to the political subdivision, as if the corporation is a part of the political subdivision, unless the resolution ratifying creation of the corporation specifically exempts the corporation from part or all of a law. If the resolution exempts the corporation from part or all of a law, the resolution must make a detailed and specific finding as to why the corporation cannot fulfill its purpose if the corporation is subject to that law. A corporation may not be exempted from chapter 13D, the Minnesota Open Meeting Law, sections 138.163 to 138.25, governing records management, or chapter 13, the Minnesota Government Data Practices Act. Any affected or interested person may bring an action in district court to void the resolution on the grounds that the findings are not sufficiently detailed and specific, or that the corporation can fulfill its purpose if it is subject to the law from which the resolution exempts the corporation. Laws that apply to a political subdivision that also apply to a corporation created by a political subdivision under this subdivision include, but are not limited to:

(1) chapter 13D, the Minnesota Open Meeting Law;

(2) chapter 13, the Minnesota Government Data Practices Act;

(3) section 471.345, the Uniform Municipal Contracting Law;

(4) sections 43A.17, limiting the compensation of employees based on the governor's salary; 471.991 to 471.999, providing for equitable pay; and 465.72 and 465.722, governing severance pay;

~~(5) section 275.065, providing for truth in taxation hearings. If any tax revenues of the political subdivision will be appropriated to the corporation, the corporation's annual operating and capital budgets must be included in the truth in taxation hearing of the political subdivision that created the corporation;~~

~~(6) (5) if the corporation issues debt, its debt is included in the political subdivision's debt limit if it would be included if issued by the political subdivision, and issuance of the debt is subject to the election and other requirements of chapter 475 and section 471.69;~~

~~(7) (6) section 471.895, prohibiting acceptance of gifts from interested parties, and sections 471.87 to 471.89, relating to interests in contracts;~~

~~(8) (7) chapter 466, relating to municipal tort liability;~~

~~(9) (8) chapter 118A, requiring deposit insurance or bond or pledged collateral for deposits;~~

~~(10) (9) chapter 118A, restricting investments;~~

~~(11) (10) section 471.346, requiring ownership of vehicles to be identified;~~

~~(12) (11) sections 471.38 to 471.41, requiring claims to be in writing, itemized, and approved by the governing board before payment can be made; and~~

~~(13) (12) the corporation cannot make advances of pay, make or guarantee loans to employees, or provide in-kind benefits unless authorized by law.~~

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

Sec. 10. Minnesota Statutes 2008, section 473.13, subdivision 1, is amended to read:

Subdivision 1. **Budget.** (a) On or before December 20 of each year, the council, ~~after the public hearing required in section 275.065,~~ shall adopt a final budget covering its anticipated receipts and disbursements for the ensuing year and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget. The budget shall state in detail the expenditures for each program to be undertaken, including the expenses for salaries, consultant services, overhead, travel, printing, and other items. The budget shall state in detail the capital expenditures of the council for the budget year, based on a five-year capital program adopted by the council and transmitted to the legislature. After adoption of the budget and no later than five working days after December 20, the council shall certify to the auditor of each metropolitan county the share of the tax to be levied within that county, which must be an amount bearing the same proportion to the total levy agreed on by the council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area. The maximum amount of any levy made for the purpose of this chapter may not exceed the limits set by the statute authorizing the levy.

(b) Each even-numbered year the council shall prepare for its transit programs a financial plan for the succeeding three calendar years, in half-year segments. The financial plan must contain schedules of user charges and any changes in user charges planned or anticipated by the council during the period of the plan. The financial plan must contain a proposed request for state financial assistance for the succeeding biennium.

(c) In addition, the budget must show for each year:

(1) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service;

(2) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year, all in such detail and form as the council may prescribe; and

(3) the estimated source and use of pass-through funds.

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

Sec. 11. **REPEALER.**

(a) Minnesota Statutes 2008, section 275.065, subdivisions 5a, 6b, 6c, 8, 9, and 10, are repealed.

(b) Minnesota Statutes 2008, sections 275.71; 275.72; 275.73; and 275.74, are repealed.

**EFFECTIVE DATE.** This section is effective for taxes payable in 2010 and thereafter.

## ARTICLE 2

### MISCELLANEOUS

Section 1. Minnesota Statutes 2008, section 16C.28, subdivision 1a, is amended to read:

Subd. 1a. **Establishment and purpose.** (a) The state recognizes the importance of the inclusion of a best value contracting system for construction as an alternative to the current low-bid system of procurement. In order to accomplish that goal, state and local governmental entities shall be able to choose the best value system in different phases.

(b) "Best value" means the procurement method defined in section 16C.02, subdivision 4a.

(c) The following entities are eligible to participate in phase I:

(1) state agencies;

(2) counties;

(3) cities; and

(4) school districts with the highest 25 percent enrollment of students in the state.

Phase I begins on July 1, 2007.

(d) The following entities are eligible to participate in phase II:

(1) those entities included in phase I; and

(2) school districts with the highest 50 percent enrollment of students in the state.

Phase II begins two years from July 1, 2007.

(e) The following entities are eligible to participate in phase III:

(1) all entities included in phases I and II; and

(2) all other townships, school districts, and political subdivisions in the state.

Phase III begins three years from July 1, 2007.

~~(f) The commissioner or any agency for which competitive bids or proposals are required may not use best value contracting as defined in section 16C.02, subdivision 4a, for more than one project annually, or 20 percent of its projects, whichever is greater, in each of the first three fiscal years in which best value construction contracting is used.~~

Sec. 2. Minnesota Statutes 2008, section 306.243, is amended by adding a subdivision to read:

Subd. 6. **Abandonment; end of operation as cemetery.** A county that has accepted responsibility for an abandoned cemetery may prohibit further burials in the abandoned cemetery, and may cease all acceptance of responsibility for new burials.

Sec. 3. Minnesota Statutes 2008, section 344.18, is amended to read:

#### **344.18 COMPENSATION OF VIEWERS.**

Fence viewers must be paid for their services by the person employing them at the rate of \$15 each for each day's employment. \$60 must be deposited with the town or city treasurer before the service is performed. Upon completion of the service, any of the \$60 not spent to compensate the fence viewers must be returned to the depositor. The town board may by resolution require the person employing the fence viewers to post a bond or other security acceptable to the board for the total estimated costs before the viewing takes place. The total estimated costs may include the cost of professional and other services, hearing costs, administrative costs, recording costs, and other costs and expenses which the town may incur in connection with the viewing.

Sec. 4. Minnesota Statutes 2008, section 365.28, is amended to read:

**365.28 PUBLIC BURIAL GROUND IS TOWN'S AFTER TEN YEARS.**

A tract of land in a town becomes town property after it has been used as a public burial ground for ten years if the tract is not owned by a cemetery association. The town board shall control the burial ground as it controls other town cemeteries. A town that has assumed ownership of a cemetery may prohibit further burials in it.

Sec. 5. Minnesota Statutes 2008, section 373.052, subdivision 1, is amended to read:

Subdivision 1. **Business days.** County offices shall be open for public business on ~~all~~ at least four business days per week except (a) legal holidays, (b) holidays established by the county board pursuant to contract with certified employee bargaining units, and (c) emergency situations. For purposes of this section "business day" means Monday, Tuesday, Wednesday, Thursday, and Friday.

Sec. 6. Minnesota Statutes 2008, section 429.041, subdivision 1, is amended to read:

Subdivision 1. **Plans and specifications, advertisement for bids.** When the council determines to make any improvement, it shall let the contract for all or part of the work, or order all or part of the work done by day labor or otherwise as authorized by subdivision 2, no later than one year after the adoption of the resolution ordering such improvement, unless a different time limit is specifically stated in the resolution ordering the improvement. The council shall cause plans and specifications of the improvement to be made, or if previously made, to be modified, if necessary, and to be approved and filed with the clerk, and if the estimated cost exceeds ~~\$50,000~~ the amount in section 471.345, subdivision 3, shall advertise for bids for the improvement in the newspaper and such other papers and for such length of time as it may deem advisable. If the estimated cost exceeds ~~\$100,000~~ twice the amount in section 471.345, subdivision 3, publication shall be made no less than three weeks before the last day for submission of bids once in the newspaper and at least once in either a newspaper published in a city of the first class or a trade paper. To be eligible as such a trade paper, a publication shall have all the qualifications of a legal newspaper except that instead of the requirement that it shall contain general and local news, such trade paper shall contain building and construction news of interest to contractors in this state, among whom it shall have a general circulation. The advertisement shall specify the work to be done, shall state the time when the bids will be publicly opened for consideration by the council, which shall be not less than ten days after the first publication of the advertisement when the estimated cost is less than ~~\$100,000~~ twice the amount in section 471.345, subdivision 3, and not less than three weeks after such publication in other cases, and shall state that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk, for such percentage of the amount of the bid as the council may specify. In providing for the advertisement for bids the council may direct that the bids shall be opened publicly by two or more designated officers or agents of the municipality and tabulated in advance of the meeting at which they are to be considered by the council. Nothing herein shall prevent the council from advertising separately for various portions of the work involved in an improvement, or from itself, supplying by such means as may be otherwise authorized by law, all or any part of the materials, supplies, or equipment to be used in the improvement or from combining two or more improvements in a single set of plans and specifications or a single contract.

Sec. 7. Minnesota Statutes 2008, section 429.041, subdivision 2, is amended to read:

Subd. 2. **Contracts; day labor.** In contracting for an improvement, the council shall require the execution of one or more written contracts and bonds, conditioned as required by law. The council shall award the contract to the lowest responsible bidder or it may reject all bids. If any bidder to whom a contract is awarded fails to enter promptly into a written contract and to furnish the required bond, the defaulting bidder shall forfeit to the municipality the amount of the defaulter's cash deposit, cashier's check, bid bond, or certified check, and the council may thereupon award the contract to the next lowest responsible bidder. When it appears to the council that the cost

of the entire work projected will be less than ~~\$50,000~~ the amount in section 471.345, subdivision 3, or whenever no bid is submitted after proper advertisement or the only bids submitted are higher than the engineer's estimate, the council may advertise for new bids or, without advertising for bids, directly purchase the materials for the work and do it by the employment of day labor or in any other manner the council considers proper. The council may have the work supervised by the city engineer or other qualified person but shall have the work supervised by a registered engineer if done by day labor and it appears to the council that the entire cost of all work and materials for the improvement will be more than ~~\$25,000~~ the lowest amount in section 471.345, subdivision 4. In case of improper construction or unreasonable delay in the prosecution of the work by the contractor, the council may order and cause the suspension of the work at any time and relet the contract, or order a reconstruction of any portion of the work improperly done, and where the cost of completion or reconstruction necessary will be less than ~~\$50,000~~ the amount in section 471.345, subdivision 3, the council may do it by the employment of day labor.

Sec. 8. Minnesota Statutes 2008, section 469.015, is amended to read:

#### **469.015 LETTING OF CONTRACTS; PERFORMANCE BONDS.**

Subdivision 1. **Bids; notice.** All construction work, and work of demolition or clearing, and every purchase of equipment, supplies, or materials, necessary in carrying out the purposes of sections 469.001 to 469.047, that involve expenditure of ~~\$50,000~~ the amount in section 471.345, subdivision 3, or more shall be awarded by contract. Before receiving bids the authority shall publish, once a week for two consecutive weeks in an official newspaper of general circulation in the community a notice that bids will be received for that construction work, or that purchase of equipment, supplies, or materials. The notice shall state the nature of the work and the terms and conditions upon which the contract is to be let, naming a time and place where bids will be received, opened and read publicly, which time shall be not less than seven days after the date of the last publication. After the bids have been received, opened and read publicly and recorded, the authority shall award the contract to the lowest responsible bidder, provided that the authority reserves the right to reject any or all bids. Each contract shall be executed in writing, and the person to whom the contract is awarded shall give sufficient bond to the authority for its faithful performance. If no satisfactory bid is received, the authority may readvertise. The authority may establish reasonable qualifications to determine the fitness and responsibility of bidders and to require bidders to meet the qualifications before bids are accepted.

Subd. 1a. **Best value alternative.** As an alternative to the procurement method described in subdivision 1, the authority may issue a request for proposals and award the contract to the vendor or contractor offering the best value under a request for proposals as described in section 16C.28, subdivision 1, paragraph (a), clause (2), and paragraph (c).

Subd. 2. **Exception; emergency.** If the authority by a vote of four-fifths of its members shall declare that an emergency exists requiring the immediate purchase of any equipment or material or supplies at a cost in excess of ~~\$50,000~~ the amount in section 471.345, subdivision 3, but not exceeding ~~\$75,000~~ half again as much as the amount in section 471.345, subdivision 3, or making of emergency repairs, it shall not be necessary to advertise for bids, but the material, equipment, or supplies may be purchased in the open market at the lowest price obtainable, or the emergency repairs may be contracted for or performed without securing formal competitive bids. An emergency, for purposes of this subdivision, shall be understood to be unforeseen circumstances or conditions which result in the placing in jeopardy of human life or property.

Subd. 3. **Performance and payment bonds.** Performance and payment bonds shall be required from contractors for any works of construction as provided in and subject to all the provisions of sections 574.26 to 574.31 except for contracts entered into by an authority for an expenditure of less than ~~\$50,000~~ the minimum threshold amount in section 471.345, subdivision 3.

Subd. 4. **Exceptions.** (a) An authority need not require competitive bidding in the following circumstances:

(1) in the case of a contract for the acquisition of a low-rent housing project:

(i) for which financial assistance is provided by the federal government;

(ii) which does not require any direct loan or grant of money from the municipality as a condition of the federal financial assistance; and

(iii) for which the contract provides for the construction of the project upon land that is either owned by the authority for redevelopment purposes or not owned by the authority at the time of the contract but the contract provides for the conveyance or lease to the authority of the project or improvements upon completion of construction;

(2) with respect to a structured parking facility:

(i) constructed in conjunction with, and directly above or below, a development; and

(ii) financed with the proceeds of tax increment or parking ramp general obligation or revenue bonds;

(3) until August 1, 2009, with respect to a facility built for the purpose of facilitating the operation of public transit or encouraging its use:

(i) constructed in conjunction with, and directly above or below, a development; and

(ii) financed with the proceeds of parking ramp general obligation or revenue bonds or with at least 60 percent of the construction cost being financed with funding provided by the federal government; and

(4) in the case of any building in which at least 75 percent of the usable square footage constitutes a housing development project if:

(i) the project is financed with the proceeds of bonds issued under section 469.034 or from nongovernmental sources;

(ii) the project is either located on land that is owned or is being acquired by the authority only for development purposes, or is not owned by the authority at the time the contract is entered into but the contract provides for conveyance or lease to the authority of the project or improvements upon completion of construction; and

(iii) the authority finds and determines that elimination of the public bidding requirements is necessary in order for the housing development project to be economical and feasible.

(b) An authority need not require a performance bond for the following projects:

(1) a contract described in paragraph (a), clause (1);

(2) a construction change order for a housing project in which 30 percent of the construction has been completed;

(3) a construction contract for a single-family housing project in which the authority acts as the general construction contractor; or

(4) a services or materials contract for a housing project.

For purposes of this paragraph, "services or materials contract" does not include construction contracts.

Subd. 5. **Security in lieu of bond.** The authority may accept a certified check or cashier's check in the same amount as required for a bond in lieu of a performance bond for contracts entered into by an authority for an expenditure of less than ~~\$50,000~~ the minimum threshold amount in section 471.345, subdivision 3. The check must be held by the authority for 90 days after the contract has been completed. If no suit is brought within the 90 days, the authority must return the amount of the check to the person making it. If a suit is brought within the 90-day period, the authority must disburse the amount of the check pursuant to the order of the court.

Sec. 9. Minnesota Statutes 2008, section 641.12, subdivision 1, is amended to read:

Subdivision 1. **Fee.** A county board may require that each person who is booked for confinement at a county or regional jail, and not released upon completion of the booking process, pay a fee ~~of up to \$10~~ to the sheriff's department of the county in which the jail is located to cover costs incurred by the county in the booking of that person. The fee is payable immediately from any money then possessed by the person being booked, or any money deposited with the sheriff's department on the person's behalf. If the person has no funds at the time of booking or during the period of any incarceration, the sheriff shall notify the district court in the county where the charges related to the booking are pending, and shall request the assessment of the fee. Notwithstanding section 609.10 or 609.125, upon notification from the sheriff, the district court must order the fee paid to the sheriff's department as part of any sentence or disposition imposed. If the person is not charged, is acquitted, or if the charges are dismissed, the sheriff shall return the fee to the person at the last known address listed in the booking records.

### ARTICLE 3

#### WAIVERS, EXEMPTIONS, RULES PROCESS

##### Section 1. **[14.128] EFFECTIVE DATE FOR RULES REQUIRING LOCAL IMPLEMENTATION.**

Subdivision 1. **Determination.** An agency must determine if a local government will be required to adopt or amend an ordinance or other regulation to comply with a proposed agency rule. An agency must make this determination before the close of the hearing record or before the agency submits the record to the administrative law judge if there is no hearing. The administrative law judge must review and approve or disapprove the agency's determination. "Local government" means a town, county, or home rule charter or statutory city.

Subd. 2. **Effective dates.** If the agency determines that the proposed rule requires adoption or amendment of an ordinance or other regulation, or if the administrative law judge disapproves the agency's determination that the rule does not have this effect, the rule may not become effective until:

(1) the next July 1 or January 1 after notice of final adoption is published in the State Register; or

(2) a later date provided by law or specified in the proposed rule.

Subd. 3. **Exceptions.** Subdivision 2 does not apply:

(1) to a rule adopted under section 14.388, 14.389, or 14.3895, or under another law specifying that the rulemaking procedures of this chapter do not apply;

(2) if the administrative law judge approves an agency's determination that the rule has been proposed pursuant to a specific federal statutory or regulatory mandate that requires the rule to take effect before the date specified in subdivision 1; or

(3) if the governor waives application of subdivision 2.

## ARTICLE 4

## LEGISLATIVE COMMISSION ON MANDATE REFORM

Section 1. Minnesota Statutes 2008, section 3.842, subdivision 4a, is amended to read:

Subd. 4a. **Objections to rules.** (a) For purposes of this subdivision, "committee" means the house of representatives policy committee or senate policy committee with primary jurisdiction over state governmental operations. The commission, the Legislative Commission on Mandate Reform, or a committee may object to a rule as provided in this subdivision. If the commission, the Legislative Commission on Mandate Reform, or a committee objects to all or some portion of a rule because the commission, the Legislative Commission on Mandate Reform, or a committee considers it to be beyond the procedural or substantive authority delegated to the agency, including a proposed rule submitted under section 14.15, subdivision 4, or 14.26, subdivision 3, paragraph (c), the commission, the Legislative Commission on Mandate Reform, or a committee may file that objection in the Office of the Secretary of State. The filed objection must contain a concise statement of the commission's, the Legislative Commission on Mandate Reform, or a committee's reasons for its action. An objection to a proposed rule submitted by the commission, the Legislative Commission on Mandate Reform, or a committee under section 14.15, subdivision 4, or 14.26, subdivision 3, paragraph (c), may not be filed before the rule is adopted.

(b) The secretary of state shall affix to each objection a certification of the date and time of its filing and as soon after the objection is filed as practicable shall transmit a certified copy of it to the agency issuing the rule in question and to the revisor of statutes. The secretary of state shall also maintain a permanent register open to public inspection of all objections by the commission, the Legislative Commission on Mandate Reform, or a committee.

(c) The commission, the Legislative Commission on Mandate Reform, or a committee shall publish and index an objection filed under this section in the next issue of the State Register. The revisor of statutes shall indicate the existence of the objection adjacent to the rule in question when that rule is published in Minnesota Rules.

(d) Within 14 days after the filing of an objection by the commission, the Legislative Commission on Mandate Reform, or a committee to a rule, the issuing agency shall respond in writing to the objecting entity. After receipt of the response, the commission, the Legislative Commission on Mandate Reform, or a committee may withdraw or modify its objection.

(e) After the filing of an objection by the commission, the Legislative Commission on Mandate Reform, or a committee that is not subsequently withdrawn, the burden is upon the agency in any proceeding for judicial review or for enforcement of the rule to establish that the whole or portion of the rule objected to is valid.

(f) The failure of the commission, the Legislative Commission on Mandate Reform, or a committee to object to a rule is not an implied legislative authorization of its validity.

(g) In accordance with sections 14.44 and 14.45, the commission, the Legislative Commission on Mandate Reform, or a committee may petition for a declaratory judgment to determine the validity of a rule objected to by the commission, the Legislative Commission on Mandate Reform, or a committee. The action must be started within two years after an objection is filed in the Office of the Secretary of State.

(h) The commission, the Legislative Commission on Mandate Reform, or a committee may intervene in litigation arising from agency action. For purposes of this paragraph, agency action means the whole or part of a rule, or the failure to issue a rule.

Sec. 2. Minnesota Statutes 2008, section 3.843, is amended to read:

**3.843 PUBLIC HEARINGS BY STATE AGENCIES.**

By a vote of a majority of its members, the commission or the Legislative Commission on Mandate Reform may request any agency issuing rules to hold a public hearing in respect to recommendations made under section 3.842, including recommendations made by the commission or the Legislative Commission on Mandate Reform to promote adequate and proper rules by that agency and recommendations contained in the commission's biennial report. The agency shall give notice as provided in section 14.14, subdivision 1, of a hearing under this section, to be conducted in accordance with sections 14.05 to 14.28. The hearing must be held not more than 60 days after receipt of the request or within any other longer time period specified by the commission or the Legislative Commission on Mandate Reform in the request.

Sec. 3. **[3.99] LEGISLATIVE COMMISSION ON MANDATE REFORM; ESTABLISHED.**

Subdivision 1. **Established.** The Legislative Commission on Mandate Reform is established as provided in this section, with the powers and duties given it in sections 3.842, subdivision 4a; 3.843; and 3.99 to 3.992.

Subd. 2. **Membership.** The commission consists of four senators appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration, three senators appointed by the senate minority leader, four state representatives appointed by the speaker of the house, and three state representatives appointed by the house of representatives minority leader. The appointing authorities must ensure balanced geographic representation. Each appointing authority must make appointments as soon as possible.

Subd. 3. **Terms; vacancies.** Members of the commission serve for a two-year term beginning upon appointment and expiring upon appointment of a successor after the opening of the next regular session of the legislature in the odd-numbered year. A vacancy in the membership of the commission must be filled for the unexpired term in a manner that will preserve the representation established by this section.

Subd. 4. **Chair.** The commission must meet as soon as practicable after members are appointed in each odd-numbered year to elect its chair and other officers as it may determine necessary. A chair serves a two-year term, expiring in the odd-numbered year after a successor is elected. The chair must alternate biennially between the senate and the house of representatives.

Subd. 5. **Compensation.** Members may be reimbursed for their reasonable expenses as members of the legislature.

Subd. 6. **Staff.** The Legislative Coordinating Commission must provide administrative support to the commission, including secretarial services, record keeping, and grants administration.

Subd. 7. **Meetings; procedures; tie votes.** The first meeting of the biennium must be convened by the member designated by the senate majority leader if a senator is to chair the commission for the biennium, or by the speaker of the house if a state representative is to chair the commission for the biennium. The commission meets at the call of the chair. Commission action requires a positive vote of at least four house of representatives members and at least four senate members.

Subd. 8. **Funding.** The Legislative Coordinating Commission shall annually bill the commissioner of revenue for costs incurred by the Legislative Coordinating Commission in providing administrative support and to make the grants authorized by the legislative commission on unnecessary mandates, in an amount not to exceed \$100,000 per year. The commissioner of revenue shall deduct one-half of the certified costs from payments to counties under section 477A.03, subdivision 2b, and one-half of the certified costs from payments to cities under section 477A.03, subdivision 2a.

Sec. 4. **[3.991] LEGISLATIVE COMMISSION ON MANDATE REFORM; REVIEW AND RECOMMENDATIONS TO LEGISLATURE.**

The Legislative Commission on Mandate Reform must solicit from local governments information on state laws and rules that local governments consider to be problematic mandates. The commission must review the mandates identified and consider why each mandate was enacted or adopted, whether the reason for it still exists, the costs to local governments to comply with the mandate, and whether repeal or modification of the mandate is appropriate. Before the beginning of each legislative session, the commission must prepare for introduction a bill to repeal or modify those laws or rules the commission determines are unnecessary.

Sec. 5. **[3.992] LEGISLATIVE COMMISSION ON MANDATE REFORM; GRANTS.**

Upon recommendation of the Legislative Commission on Mandate Reform, the commissioner of revenue may make grants to the League of Minnesota Cities, the Association of Minnesota Counties, Minnesota Association of Townships, other organizations representing local governments, the Board of Regents of the University of Minnesota, the Board of Trustees of Minnesota State Colleges and Universities, or other accredited postsecondary institutions to research and make recommendations on mandate reform. A grant may be in any amount up to \$..... The commissioner must specify the work to be done, the completion date, and the maximum grant amount, and may specify any other conditions the commissioner deems necessary or useful.

Sec. 6. **[3.993] EXPIRATION.**

Sections 3.99 to 3.992 expire June 30, 2013.

Sec. 7. **FIRST MEETING AFTER EFFECTIVE DATE OF ACT.**

The first meeting of the Legislative Commission on Mandate Reform must be held as soon as practicable after all appointments are made. The speaker of the house must designate a commission member to convene the first meeting. The first commission serves until a new commission is appointed at the beginning of the next biennium."

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.

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

H. F. No. 1201, A bill for an act relating to local government; creating the Council on Local Results and Innovation; encouraging local governments to develop performance measurement programs; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 6.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[6.90] COUNCIL ON LOCAL RESULTS AND INNOVATION.**

Subdivision 1. **Creation.** The Council on Local Results and Innovation consists of 11 members, as follows:

(1) the state auditor;

(2) two persons who are not members of the legislature, appointed by the chair of the Property and Local Sales Tax Division of the house of representatives Taxes Committee;

(3) two persons who are not members of the legislature, appointed by the designated lead minority member of the Property and Local Sales Tax Division of the house of representatives Taxes Committee;

(4) two persons who are not members of the legislature, appointed by the chair of the Taxes Division on Property Taxes of the senate Taxes Committee;

(5) two persons who are not members of the legislature, appointed by the designated lead minority member of the Taxes Division on Property Taxes of the senate Taxes Committee;

(6) one person who is not a member of the legislature, appointed by the Association of Minnesota Counties; and

(7) one person who is not a member of the legislature, appointed by the League of Minnesota Cities.

Each appointment under clauses (2) to (5) must include one person with expertise or interest in county government and one person with expertise or interest in city government. The appointing authorities must use their best efforts to ensure that a majority of council members have experience with local performance measurement systems. The membership of the council must include geographically balanced representation as well as representation balanced between large and small jurisdictions. The appointments under clauses (2) to (7) must be made within two months of the date of enactment.

Appointees to the council under clauses (2) to (5) serve terms of four years, except that one of each of the initial appointments under clauses (2) to (5) shall serve a term of two years; each appointing agent must designate which appointee is serving the two-year term. Subsequent appointments for members appointed under clauses (2) to (5) must be made by the council, including appointments to replace any appointees who might resign from the council prior to completion of their term. Appointees under clauses (2) to (5) are not eligible to vote on appointing their successor, nor on the successors of other appointees whose terms are expiring contemporaneously. In making appointments, the council shall make all possible efforts to reflect the geographical distribution and meet the qualifications of appointees required of the initial appointees. Subsequent appointments for members appointed under clauses (6) and (7) must be made by the original appointing authority. Appointees to the council under clauses (2) to (7) may serve no more than two consecutive terms.

Subd. 2. **Duties.** (a) By February 15, 2010, the council shall develop a standard set of approximately ten performance measures for counties and ten performance measures for cities that will aid residents, taxpayers, and state and local elected officials in determining the efficacy of counties and cities in providing services, and measure residents' opinions of those services. In developing its measures, the council must solicit input from private citizens. Counties and cities that elect to participate in the performance measurement system shall report their results to the state auditor under section 6.91, who shall compile the results and make them available to all interested parties by publishing them on the auditor's Web site and report them to the legislative tax committees. Each year after the initial designation of performance measures, the council shall evaluate the usefulness of the standard set of performance measures and may revise the set by adding or removing measures as it deems appropriate.

(b) By February 15, 2011, the council shall develop minimum standards for performance measurement systems, which may vary by size and type of governing jurisdiction.

(c) In addition to its specific duties under paragraphs (a) and (b), the council shall generally promote the use of performance measures for governmental entities across the state and shall serve as a resource for all governmental entities seeking to implement a system of local performance measures. The council may highlight and promote systems that are innovative, or are ones that it deems to be best practices of local performance systems across the state and nation. The council should give preference in its recommendations to systems that are results oriented. The council may, with the cooperation of the state auditor, establish and foster a collaborative network of practitioners of local performance measurement systems. The council may support the Association of Minnesota Counties and the League of Minnesota Cities to seek and receive private funding to provide expert technical assistance to local governments for the purposes of replicating best practices.

Subd. 3. **Reports.** (a) The council shall report its initial set of performance measures to the Property and Local Sales Tax Division of the house of representatives Taxes Committee and the Taxes Division on Property Taxes of the senate Taxes Committee by February 28, 2010.

(b) By February 1 of each subsequent year, the council shall report to the committees with jurisdiction over taxes in the house of representatives and the senate on participation in and results of the performance measurement system, along with any revisions in the standard set of performance measures for the upcoming year. These reports may be made by the state auditor in lieu of the council if agreed to by the auditor and the council.

Subd. 4. **Operation of council.** (a) The state auditor shall convene the initial meeting of the council.

(b) The chair of the council shall be elected by the members. Once elected, a chair shall serve a term of two years.

(c) Members of the council serve without compensation.

(d) Council members shall share and rotate responsibilities for administrative support of the council.

(e) Chapter 13D does not apply to meetings of the council. Meetings of the council must be open to the public and the council must provide notice of a meeting on the state auditor's Web site at least seven days before the meeting. A meeting of the council occurs when a quorum is present.

(f) The council must meet at least two times prior to the initial release of the standard set of measurements. After the initial set has been developed, the council must meet a minimum of once per year.

Subd. 5. **Termination.** The council expires on January 1, 2019.

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

Sec. 2. **[6.91] LOCAL PERFORMANCE MEASUREMENT AND REPORTING.**

Subdivision 1. **Reports of local performance measures.** (a) A county or city that elects to participate in the local performance measurement and improvement program must report its results to its citizens annually through publication, direct mailing, posting on the jurisdiction's Web site, or through a presentation at the jurisdiction's truth-in-taxation hearing under section 275.065.

(b) Each year, jurisdictions participating in the local performance measurement and improvement program must file a report with the state auditor by July 1, in a form prescribed by the auditor. All reports must include a declaration that the jurisdiction has complied with, or will have complied with by the end of the year, the requirement in paragraph (a). For jurisdictions participating at level I, the report shall consist of the jurisdiction's results for the standard set of performance measures under section 6.90, subdivision 2, paragraph (a). In 2011,

jurisdictions participating at level II must submit a resolution approved by its local governing body indicating that it either has implemented or is in the process of implementing a local performance measurement system that meets the minimum standards specified by the council under section 6.90, subdivision 2, paragraph (b). In 2012 and thereafter, jurisdictions participating at level II must submit a statement approved by its local governing body affirming that it has implemented a local performance measurement system that meets the minimum standards specified by the council under section 6.90, subdivision 2, paragraph (b).

Subd. 2. **Benefits of participation.** (a) A county or city that elects to participate in the program for 2010 is: (1) eligible for per capita reimbursement of \$0.25 per capita, but not to exceed \$25,000 for any government entity; (2) exempt from levy limits under sections 275.70 to 275.74 for taxes payable in 2011; and (3) exempt from the truth-in-taxation public hearing requirement under section 275.065, subdivision 6, for taxes payable in 2011.

(b) Any county or city that elects to participate in the program at level I for 2011 is eligible for per capita reimbursement of \$0.25 per capita, but not to exceed \$25,000 for any government entity. Any jurisdiction participating at level II is exempt from levy limits under sections 275.70 to 275.74 for taxes payable in 2012 if levy limits are in effect, and is exempt from the truth-in-taxation public hearing requirement under section 275.065, subdivision 6, for taxes payable in 2012.

(c) Any county or city that elects to participate in the program at level I for 2012 or any year thereafter is eligible for per capita reimbursement of \$0.25 per capita, but not to exceed \$25,000 for any government entity. Any jurisdiction participating at level II for 2012 or any year thereafter is exempt from levy limits under sections 275.70 to 275.74 for taxes payable in the following year, if levy limits are in effect, and is exempt from the truth-in-taxation public hearing requirement under section 275.065, subdivision 6, for taxes payable in the following year.

Subd. 3. **Certification of participation.** (a) The state auditor shall certify to the commissioner of revenue by August 1 of each year the counties and cities that are participating in the program, and the level of participation.

(b) The commissioner of revenue shall make per capita aid payments under this section on the second payment date specified in section 477A.015, in the same year that the measurements were reported.

(c) The commissioner of revenue shall notify each county and city that is entitled to exemption from levy limits by August 10 of each levy year.

Subd. 4. **Appropriation.** A sum sufficient to meet the requirements of this section is annually appropriated from the general fund to the commissioner of revenue.

**EFFECTIVE DATE.** This section is effective December 31, 2009."

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

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. 1261, A bill for an act relating to taxation; providing for state property tax system benchmarks, critical indicators, and principles; establishing a property tax working group; amending Minnesota Statutes 2008, section 477A.03, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 270C.

Reported the same back with the following amendments:

Page 2, line 27, delete "5" and insert "7"

Page 3, line 16, after the second period, insert "Chapter 13D does not apply to meetings of the working group. Meetings of the working group must be open to the public and the working group must provide notice of a meeting to potentially interested persons at least seven days before the meeting. A meeting of the council occurs when a quorum is present."

Page 3, line 19, before the period, insert "and this subdivision expires"

Page 3, line 24, delete "Each committee" and insert "The house of representatives and senate tax committees"

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

S. F. No. 119, A bill for an act relating to game and fish; providing support for the Lessard Outdoor Heritage Council; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **LESSARD OUTDOOR HERITAGE COUNCIL.**

Subdivision 1. **Expenses.** Notwithstanding Minnesota Statutes, section 86B.706, subdivision 3, up to \$150,000 is appropriated in fiscal year 2009 from the water recreation account in the natural resources fund to the Legislative Coordinating Commission for the following expenses of the Lessard Outdoor Heritage Council: the administrative expenses of the Department of Natural Resources incurred after November 15, 2008; office expenses; and per diem, mileage, and lodging expenses of council members pursuant to Minnesota Statutes, section 97A.056, subdivision 2. The expenses of the council reimbursed under this section must be made available in detail on the council's Web site. This appropriation is available until July 1, 2009.

Subd. 2. **Transfer.** By October 1, 2009, the commissioner of finance shall transfer an amount equal to the amount spent in fiscal year 2009 under the appropriation in subdivision 1 from the outdoor heritage fund to the water recreation account in the natural resources fund. The amount necessary to make the transfer is appropriated from the outdoor heritage fund. The transfer of funds must be completed before any other funds are expended from the outdoor heritage fund. This is a onetime appropriation.

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

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

The report was adopted.

**SECOND READING OF HOUSE BILLS**

H. F. Nos. 84, 486, 782, 995 and 1141 were read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. No. 451 was read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Rosenthal and Loon introduced:

H. F. No. 1539, A bill for an act relating to waters; providing for temporary drawdown of public waters; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Hilstrom and Winkler introduced:

H. F. No. 1540, A bill for an act relating to courts; adding per page filing fees for court papers; directing the increase in fees to the Supreme Court; amending Minnesota Statutes 2008, section 357.021, subdivisions 1a, 2.

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

Hilstrom introduced:

H. F. No. 1541, A bill for an act relating to courts; amending court filing fees and the criminal surcharge amount; amending Minnesota Statutes 2008, sections 357.021, subdivisions 2, 6, 7; 357.022; 357.08.

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

Hilstrom, Smith, Winkler and Olin introduced:

H. F. No. 1542, A bill for an act relating to public safety; providing funding for the public defender; establishing a public defender fee for licensed attorneys; establishing a public defender fee account in the special revenue fund.

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

Slawik, Abeler, Norton, Winkler, Fritz, Laine, Poppe and Welti introduced:

H. F. No. 1543, A bill for an act relating to human services; requiring that the state perform family day care background checks; allowing access to criminal history data; amending Minnesota Statutes 2008, sections 245A.10, subdivision 2; 245A.16, subdivisions 1, 3; 245C.04, subdivision 1; 245C.05, subdivisions 2, 2a, 4, 7; 245C.08, subdivision 2; 245C.10, by adding a subdivision; 245C.17, by adding a subdivision; 245C.21, subdivision 1a; 245C.23, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 299C.

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

Reinert and Huntley introduced:

H. F. No. 1544, A bill for an act relating to natural resources; approving the consumptive use of water for snowmaking in St. Louis County.

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

Ruud; Murphy, E.; Dean; Brod and Fritz introduced:

H. F. No. 1545, A bill for an act relating to health care; providing an alternative mechanism for prompt payment of emergency room and ambulance charges incurred by patients enrolled in very high deductible health plans; amending Minnesota Statutes 2008, sections 60A.23, subdivision 8; 62Q.01, by adding a subdivision; 62Q.025, 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.

Rosenthal, Simon, Hilstrom, Cornish and Kelly introduced:

H. F. No. 1546, A bill for an act relating to public safety; eliminating the requirement that a previous conviction be against a family or household member to enhance a domestic assault conviction; amending Minnesota Statutes 2008, section 609.2242, subdivision 2.

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

Hortman, Welti and Morrow introduced:

H. F. No. 1547, A bill for an act relating to transportation; creating pilot program to authorize and evaluate use of design-build method of contracting by municipalities; requiring report.

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

Gardner, by request, introduced:

H. F. No. 1548, A bill for an act relating to taxation; property; establishing a limit on homeowner property taxes as a percentage of household income; reducing the market value homestead credit; amending Minnesota Statutes 2008, sections 273.1384, subdivision 1; 290A.03, subdivision 13; 290A.04, by adding a subdivision; 290A.23, subdivision 3; repealing Minnesota Statutes 2008, section 290A.04, subdivision 2h.

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

Mahoney, Demmer and Winkler introduced:

H. F. No. 1549, A bill for an act relating to economic development; appropriating money for water and sewer infrastructure improvements.

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

Persell and Howes introduced:

H. F. No. 1550, A bill for an act relating to capital improvements; appropriating money for infrastructure improvements in the city of Cass Lake; authorizing the sale and issuance of state bonds.

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

Persell and Howes introduced:

H. F. No. 1551, A bill for an act relating to capital improvements; appropriating money for street and infrastructure improvements in the city of Cass Lake; authorizing the sale and issuance of state bonds.

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

Persell introduced:

H. F. No. 1552, A bill for an act relating to natural resources; appropriating money for grants to the Star Lake Board.

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

Persell, Kalin, Ward, Gunther and Sailer introduced:

H. F. No. 1553, A bill for an act relating to energy; creating local government renewable energy grant program; authorizing bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Winkler introduced:

H. F. No. 1554, A bill for an act relating to health; modifying isolation and quarantine provisions and provisions for mass dispensing of medications; amending Minnesota Statutes 2008, sections 144.4195, subdivisions 1, 2, 5; 144.4197; 145A.06, subdivision 7; 151.37, subdivisions 2, 10; 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.

Holberg introduced:

H. F. No. 1555, A bill for an act relating to data practices; classifying electronic licensing data maintained by the commissioner of natural resources; amending Minnesota Statutes 2008, section 13.7931, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Bigham, Champion, Hausman and Kahn introduced:

H. F. No. 1556, A bill for an act relating to arts and cultural heritage; appropriating money for the film production jobs program.

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

Nelson introduced:

H. F. No. 1557, A bill for an act relating to civil actions; providing time limit for appealing decisions of a governing body or board of adjustment to district court; requiring posting of a bond for an appeal to Court of Appeals in certain cases; clarifying actions involving public participation in government; amending Minnesota Statutes 2008, sections 462.354, subdivision 2; 462.361, subdivision 1, by adding a subdivision; 554.01, subdivision 6; 554.03.

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

Olin introduced:

H. F. No. 1558, A bill for an act relating to natural resources; appropriating money for grants to municipalities for water quality permit compliance.

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

Beard, Lieder, Dill, Severson, Anzelc and Eken introduced:

H. F. No. 1559, A bill for an act relating to capital improvements; appropriating money for airport and air navigation facility improvement projects; authorizing the sale and issuance of state bonds.

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

Atkins, Bly, Morrow, Nornes, Hosch and Murphy, E., introduced:

H. F. No. 1560, A bill for an act relating to higher education; modifying the state grant program; amending Minnesota Statutes 2008, section 136A.121, subdivisions 5, 6.

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

Huntley introduced:

H. F. No. 1561, A bill for an act relating to human services; establishing a special transportation services pilot project in Hennepin County; establishing an advisory committee; requiring a report.

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. 1562, A bill for an act relating to human services; requiring a request for proposals process to develop community-based residential services.

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. 1563, A bill for an act relating to MinnesotaCare; requiring assignment of application coordinator; amending Minnesota Statutes 2008, section 256L.05, subdivision 4.

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. 1564, A bill for an act relating to health care reform; increasing affordability and eligibility for state health care programs; establishing the Minnesota Health Insurance Exchange; continuing payment reform; creating an affordability standard; establishing goals for universal coverage and a contingent individual responsibility mandate; amending Minnesota Statutes 2008, sections 13.46, subdivision 2; 62E.141; 62L.12, subdivisions 2, 4; 62U.04, subdivisions 3, 8; 62U.05; 62U.07, by adding a subdivision; 62U.08, subdivision 2; 256.01, by adding a subdivision; 256B.056, subdivision 10; 256B.057, subdivision 8; 256L.03, subdivisions 3, 5; 256L.04, subdivisions 1, 7; 256L.05, by adding a subdivision; 256L.07, subdivisions 1, 3; 256L.15, 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.

Kelly, Thissen, Fritz, Huntley, Abeler and Brod introduced:

H. F. No. 1565, A bill for an act relating to health; consolidating and relocating nursing facility beds to a new site in Goodhue County; amending Minnesota Statutes 2008, section 144A.071, subdivision 4c.

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

Dittrich introduced:

H. F. No. 1566, A bill for an act relating to taxation; modifying mortgage registry tax payments; amending Minnesota Statutes 2008, section 287.08.

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

Huntley introduced:

H. F. No. 1567, A bill for an act relating to health; making technical changes to electronic prescription drug program; amending Minnesota Statutes 2008, section 62J.497, subdivisions 1, 2.

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

Holberg introduced:

H. F. No. 1568, A bill for an act relating to transportation; clarifying provision on expedited town road extinguishment; amending Laws 2008, chapter 287, article 1, section 122.

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

Hansen introduced:

H. F. No. 1569, A bill for an act relating to retirement; authorizing a joint and survivor annuity for a divorced spouse of a deceased retiree who elected a single life annuity.

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

Reinert introduced:

H. F. No. 1570, A bill for an act relating to libraries; authorizing libraries in certain cities to charge fees to nonresidents; proposing coding for new law in Minnesota Statutes, chapter 134.

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

Abeler introduced:

H. F. No. 1571, A bill for an act relating to state government; establishing the governor's budget for health and human services; amending provisions related to continuing care, child care, Minnesota family investment program, adult supports, program integrity, child support, licensing, health care programs including MinnesotaCare, medical assistance and general assistance medical care, state-operated services, the Department of Health, chemical and mental health, health-related fees, and correctional state employees retirement plans; establishing the Protecting Children and Strengthening Families Act; establishing Northstar Care for Children; establishing and increasing fees; creating work groups; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 16A.725, subdivision 3; 62J.692, subdivision 7; 103I.208, subdivision 2; 119B.02, subdivision 5; 119B.09, subdivision 7; 119B.12, subdivision 1; 119B.13, subdivisions 1, 6; 125A.744, subdivision 3; 144.0724, subdivisions 2, 4, 8, by adding subdivisions; 144.121, subdivisions 1a, 1b; 144.122; 144.1222, subdivision 1a; 144.1501, subdivisions 2, 5; 144.226, subdivision 4; 144.72, subdivisions 1, 3; 144.9501, subdivisions 22b, 26a, by adding subdivisions; 144.9505, subdivisions 1g, 4; 144.9508, subdivisions 2, 3, 4; 144.97, subdivisions 2, 4, 6, by adding subdivisions; 144.98, subdivisions 1, 2, 3, by adding subdivisions; 144.99, subdivision 1; 144A.46, subdivision 1; 145.986, subdivision 5; 148.108; 148.6445, by adding a subdivision; 148D.180, subdivisions 1, 2, 3, 5; 148E.180, subdivisions 1, 2, 3, 5; 153A.17; 156.015; 157.15, by adding a subdivision; 157.16; 157.22; 176.011, subdivision 9; 245.4885, subdivision 1; 245A.03, by adding a subdivision; 245A.10, subdivisions 2, 3, 4, 5, by adding subdivisions; 245A.11, by adding a subdivision; 245C.03, subdivision 2; 245C.04, subdivision 3; 245C.10, subdivision 3, by adding a subdivision; 246.50, subdivision 5, by adding subdivisions; 246.51, by adding subdivisions; 246.511; 246.52; 246B.01, by adding subdivisions; 252.43; 252.46, by adding a subdivision; 254A.02, by adding a subdivision; 254A.16, by adding a subdivision; 254B.03, subdivision 3; 256.01, subdivision 2b, by adding a subdivision; 256.045, subdivision 3; 256.969, subdivisions 2b, 3a; 256.975, subdivision 7; 256.991; 256B.04, subdivisions 14, 16; 256B.055, subdivision 12; 256B.056, subdivisions 3b, 3c, 3d, 10; 256B.057, subdivisions 3, 9; 256B.0575; 256B.0595, subdivisions 1, 2; 256B.0621, subdivision 2; 256B.0625, subdivisions 6a, 7, 8, 8a, 8b, 9, 13e, 17, 19a, 19c, 26, 41, 47, by adding subdivisions; 256B.0651; 256B.0652; 256B.0653; 256B.0654; 256B.0655, subdivision 4; 256B.0657, subdivisions 2, 6, 8; 256B.0911, subdivisions 1, 1a, 3, 3a, 4a, 5, 6, 7, by adding subdivisions; 256B.0913, subdivision 4; 256B.0915, subdivisions 3e, 3h, 5, by adding a subdivision; 256B.0917, by adding a subdivision; 256B.092, subdivision 8a, by adding a subdivision; 256B.0944, by adding a subdivision; 256B.0945, subdivision 4; 256B.0947, subdivision 1; 256B.15, subdivisions 1a, 1h, 2, by adding subdivisions; 256B.199; 256B.37, subdivisions 1, 5; 256B.437, subdivision 6; 256B.441, by adding subdivisions; 256B.49, subdivisions 12, 13, 14, 17, by adding a subdivision; 256B.501, subdivision 4a; 256B.5012, by adding a subdivision; 256B.69, subdivisions 5a, 5c, 5f; 256B.761; 256D.03, subdivisions 3, 4; 256D.06, subdivision 2; 256D.09, subdivision 6; 256D.46; 256D.49, subdivision 3; 256G.02, subdivision 6; 256I.03, subdivision 7; 256I.05, subdivision 1a; 256J.20, subdivision 3; 256J.21, subdivision 2; 256J.24, subdivisions 3, 4, 5a, 10; 256J.37, subdivision 3a, by adding a subdivision; 256J.38, subdivision 1; 256J.45, subdivision 3; 256J.53, subdivision 2; 256J.575, subdivision 3; 256J.621; 256J.626, subdivision 6; 256J.751, by adding a subdivision; 256J.95, subdivision 12; 256L.01, subdivisions 1a, 3a, 4, 5, by adding a subdivision; 256L.02, subdivisions 1, 3; 256L.03, subdivisions 1, 1a, 1b, 3, 5; 256L.04, subdivisions 1, 1a, 2, 8, 10, 13; 256L.05, subdivisions 3, 3a, 3b, 3c, 5; 256L.06, subdivision 3; 256L.07, subdivisions 2, 3, 5, 7, by adding subdivisions; 256L.09, subdivision 2; 256L.11, subdivisions 1, 2a, 6; 256L.12, subdivisions 6, 9; 256L.15, subdivision 1, by adding subdivisions; 256L.17, by adding a subdivision; 257.85, subdivisions 2, 5, 6; 259.67, by adding subdivisions; 260B.441; 270A.09, by adding a subdivision; 295.58; 297I.05, subdivision 5; 327.14, by adding a subdivision; 327.15; 327.16; 327.20, subdivision 1, by adding a subdivision; 352.72, subdivision 1; 352.90; 352.91, subdivisions 1, 3h; 352.93, subdivisions 1, 2a, 4, by adding a subdivision; 356.30, subdivision 1; 393.07, subdivision 10; 501B.89, by adding a subdivision; 518A.53, subdivisions 1, 4, 10; 518A.60; 519.05; 604A.33, subdivision 1; 609.232, subdivision 11; 626.5572, subdivisions 6, 21; Laws 2003, First Special Session chapter 14, article 13C, section 2, subdivision 1, as amended; Laws 2005, First Special Session chapter 4, article 8, section 66; Laws 2008, chapter 358, article 3, section 8; proposing coding for new law in Minnesota Statutes, chapters 156; 246B; 254A; 254B; 256; 256B; proposing coding for new law as Minnesota Statutes, chapters 256N; 256O; repealing Minnesota Statutes 2008, sections 16A.724; 62U.08; 62U.10, subdivision 4; 103I.112; 144.9501, subdivision 17b; 148D.180, subdivision 8; 246.51, subdivision 1; 246.53,

subdivision 3; 256.82, subdivisions 2, 3, 4, 5; 256.962, subdivisions 1, 2, 5, 7; 256.969, subdivisions 26, 27; 256.983; 256B.057, subdivision 2c; 256B.0655, subdivisions 1, 1a, 1b, 1c, 1d, 1e, 1f, 1g, 1h, 1i, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13; 256B.071, subdivisions 1, 2, 3, 4; 256B.0951; 256B.19, subdivision 1d; 256B.431, subdivision 23; 256B.76, subdivision 4; 256L.06, subdivision 9; 256J.626, subdivision 7; 256L.02, subdivision 3; 256L.04, subdivisions 7, 9; 256L.05, subdivision 1b; 256L.07, subdivisions 1, 6, 7; 256L.09, subdivisions 2, 4, 5, 6; 256L.11, subdivision 7; 256L.15, subdivisions 2, 3, 4; 257.85; 259.67, subdivisions 1, 2, 3, 3a, 4, 5, 6, 7, 8, 9, 10; 295.581; 327.14, subdivisions 5, 6; 352.91, subdivisions 2, 2a, 3c, 3d, 3e, 3f, 3g, 3i, 4a, 4b, 5; Laws 1988, chapter 689, section 251; Laws 2005, chapter 10, article 1, sections 56; 57; Laws 2005, First Special Session chapter 4, article 8, sections 61; 67; 69; 74; 75; Laws 2007, chapter 147, article 5, sections 28; 32; 33; article 13, section 2; Laws 2008, chapter 358, article 3, sections 8; 9; 10; 11; 14; Minnesota Rules, parts 4626.2015, subpart 9; 9100.0400, subparts 1, 3; 9100.0500; 9100.0600; 9500.1243, subpart 3; 9500.1261, subparts 3, 4, 5, 6; 9560.0071; 9560.0081; 9560.0082; 9560.0083; 9560.0091; 9560.0093, subparts 1, 3, 4; 9560.0101; 9560.0102; 9560.0521, subparts 7, 10; 9560.0650, subparts 1, 3, 6; 9560.0651; 9560.0652; 9560.0653; 9560.0654; 9560.0655; 9560.0656; 9560.0657; 9560.0665, subparts 2, 3, 4, 5, 6, 7, 8, 9.

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

Falk, Koenen, Thissen and Murphy, E., introduced:

H. F. No. 1572, A bill for an act relating to human services; reenacting a health care purchasing alliance stop-loss fund repealed in 2007; extending its existence and adjusting eligibility; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

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

Murphy, E.; Fritz; Anzelc; Abeler and Koenen introduced:

H. F. No. 1573, A bill for an act relating to human services; increasing day training and habilitation transportation rates; appropriating money.

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

Koenen, Rukavina and Solberg introduced:

H. F. No. 1574, A bill for an act relating to taxation; increasing the class rate on certain utility properties; amending Minnesota Statutes 2008, section 273.13, subdivision 24.

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

Mahoney, Norton, Haws, Brynaert and Obermueller introduced:

H. F. No. 1575, A bill for an act relating to science and technology; establishing a matching grant program; appropriating money; amending Minnesota Statutes 2008, section 116J.657, by adding a subdivision.

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

Newton and Kalin introduced:

H. F. No. 1576, A bill for an act relating to waters; appropriating money for a water ecology pilot project for certain K-12 schools.

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

Newton introduced:

H. F. No. 1577, A bill for an act relating to nursing homes and home care; adding requirements for licensure; amending Minnesota Statutes 2008, section 144A.04, 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.

Hilstrom introduced:

H. F. No. 1578, A bill for an act relating to public defenders; amending the co-payment amount for public defender representation; amending Minnesota Statutes 2008, section 611.17.

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

Otremba introduced:

H. F. No. 1579, A bill for an act relating to agriculture; changing the incidence of a dog food fee; amending Minnesota Statutes 2008, sections 25.33, by adding a subdivision; 25.39, subdivision 1.

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

Rukavina, Anzelc and Sertich introduced:

H. F. No. 1580, A bill for an act relating to capital improvements; appropriating money for road construction; authorizing the sale and issuance of state bonds.

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

Rukavina, Anzelc and Sertich introduced:

H. F. No. 1581, A bill for an act relating to capital improvements; appropriating money for sewer and water improvements in the city of Buhl; authorizing the sale and issuance of state bonds.

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

Rukavina, Anzelc and Sertich introduced:

H. F. No. 1582, A bill for an act relating to capital improvements; appropriating money for road construction in the city of Buhl; authorizing the sale and issuance of state bonds.

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

Rukavina, Anzelc and Sertich introduced:

H. F. No. 1583, A bill for an act relating to capital improvements; appropriating money for wastewater treatment facility improvements in the city of Gilbert; authorizing the sale and issuance of state bonds.

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

Gardner introduced:

H. F. No. 1584, A bill for an act relating to taxation; sales and use; modifying the exemption for home heating fuels; amending Minnesota Statutes 2008, section 297A.67, subdivision 15.

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

Sailer introduced:

H. F. No. 1585, A bill for an act relating to taxation; property; abandoned personal property; amending Minnesota Statutes 2008, sections 281.23, by adding a subdivision; 282.04, subdivision 2.

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

Urdahl introduced:

H. F. No. 1586, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a grant to the city of Grove City.

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

Torkelson, Hamilton, Gunther and Koenen introduced:

H. F. No. 1587, A bill for an act relating to economic development; appropriating money for the Minnesota Inventors Congress.

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

Koenen, Torkelson, Morrow, Magnus and Hamilton introduced:

H. F. No. 1588, A bill for an act relating to capital improvements; appropriating money for floodplain management in the Minnesota River Basin; authorizing the sale and issuance of state bonds.

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

Urdahl, Koenen, Otremba, Falk, Hamilton, Torkelson, Magnus and Anderson, P., introduced:

H. F. No. 1589, A bill for an act relating to taxation; income; providing for economic growth in rural counties of the state by allowing a credit against the income tax of an employer for the creation and retention of certain jobs; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Urdahl and Anderson, B., introduced:

H. F. No. 1590, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a grant to the city of Howard Lake.

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

Urdahl introduced:

H. F. No. 1591, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a grant to the town of Forest City.

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

Urdahl introduced:

H. F. No. 1592, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a grant to the city of Darwin.

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

Urdahl introduced:

H. F. No. 1593, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a grant to the city of Eden Valley.

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

Davids introduced:

H. F. No. 1594, A bill for an act relating to capital investment; authorizing the sale of state bonds; appropriating money to Independent School District No. 227, Chatfield, for the Potter Center for the Arts in the city of Chatfield.

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

Kalin introduced:

H. F. No. 1595, A bill for an act relating to human services; modifying licensing disqualifications; amending Minnesota Statutes 2008, section 245C.24, subdivision 2.

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

Olin introduced:

H. F. No. 1596, A bill for an act relating to crime; establishing a marijuana plant possession crime; modifying marijuana sale and possession amounts; amending Minnesota Statutes 2008, sections 152.01, subdivision 16, by adding a subdivision; 152.021, subdivisions 1, 2; 152.022, subdivisions 1, 2; 152.023, subdivisions 1, 2; 152.025, subdivision 2; 244.055, subdivisions 2, 3, 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 152; repealing Minnesota Statutes 2008, section 244.055, subdivisions 6, 11.

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

Lillie introduced:

H. F. No. 1597, A bill for an act relating to capital improvements; appropriating money for Silver Lake Trail; authorizing the sale and issuance of state bonds.

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

Lillie introduced:

H. F. No. 1598, A bill for an act relating to capital improvements; appropriating money for Gerten Pond; authorizing the sale and issuance of state bonds.

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

Lillie introduced:

H. F. No. 1599, A bill for an act relating to capital improvements; appropriating money for projects around the Phalen Chain of Lakes; authorizing the sale and issuance of state bonds.

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

Lillie introduced:

H. F. No. 1600, A bill for an act relating to capital improvements; appropriating money for Keller Regional Park; authorizing the sale and issuance of state bonds.

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

Otremba; Fritz; Faust; Ward; Hosch; Pelowski; Haws; Juhnke; Koenen; Murphy, M.; Dill; Eken and Sterner introduced:

H. F. No. 1601, A bill for an act relating to health; prohibiting policy waiting periods for prenatal and maternity health insurance benefits; eliminating pregnancy as a preexisting condition; establishing a parenting support grant program; establishing an informational hotline on available pregnancy, adoption, and parental support agencies; requiring information on alpha-fetoprotein testing be provided; requiring adoption referral information be provided; requiring adoption and parenting counseling be provided; establishing an adoption tax credit; establishing civil penalties; repealing the MFIP family cap; appropriating money; amending Minnesota Statutes 2008, sections 62A.011, by adding a subdivision; 62A.041, subdivision 2; 62A.0411; 62A.047; 145.4243; proposing coding for new law in Minnesota Statutes, chapters 62A; 136A; 145; 290; repealing Minnesota Statutes 2008, section 256J.24, subdivision 6.

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

Abeler and Bunn introduced:

H. F. No. 1602, A bill for an act relating to chiropractic; retaining the business of a deceased spouse; proposing coding for new law in Minnesota Statutes, chapter 148.

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

Johnson introduced:

H. F. No. 1603, A bill for an act relating to capital improvements; appropriating money to commissioner of transportation for grant to city of St. Paul for planning enhancements connected to Warner Road bridge improvements; authorizing sale of state transportation bonds.

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

McFarlane, by request, introduced:

H. F. No. 1604, A bill for an act relating to capital improvements; appropriating money for the Tamarack Nature Center; authorizing the sale and issuance of state bonds.

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

Kalin, Sailer, Hilty and Westrom introduced:

H. F. No. 1605, A bill for an act relating to utilities; regulating incentive rate plans for conservation investments; amending Minnesota Statutes 2008, sections 216B.16, subdivision 6c; 216B.241, subdivision 5a.

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

Eken introduced:

H. F. No. 1606, A bill for an act relating to water; appropriating money for a water quality pilot project in the Buffalo River watershed.

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

Rukavina and Sertich introduced:

H. F. No. 1607, A bill for an act relating to capital improvements; appropriating money for utility extensions from Virginia to Gilbert; authorizing the sale and issuance of state bonds.

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

Lieder and Morrow introduced:

H. F. No. 1608, A bill for an act relating to capital investment; appropriating money for local roads and bridges; authorizing grants for fracture-critical bridges; amending Minnesota Statutes 2008, section 174.50, by adding a subdivision.

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

Smith introduced:

H. F. No. 1609, A bill for an act relating to public safety; modifying duties and responsibilities of Forensic Laboratory Advisory Board; requiring the board to appoint an executive secretary; establishing immunity from liability for board members; clarifying availability of investigation reports to the public; requiring the Department of Administration to provide office space and services to the board; defining forensic laboratory; providing for a study and report; appropriating money; amending Minnesota Statutes 2008, section 299C.156, subdivisions 1, 2, 3, 4, 5, 7, 9, 11, by adding a subdivision.

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

Davnie; Lanning; Lesch; Scalze; Rukavina; Reinert; Murphy, E.; Anzelc; Hornstein; Anderson, P.; Sterner; Obermueller; Davids; Nelson; Winkler; Haws and Loeffler introduced:

H. F. No. 1610, A bill for an act relating to taxation; abolishing levy limits; amending Minnesota Statutes 2008, sections 275.065, subdivision 3; 275.16; 275.62, subdivision 1; 473.167, subdivision 3; 473.249, subdivision 1; 473.253, subdivision 1; repealing Minnesota Statutes 2008, sections 275.70; 275.71; 275.72; 275.73; 275.74; 275.75.

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

Smith introduced:

H. F. No. 1611, A bill for an act relating to civil actions; modifying the interest rate on certain judgments and awards; amending Minnesota Statutes 2008, section 549.09, subdivision 1.

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

Knuth and Hansen introduced:

H. F. No. 1612, A bill for an act relating to natural resources; establishing the Minnesota Naturalist Corps; appropriating money for Minnesota Naturalist Corps, additional state park naturalists, and information centers and kiosks in state parks; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Bigham, Atkins and Hansen introduced:

H. F. No. 1613, A bill for an act relating to taxation; authorizing establishment of a tax increment financing district in the city of South St. Paul subject to certain requirements.

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

Thissen introduced:

H. F. No. 1614, A bill for an act relating to state government; designating community solutions grants for high priority community issues; transferring money; establishing the Commission on Innovation; requiring a report; appropriating money.

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

Sanders and Atkins introduced:

H. F. No. 1615, A bill for an act relating to commerce; weights and measures; updating petroleum standards; establishing standards for biodiesel blends and fuels; amending Minnesota Statutes 2008, sections 239.761, subdivisions 3, 4, 5, 6, 7, 8, 9, 11, 16; 239.77, subdivision 1; 296A.01, subdivisions 8, 14, 20, 23, 24, 26, 28.

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

Simon introduced:

H. F. No. 1616, A bill for an act relating to elections; moving the state primary from September to June and making conforming changes; requiring state partisan primary ballots to designate candidates receiving a certain level of support at state party endorsing conventions as "endorsed"; amending Minnesota Statutes 2008, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204B.33; 204B.35, subdivision 4; 204C.26, subdivision 3; 204D.03, subdivision 1; 204D.08, subdivision 4; 205.065, subdivision 1; 205.13, subdivision 1a; 205A.03, subdivision 2; 205A.06, subdivision 1a; 206.82, subdivision 2; 211B.045; 447.32, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 204B.

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

Mullery and Greiling introduced:

H. F. No. 1617, A bill for an act relating to employment; appropriating money for grants to encourage women to enter nontraditional careers.

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

Persell, Gunther, Doty and Anzelc introduced:

H. F. No. 1618, A bill for an act relating to natural resources; appropriating money for grants demonstrating the beneficial reuse of wastewater.

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

Atkins introduced:

H. F. No. 1619, A bill for an act relating to insurance; increasing funeral and burial expense benefits under the Minnesota No-Fault Automobile Insurance Act; amending Minnesota Statutes 2008, section 65B.44, subdivision 4.

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

Atkins introduced:

H. F. No. 1620, A bill for an act relating to civil actions; allowing recovery for loss of society, affection, and companionship of a child or a parent; proposing coding for new law in Minnesota Statutes, chapter 549.

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

Davnie, Abeler, Tillberry, Slocum, Greiling, Slawik, Anzelc and Swails introduced:

H. F. No. 1621, A bill for an act relating to education; requiring schools to develop a plan and comply with requirements on using restrictive procedures for children with disabilities; proposing coding for new law in Minnesota Statutes, chapter 125A; repealing Minnesota Statutes 2008, sections 121A.66; 121A.67, subdivision 1; Minnesota Rules, parts 3525.0210, subparts 5, 6, 9, 13, 17, 29, 30, 46, 47; 3525.1100, subpart 2, item F; 3525.2900, subpart 5.

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

Mack, Brod, Downey, Loon, Zellers and Sanders introduced:

H. F. No. 1622, A bill for an act relating to economic development; modifying the definition of a qualified company; requiring matching contributions by qualifying companies; appropriating money; amending Minnesota Statutes 2008, section 116O.115, subdivisions 2, 4.

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

Kalin, Sailer and Nornes introduced:

H. F. No. 1623, A bill for an act relating to energy; amending definition of "qualifying solar electric project" to include energy storage equipment and to include installation in publicly owned buildings; amending Minnesota Statutes 2008, section 216B.2411, subdivision 2.

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

Brown and Poppe introduced:

H. F. No. 1624, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for the Shooting Star Trail.

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

Davnie, Hornstein and Hortman introduced:

H. F. No. 1625, A bill for an act relating to taxation; exempting car sharing organizations from rental car fee in lieu of registration tax; amending Minnesota Statutes 2008, section 297A.64, subdivision 2.

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

Sailer; Knuth; Persell; Anderson, P.; Eken and Bly introduced:

H. F. No. 1626, A bill for an act relating to energy; appropriating money for grants to install solar energy projects in public buildings.

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

Kahn introduced:

H. F. No. 1627, A bill for an act relating to child protection; modifying cost of care requirements when a child is in a trial home visit; amending Minnesota Statutes 2008, section 260C.331, subdivision 1.

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

Kahn introduced:

H. F. No. 1628, A bill for an act relating to elections; campaign finance; changing contribution limits for certain offices; limiting certain expenditures; changing certain filing requirements; changing political contribution and refund provisions; amending Minnesota Statutes 2008, sections 10A.17, by adding a subdivision; 10A.20, subdivision 1; 10A.27, subdivision 1; 10A.31, subdivisions 1, 3, 4; 10A.322, subdivision 4.

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

Demmer, Hansen and Cornish introduced:

H. F. No. 1629, A bill for an act relating to natural resources; modifying restrictions and conforming penalties on shining artificial lights; amending Minnesota Statutes 2008, sections 97A.331, subdivision 2; 97B.081.

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

Kalin and Greiling introduced:

H. F. No. 1630, A bill for an act relating to education; creating a schedule for aligning assessments to academic standards; amending Minnesota Statutes 2008, section 120B.30, subdivision 1.

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

Morrow introduced:

H. F. No. 1631, A bill for an act relating to railroads; requiring commissioner of transportation to forgive state loan made to Minnesota Valley Regional Rail Authority.

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

Severson introduced:

H. F. No. 1632, A bill for an act relating to courts; modifying the composition and powers of the Board of Judicial Standards; modifying presumptions in ascertaining legislative intent; amending Minnesota Statutes 2008, sections 490A.01; 490A.02; 645.17.

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

Clark introduced:

H. F. No. 1633, A bill for an act relating to energy; amending definition of large energy facility; amending Minnesota Statutes 2008, section 216B.2421, subdivision 2.

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

Clark, Hayden, Kelliher and Champion introduced:

H. F. No. 1634, A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a Minnesota African American History Museum in Minneapolis.

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

Dettmer, Bigham, Drazkowski, Severson and Howes introduced:

H. F. No. 1635, A bill for an act relating to higher education; providing for certain improvements in the human resources systems at the Minnesota State Colleges and Universities.

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

Clark introduced:

H. F. No. 1636, A bill for an act relating to public safety; providing housing and support services for victims of human trafficking; appropriating money; amending Minnesota Statutes 2008, section 299A.795; proposing coding for new law in Minnesota Statutes, chapter 299A.

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

Clark, Hayden and Champion introduced:

H. F. No. 1637, A bill for an act relating to housing finance; changing the amount of nonprofit housing bonds the Minnesota Housing Finance Agency may issue; dedicating a portion of bonds issued to permanent supportive housing for victims of human trafficking; amending Minnesota Statutes 2008, section 462A.36, subdivisions 2, 4.

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

Magnus; Juhnke; Kohls; Dill; Hamilton; Anderson, P.; Torkelson; Urdahl; Seifert and Shimanski introduced:

H. F. No. 1638, A bill for an act relating to taxation; modifying treatment of section 179 allowances; amending Minnesota Statutes 2008, section 290.01, subdivisions 19a, 19c.

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

Morrow introduced:

H. F. No. 1639, A bill for an act relating to human services; modifying provisions relating to the Minnesota sex offender program; creating additional oversight to the Minnesota sex offender program; creating a client grievance process; allowing access to the statewide supervision system; making changes to the vocational work program; amending Minnesota Statutes 2008, sections 16C.10, subdivision 5; 168.012, subdivision 1; 246B.01, by adding subdivisions; 246B.02; 246B.03; 246B.05; 246B.06; 609.485, subdivisions 2, 4.

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

Liebling, Loeffler, Ruud and Laine introduced:

H. F. No. 1640, A bill for an act relating to health; establishing an academic detailing program for prescription drugs; allowing rulemaking; appropriating money; 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.

Liebling introduced:

H. F. No. 1641, A bill for an act relating to health; preventing conflicts of interest; banning gifts from drug or medical device manufacturers or distributors to physicians and formulary committee members; amending Minnesota Statutes 2008, sections 151.461; 151.47, subdivision 1; 256B.0625, subdivision 13c; proposing coding for new law in Minnesota Statutes, chapter 62J.

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

Gardner, Gottwalt and McFarlane introduced:

H. F. No. 1642, A bill for an act relating to human services; establishing a medical assistance health opportunity account demonstration project; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Gardner introduced:

H. F. No. 1643, A bill for an act relating to education; modifying referendum revenue; amending Minnesota Statutes 2008, sections 126C.01, by adding a subdivision; 126C.17, subdivisions 5, 6.

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

Clark, Hayden and Champion introduced:

H. F. No. 1644, A bill for an act relating to marriage; providing for gender-neutral marriage laws; amending Minnesota Statutes 2008, sections 363A.27; 517.01; 517.03, subdivision 1; 517.08, subdivision 1a; 517.09.

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

Clark, Hayden and Champion introduced:

H. F. No. 1645, A bill for an act relating to economic development; expanding Youthbuild programs; appropriating money; amending Minnesota Statutes 2008, sections 116L.362, subdivision 1; 116L.364, subdivision 3.

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

Huntley introduced:

H. F. No. 1646, A bill for an act relating to human services; requiring prior authorization before certain prescription drugs are eligible for medical assistance payment; amending Minnesota Statutes 2008, section 256B.0625, subdivision 13f.

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. 1647, A bill for an act relating to human services; eliminating prescription drug coverage from prepaid medical assistance program contracts; amending Minnesota Statutes 2008, sections 256B.0625, subdivision 13; 256B.69, subdivision 6.

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

Sailer and Gardner introduced:

H. F. No. 1648, A bill for an act relating to solid waste; amending reporting requirements for manufacturers and retailers of video display devices; limiting the amount of recycled electronics products that can be applied to future recycling obligations; amending Minnesota Statutes 2008, sections 115A.1314, subdivision 1; 115A.1316, subdivision 1; 115A.1318, subdivision 3.

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

Dill introduced:

H. F. No. 1649, A bill for an act relating to capital improvements; appropriating money for the Clair A. Nelson Memorial Forest; authorizing the sale and issuance of state bonds.

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

Demmer and Welti introduced:

H. F. No. 1650, A bill for an act relating to natural resources; appropriating money for design and engineering for restoration of Lake Zumbro; authorizing the sale and issuance of state bonds.

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

Davids introduced:

H. F. No. 1651, A bill for an act relating to capital improvements; appropriating money for the city of Spring Valley for a new community theater facility; authorizing the sale and issuance of state bonds.

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

Davids introduced:

H. F. No. 1652, A bill for an act relating to capital improvements; appropriating money for the city of Preston to restore a historic grain elevator; authorizing the sale and issuance of state bonds.

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

Bly introduced:

H. F. No. 1653, A bill for an act relating to education finance; extending funding opportunities for contract alternative schools; appropriating money; amending Minnesota Statutes 2008, section 124D.69, subdivision 1.

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

Pelowski, Brynaert, Lanning and Simon introduced:

H. F. No. 1654, A bill for an act relating to data practices; excluding electronically stored personal notes from government data; amending Minnesota Statutes 2008, section 13.32, subdivision 1.

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

Mullery introduced:

H. F. No. 1655, A bill for an act relating to marriage; providing for a marriage evaluation study group.

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

Bigham introduced:

H. F. No. 1656, A bill for an act relating to insurance; specifying required behavioral health coverage for children and young adults who have autism spectrum disorder; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Paymar introduced:

H. F. No. 1657, A bill for an act relating to public safety; appropriating money for the Departments of Public Safety and Corrections.

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

Westrom, Drazkowski and Nornes introduced:

H. F. No. 1658, A bill for an act relating to counties; repealing special laws authorizing appointment of certain county officers and requiring elections; repealing Minnesota Statutes 2008, sections 383A.20, subdivisions 2, 3, 4, 5, 10, 12; 383B.025; 383C.136; 383E.03; 383E.04; 383E.05; 383E.06; Laws 1990, chapter 431; Laws 1991, chapter 338; Laws 1992, chapter 474; Laws 1997, chapter 90, as amended; Laws 1997, chapter 153; Laws 1998, chapter 302; Laws 1998, chapter 307; Laws 1998, chapter 308; Laws 2001, chapter 105; Laws 2001, chapter 180; Laws 2001, chapter 184; Laws 2002, chapter 256; Laws 2002, chapter 258; Laws 2002, chapter 263; Laws 2003, chapter 43; Laws 2005, chapter 75, sections 2; 3; Laws 2006, chapter 173; Laws 2007, chapter 26; Laws 2008, chapter 160; Laws 2008, chapter 161; Laws 2008, chapter 209.

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

Solberg, Holberg, Hausman, Greiling, Dean, Huntley, Magnus and Seifert introduced:

H. F. No. 1659, A bill for an act relating to human services; establishing a human service authority; establishing aid to counties; creating a workgroup; requiring a report; proposing coding for new law as Minnesota Statutes, chapter 402A.

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

Eken, Hansen and Sailer introduced:

H. F. No. 1660, A bill for an act relating to natural resources; appropriating money for county cooperative weed management programs.

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

Loeffler introduced:

H. F. No. 1661, A bill for an act relating to taxation; providing that certain elderly living facilities are exempt from property taxation; providing an exemption for the purchase of materials and supplies used in the construction of certain elderly living facilities from sales taxation; amending Minnesota Statutes 2008, sections 272.02, by adding a subdivision; 297A.71, by adding a subdivision.

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

Doepke introduced:

H. F. No. 1662, A bill for an act relating to state lands; modifying land conveyance to the city of Wayzata; amending Laws 2008, chapter 368, article 1, section 34.

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

Jackson introduced:

H. F. No. 1663, A bill for an act relating to taxation; modifying green acres and agricultural property tax provisions; establishing a land conservation property tax program; requiring a report; amending Minnesota Statutes 2008, sections 273.111, subdivisions 3, 3a, 9; 273.13, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 273.

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

Mullery introduced:

H. F. No. 1664, A bill for an act relating to taxation; sales and use; amending the occasional sales exclusion to omit watercraft; amending Minnesota Statutes 2008, sections 86B.401, subdivision 12; 297A.67, subdivision 23.

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

Swails, McFarlane and Kelliher introduced:

H. F. No. 1665, A bill for an act relating to education; creating a best practices center for shared services; amending Minnesota Statutes 2008, section 6.78.

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

Hayden, Champion, Clark, Paymar, Rukavina, Carlson, Solberg, Eastlund, Huntley, Davnie, Mullery, Kahn, Hornstein, Atkins, Johnson, Lesch, Mariani and Kelliher introduced:

H. F. No. 1666, A bill for an act relating to corrections; appropriating money to continue a demonstration project for high-risk adults.

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

Mariani introduced:

H. F. No. 1667, A bill for an act relating to education; modifying placement and transportation of students in another district; amending Minnesota Statutes 2008, sections 125A.15; 125A.51.

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

Murphy, E.; Thao; Ruud and Abeler introduced:

H. F. No. 1668, A bill for an act relating to health occupations; modifying practice requirements for advanced practice registered nurses; amending Minnesota Statutes 2008, sections 148.171, subdivisions 5, 10, 11, 13, 21; 148.235, subdivisions 2a, 4a, 4b; 151.01, subdivisions 23, 27; 151.37, subdivision 2; repealing Minnesota Statutes 2008, sections 148.171, subdivision 6; 148.235, subdivisions 1, 2, 4, 6.

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

Gunther introduced:

H. F. No. 1669, A bill for an act relating to state government; appropriating money for jobs, economic development, housing, and Minnesota Heritage; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; changing codes and licensing provisions; providing penalties; amending Minnesota Statutes 2008, sections 115C.08, subdivision 4; 116J.8731, subdivisions 2, 3; 154.44, subdivision 1; 326B.33, subdivision 19; 326B.46, subdivision 4; 326B.475, subdivisions 4, 7; 326B.49, subdivision 1; 326B.56, subdivision 4; 326B.58; 326B.815, subdivision 1; 326B.821, subdivision 2; 326B.86, subdivision 1; 326B.885, subdivision 2; 326B.89, subdivisions 3, 16; 326B.94, subdivision 4; 326B.972; 326B.986, subdivisions 2, 5, 8; 327B.04, subdivisions 7, 8, by adding a subdivision; 462A.05, subdivisions 14, 14a; Laws 2007, chapter 135, article 1, section 16; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Rules, part 1350.8300.

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

Mariani, Lesch, Champion and Haws introduced:

H. F. No. 1670, A bill for an act relating to housing; modifying municipality rent control provisions; amending Minnesota Statutes 2008, section 471.9996, subdivision 1.

The bill was read for the first time and referred to the Housing Finance and Policy and Public Health Finance Division.

Carlson, Pelowski, Kahn, Rukavina and Abeler introduced:

H. F. No. 1671, A bill for an act relating to public employment; modifying provisions relating to labor or employee organizations; amending Minnesota Statutes 2008, sections 16A.133, subdivision 1; 179A.03, subdivision 14; 179A.06, subdivisions 3, 6.

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

Davnie, Kelliher and Hornstein introduced:

H. F. No. 1672, A bill for an act relating to traffic regulations; prohibiting intersection gridlock; imposing petty misdemeanor penalty; amending Minnesota Statutes 2008, section 169.15.

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

Wagenius, Solberg, Juhnke, Davids and Dill introduced:

H. F. No. 1673, A bill for an act relating to natural resources; establishing a conservation easement management account; requiring contributions; proposing coding for new law in Minnesota Statutes, chapter 84C.

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

Hausman, Eken, Davids, Lillie, Scalze, Carlson, Kahn, Hayden, Nelson, Winkler, Clark, Davnie, Mahoney, Laine, Swails, Hornstein, Olin, Fritz, Howes, Slawik and Johnson introduced:

H. F. No. 1674, A bill for an act relating to natural resources; providing for disposition of receipts to the parks and trails fund; establishing a grant program; appropriating money; amending Minnesota Statutes 2008, section 85.53; proposing coding for new law in Minnesota Statutes, chapter 85.

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

Atkins, Davnie and Knuth introduced:

H. F. No. 1675, A bill for an act relating to environment; directing Pollution Control Agency to adopt rules to limit emissions of high global warming potential gases; amending Minnesota Statutes 2008, section 216H.10, subdivisions 1, 7; proposing coding for new law in Minnesota Statutes, chapter 216H.

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

Morgan, Rosenthal, Obermueller, Masin, Swails and Scalze introduced:

H. F. No. 1676, A bill for an act relating to state government; protecting credit reimbursements for cities that are net contributors to fiscal disparities from unallotment and aid cuts; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Simon introduced:

H. F. No. 1677, A bill for an act relating to the safe at home program; specifying applicability; eliminating certain persons from eligibility; providing a remedy for violation or refusal to recognize a designated address; prohibiting public release of certain court records; amending Minnesota Statutes 2008, sections 5B.01; 5B.02; 5B.07, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 5B.

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

Nelson and Gunther introduced:

H. F. No. 1678, A bill for an act relating to labor and employment; modifying workers' compensation provisions; amending Minnesota Statutes 2008, sections 176.101, subdivision 2a; 176.102, subdivisions 3, 3a, by adding a subdivision; 176.103, subdivision 3; 176.135, subdivisions 6, 7, by adding a subdivision; 176.155, subdivision 1; 176.179; 176.181, subdivision 8; 176.183, subdivision 2; 176.186; 176.231, subdivision 1; 176.341, subdivision 1; 176.351, subdivision 2a; repealing Minnesota Statutes 2008, section 176.1021.

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

Davids, Simon, Beard, Cornish, Howes, Hortman, Champion, Dean, Koenen, Nelson, Faust, Hayden, Hansen, Davnie, Eken, Carlson, Tillberry, Haws, Juhnke, Persell, Hilstrom, Lesch, Clark, Kelly, Johnson, Slocum, Kalin, Drazkowski and Mahoney introduced:

H. F. No. 1679, A bill for an act relating to adoption; modifying provisions governing access to adoption records and original birth certificates; amending Minnesota Statutes 2008, sections 13.465, subdivision 8; 144.218, subdivision 1; 144.225, subdivision 2; 144.2252; 144.226, subdivision 1; 259.89, subdivision 1; 260C.317, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2008, sections 259.83, subdivision 3; 259.89, subdivisions 2, 3, 4.

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

Clark, Thao, Hayden, McNamara, Mariani, Scalze, Kelliher, Hornstein, Masin, Abeler and Ward introduced:

H. F. No. 1680, A resolution apologizing on behalf of citizens of the state to all persons with mental illness and developmental and other disabilities who have been wrongfully committed to state institutions.

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

Ruud and Kahn introduced:

H. F. No. 1681, A bill for an act relating to consumer protection; requiring certain disclosures for direct-to-consumer genetic testing; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

Mahoney, Obermueller, Winkler and Slocum introduced:

H. F. No. 1682, A bill for an act relating to workers' compensation; clarifying the Department of Labor and Industry's duty to assist employees and employers to deal with the workers' compensation system; amending Minnesota Statutes 2008, section 176.261.

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

Obermueller and Swails introduced:

H. F. No. 1683, A bill for an act relating to real property; statutory warranties; providing for notice and opportunity to repair with certain conditions; providing remedies; amending Minnesota Statutes 2008, sections 327A.01, subdivision 7, by adding subdivisions; 327A.02, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 327A.

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

Holberg introduced:

H. F. No. 1684, A bill for an act relating to consumer reports; requiring notice and copy of background check; defining terms; amending Minnesota Statutes 2008, section 13C.001, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 13C.

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

Davnie introduced:

H. F. No. 1685, A bill for an act relating to employment; regulating the deduction from wages of unreimbursed expenses; amending Minnesota Statutes 2008, section 177.24, subdivisions 4, 5.

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

Gottwalt, Cornish, McFarlane, Torkelson, Kiffmeyer, Severson, Hamilton, Demmer and Dettmer introduced:

H. F. No. 1686, A bill for an act relating to employment; modifying the minimum wage for tipped employees; providing for a tip credit; amending Minnesota Statutes 2008, section 177.24, subdivision 2.

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

Gottwalt; Cornish; Anderson, P.; Torkelson; Severson; Downey; Hamilton; McFarlane; Drazkowski; Dettmer; Seifert and Holberg introduced:

H. F. No. 1687, A bill for an act relating to employment; modifying prevailing wage provisions; amending Minnesota Statutes 2008, sections 177.42, subdivisions 4, 6; 177.43, subdivision 1.

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

Liebling, Hayden, Mullery and Rukavina introduced:

H. F. No. 1688, A bill for an act relating to courts; authorizing the court to offer or agree to continuance for dismissal; amending Minnesota Statutes 2008, sections 609.132; 631.21.

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

Holberg introduced:

H. F. No. 1689, A bill for an act relating to human services; amending data privacy provisions; amending Minnesota Statutes 2008, sections 13.04, subdivision 4; 241.065, subdivision 2; 246B.04, by adding a subdivision.

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

Champion introduced:

H. F. No. 1690, A bill for an act relating to courts; modifying determination of when a party prevails on a claim removed from conciliation court to district court for the purposes of recovering district court costs; amending Minnesota Statutes 2008, section 491A.02, subdivision 7.

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

Liebling and Bly introduced:

H. F. No. 1691, A bill for an act relating to courts; providing for conciliation court alternative dispute resolution programs.

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

Morrow introduced:

H. F. No. 1692, A bill for an act relating to dispute resolution; providing for arbitration of disputes; adopting the Uniform Arbitration Act; amending Minnesota Statutes 2008, sections 80C.146, subdivision 2; 122A.40, subdivision 15; 122A.41, subdivision 13; 179.09; 325E.37, subdivision 5; 325F.665, subdivision 6; 469.1762; 572A.02, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 572B; repealing Minnesota Statutes 2008, sections 572.08; 572.09; 572.10; 572.11; 572.12; 572.13; 572.14; 572.15; 572.16; 572.17; 572.18; 572.19; 572.20; 572.21; 572.22; 572.23; 572.24; 572.25; 572.26; 572.27; 572.28; 572.29; 572.30.

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

Morrow introduced:

H. F. No. 1693, A bill for an act relating to transportation; requiring completion of certain environmental impact statements.

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

Norton and Rukavina introduced:

H. F. No. 1694, A bill for an act relating to labor and industry; appropriating money for the Vinland Center for rehabilitation services.

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

Ruud, Hayden, Slawik, Hosch and Murphy, E., introduced:

H. F. No. 1695, A bill for an act relating to health and human services; allowing home visitors to be employment and training providers for certain MFIP participants; amending Minnesota Statutes 2008, sections 145A.17, by adding a subdivision; 256J.49, subdivision 4.

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

Doty introduced:

H. F. No. 1696, A bill for an act relating to cities; modifying the limitations on salary changes for city council members; amending Minnesota Statutes 2008, section 415.11, 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.

Davnie introduced:

H. F. No. 1697, A bill for an act relating to real property; clarifying tenant rights with respect to property subject to a mortgage foreclosure; amending Minnesota Statutes 2008, sections 504B.151, subdivision 1; 504B.178, subdivision 8.

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

Davnie introduced:

H. F. No. 1698, A bill for an act relating to housing; providing for the rehabilitation of housing that is vacant and abandoned as a result of the foreclosure crisis; protecting the health, safety, and welfare of the community through appropriate police powers; providing a legal process to appoint receivers for abandoned properties and recovery of funds expended to bring the property up to code; proposing coding for new law in Minnesota Statutes, chapter 463.

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

Persell, Solberg and Rukavina introduced:

H. F. No. 1699, A bill for an act relating to plant closings; requiring oriented strand board facilities to be kept in salable operating conditions for one year after closing; requiring a maintenance plan.

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

Dettmer introduced:

H. F. No. 1700, A bill for an act relating to education; modifying the alternative dispute resolution process and due process hearing guidelines for children with disabilities; amending Minnesota Statutes 2008, sections 125A.091, subdivisions 6, 8, 9, 10, 13, 14, 15, 18, 20, 22, 23; 125A.43; 125A.46; repealing Minnesota Statutes 2008, section 125A.091, subdivision 19.

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

Newton and Greiling introduced:

H. F. No. 1701, A bill for an act relating to education; clarifying school district obligations to children with disabilities; amending Minnesota Statutes 2008, section 125A.57, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 125A; repealing Minnesota Statutes 2008, section 125A.03.

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

Davnie, Buesgens and Greiling introduced:

H. F. No. 1702, A bill for an act relating to education; authorizing the commissioner of education to provide grants for concurrent enrollment programs in the same manner as advanced placement and international baccalaureate programs; appropriating money; amending Minnesota Statutes 2008, sections 120B.13; 120B.132; repealing Minnesota Statutes 2008, section 124D.091.

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

Huntley introduced:

H. F. No. 1703, A bill for an act relating to human services; amending health care eligibility provisions for medical assistance, MinnesotaCare, and general assistance medical care; establishing a Drug Utilization Review Board; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2008, sections 62J.2930, subdivision 3; 245.494, subdivision 3; 256.015, subdivision 7; 256.969, subdivision 3a; 256B.037, subdivision 5; 256B.056, subdivisions 1c, 3c, 6; 256B.0625, by adding subdivisions; 256B.094, subdivision 3; 256B.195, subdivisions 1, 2, 3; 256B.199; 256B.69, subdivision 5a; 256B.77, subdivision 13; 256D.03, subdivision 3; 256L.01, subdivision 4; 256L.03, subdivision 5; 256L.15, subdivision 2; 507.092, by adding a subdivision; Laws 2005, First Special Session chapter 4, article 8, sections 54; 61; 63; 66; repealing Minnesota Statutes 2008, section 256B.031.

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. 1704, A bill for an act relating to human services; creating a withhold to managed care plan payments for prepaid medical assistance and general assistance medical care; amending Minnesota Statutes 2008, sections 256B.69, subdivision 5a; 256L.12, subdivision 9.

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

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker:

I hereby announce the adoption by the Senate of the following Senate Concurrent Resolution, herewith transmitted:

Senate Concurrent Resolution No. 6, A Senate concurrent resolution adopting Permanent Joint Rules of the Senate and House of Representatives.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

Senate Concurrent Resolution No. 6 was referred to the Committee on Rules and Legislative Administration.

Madam Speaker:

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

S. F. Nos. 757, 237 and 401.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

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

S. F. No. 757, A bill for an act relating to public safety; authorizing Department of Public Safety to collect fuel decal fee for International Fuel Tax Agreement; removing rule establishing cost of decal fee; amending Minnesota Statutes 2008, section 168D.07; repealing Minnesota Rules, part 7403.1400.

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

S. F. No. 237, A bill for an act relating to state government; designating the first Sunday in October as Minnesota Fallen Firefighters Memorial Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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

S. F. No. 401, A bill for an act relating to health; modifying the definition of doula services; amending Minnesota Statutes 2008, section 148.995, subdivisions 2, 4.

The bill was read for the first time.

Laine moved that S. F. No. 401 and H. F. No. 434, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### **CONSENT CALENDAR**

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

### **MOTIONS AND RESOLUTIONS**

Norton moved that the name of Downey be added as an author on H. F. No. 72. The motion prevailed.

Thissen moved that the name of Hornstein be added as an author on H. F. No. 384. The motion prevailed.

Hansen moved that the names of Slawik and Sterner be added as authors on H. F. No. 424. The motion prevailed.

Demmer moved that the names of Drazkowski and Dettmer be added as authors on H. F. No. 430. The motion prevailed.

Laine moved that the name of Slocum be added as an author on H. F. No. 434. The motion prevailed.

Norton moved that the name of Hansen be added as an author on H. F. No. 439. The motion prevailed.

Murphy, E., moved that the name of Hansen be added as an author on H. F. No. 499. The motion prevailed.

Demmer moved that his name be stricken as an author on H. F. No. 501. The motion prevailed.

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

Abeler moved that the name of Sterner be added as an author on H. F. No. 506. The motion prevailed.

Ruud moved that her name be stricken as an author on H. F. No. 507. The motion prevailed.

Sailer moved that the name of Murdock be added as an author on H. F. No. 569. The motion prevailed.

Welti moved that the name of Davids be added as an author on H. F. No. 622. The motion prevailed.

Knuth moved that the name of Bigham be added as an author on H. F. No. 774. The motion prevailed.

Emmer moved that the name of Nornes be added as an author on H. F. No. 797. The motion prevailed.

Murdock moved that his name be stricken as an author on H. F. No. 843. The motion prevailed.

Marquart moved that the name of Demmer be added as an author on H. F. No. 872. The motion prevailed.

Pelowski moved that his name be stricken as an author on H. F. No. 913. The motion prevailed.

Hornstein moved that the name of Jackson be added as an author on H. F. No. 956. The motion prevailed.

Mariani moved that the name of Mullery be added as an author on H. F. No. 988. The motion prevailed.

Mahoney moved that the name of Severson be added as an author on H. F. No. 1003. The motion prevailed.

Smith moved that the name of Haws be added as an author on H. F. No. 1039. The motion prevailed.

Brod moved that the name of Kelly be added as an author on H. F. No. 1057. The motion prevailed.

Fritz moved that the name of Kelly be added as an author on H. F. No. 1058. The motion prevailed.

Otremba moved that the name of Kelly be added as an author on H. F. No. 1059. The motion prevailed.

Norton moved that the name of Doepke be added as an author on H. F. No. 1080. The motion prevailed.

Mahoney moved that the names of Gottwalt and Haws be added as authors on H. F. No. 1081. The motion prevailed.

Cornish moved that the name of Kath be shown as chief author on H. F. No. 1121. The motion prevailed.

Hortman moved that her name be stricken as an author on H. F. No. 1143. The motion prevailed.

Dill moved that the name of Liebling be added as an author on H. F. No. 1157. The motion prevailed.

Gottwalt moved that the name of Kelly be added as an author on H. F. No. 1196. The motion prevailed.

Smith moved that the name of Kelly be added as an author on H. F. No. 1197. The motion prevailed.

Marquart moved that the name of Simon be added as an author on H. F. No. 1201. The motion prevailed.

Brown moved that the name of Otremba be added as an author on H. F. No. 1212. The motion prevailed.

Seifert moved that the name of Hosch be added as an author on H. F. No. 1242. The motion prevailed.

Obermueller moved that the name of Reinert be added as an author on H. F. No. 1243. The motion prevailed.

Sailer moved that the name of Westrom be added as an author on H. F. No. 1259. The motion prevailed.

Sailer moved that the name of Westrom be added as an author on H. F. No. 1260. The motion prevailed.

Pelowski moved that his name be stricken as an author on H. F. No. 1283. The motion prevailed.

Pelowski moved that his name be stricken as an author on H. F. No. 1284. The motion prevailed.

Loeffler moved that the name of Hayden be added as an author on H. F. No. 1293. The motion prevailed.

Kahn moved that the name of Scalze be added as an author on H. F. No. 1294. The motion prevailed.

Thao moved that the name of Lillie be added as an author on H. F. No. 1295. The motion prevailed.

Emmer moved that the name of Shimanski be added as an author on H. F. No. 1305. The motion prevailed.

Murphy, E., moved that the name of Slocum be added as an author on H. F. No. 1307. The motion prevailed.

Bly moved that the name of Slocum be added as an author on H. F. No. 1317. The motion prevailed.

Hornstein moved that the name of Slocum be added as an author on H. F. No. 1324. The motion prevailed.

Thissen moved that the name of Slocum be added as an author on H. F. No. 1328. The motion prevailed.

Hosch moved that the name of Scalze be added as an author on H. F. No. 1329. The motion prevailed.

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

Gardner moved that the name of Kahn be added as an author on H. F. No. 1333. The motion prevailed.

Ruud moved that the name of Slocum be added as an author on H. F. No. 1339. The motion prevailed.

Mariani moved that the name of Swails be added as an author on H. F. No. 1340. The motion prevailed.

Gottwalt moved that his name be stricken as an author on H. F. No. 1341. The motion prevailed.

Abeler moved that the name of Slocum be added as an author on H. F. No. 1346. The motion prevailed.

Newton moved that the names of Lillie and Ward be added as authors on H. F. No. 1356. The motion prevailed.

Peterson moved that the name of Lillie be added as an author on H. F. No. 1359. The motion prevailed.

Bigham moved that the name of Scalze be added as an author on H. F. No. 1360. The motion prevailed.

Sertich moved that the name of Lillie be added as an author on H. F. No. 1365. The motion prevailed.

Simon moved that the name of Slocum be added as an author on H. F. No. 1368. The motion prevailed.

Kahn moved that the name of Slocum be added as an author on H. F. No. 1401. The motion prevailed.

Hackbarth moved that the names of Kiffmeyer and Dettmer be added as authors on H. F. No. 1407. The motion prevailed.

Downey moved that the name of Dettmer be added as an author on H. F. No. 1415. The motion prevailed.

Loon moved that the name of Dettmer be added as an author on H. F. No. 1417. The motion prevailed.

Seifert moved that the names of Dettmer and Doepke be added as authors on H. F. No. 1437. The motion prevailed.

Kahn moved that the name of Champion be added as an author on H. F. No. 1479. The motion prevailed.

Mullery moved that the name of Champion be added as an author on H. F. No. 1499. The motion prevailed.

Mahoney moved that the name of Rukavina be added as an author on H. F. No. 1526. The motion prevailed.

Hornstein moved that the name of Champion be added as an author on H. F. No. 1530. The motion prevailed.

Murphy, E., moved that H. F. No. 587 be recalled from the Committee on Health Care and Human Services Policy and Oversight and be re-referred to the Committee on Finance. The motion prevailed.

Slocum moved that H. F. No. 803 be recalled from the Committee on Health Care and Human Services Policy and Oversight and be re-referred to the Committee on Commerce and Labor. The motion prevailed.

Brynaert moved that H. F. No. 1048 be recalled from the Higher Education and Workforce Development Finance and Policy Division and be re-referred to the Committee on Finance. The motion prevailed.

Ruud moved that H. F. No. 1089 be recalled from the Committee on Health Care and Human Services Policy and Oversight and be re-referred to the Committee on Civil Justice. The motion prevailed.

Ruud moved that H. F. No. 1090 be recalled from the Committee on Health Care and Human Services Policy and Oversight and be re-referred to the Committee on Civil Justice. The motion prevailed.

Hausman moved that H. F. No. 1106 be recalled from the Committee on Finance and be re-referred to the Committee on Taxes. The motion prevailed.

Clark moved that H. F. No. 1352 be recalled from the Committee on Health Care and Human Services Policy and Oversight and be re-referred to the Committee on Finance.

A roll call was requested and properly seconded.

The question was taken on the Clark motion and the roll was called. There were 90 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Abeler	Doty	Hortman	Liebling	Norton	Sertich
Anzelc	Eken	Hosch	Lieder	Obermueller	Simon
Atkins	Falk	Huntley	Lillie	Olin	Slawik
Benson	Faust	Jackson	Loeffler	Otremba	Slocum
Bigham	Fritz	Johnson	Mahoney	Paymar	Solberg
Bly	Gardner	Juhnke	Mariani	Pelowski	Sterner
Brown	Greiling	Kahn	Marquart	Persell	Swails
Brynaert	Hansen	Kalin	Masin	Peterson	Thao
Bunn	Hausman	Kath	Morgan	Poppe	Thissen
Carlson	Haws	Kelly	Morrow	Reinert	Tillberry
Champion	Hayden	Knuth	Mullery	Rosenthal	Wagenius
Clark	Hilstrom	Koenen	Murphy, E.	Rukavina	Ward
Davnie	Hilty	Laine	Murphy, M.	Ruud	Welti
Dill	Holberg	Lenczewski	Nelson	Sailer	Winkler
Dittrich	Hornstein	Lesch	Newton	Scalze	Spk. Kelliher

Those who voted in the negative were:

Anderson, B.	Davids	Eastlund	Hoppe	Magnus	Seifert
Anderson, P.	Dean	Emmer	Howes	McFarlane	Shimanski
Anderson, S.	Demmer	Garofalo	Kiffmeyer	Murdock	Smith
Beard	Dettmer	Gottwalt	Kohls	Nornes	Torkelson
Brod	Doepke	Gunther	Lanning	Peppin	Urdahl
Buesgens	Downey	Hackbarth	Loon	Sanders	Westrom
Cornish	Drazkowski	Hamilton	Mack	Scott	Zellers

The motion prevailed.

Rosenthal moved that H. F. No. 1432 be recalled from the Committee on Health Care and Human Services Policy and Oversight and be re-referred to the Committee on Finance.

A roll call was requested and properly seconded.

The question was taken on the Rosenthal motion and the roll was called. There were 88 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Anzelc	Bigham	Brynaert	Champion	Dill	Eken
Atkins	Bly	Bunn	Clark	Dittrich	Falk
Benson	Brown	Carlson	Davnie	Doty	Faust

Fritz	Howes	Lesch	Murphy, E.	Poppe	Sterner
Gardner	Huntley	Liebling	Murphy, M.	Reinert	Swails
Greiling	Jackson	Lieder	Nelson	Rosenthal	Thao
Hansen	Johnson	Lillie	Newton	Rukavina	Thissen
Hausman	Juhnke	Loeffler	Norton	Ruud	Tillberry
Haws	Kahn	Mahoney	Obermueller	Sailer	Wagenius
Hayden	Kalin	Mariani	Olin	Scalze	Ward
Hilstrom	Kath	Marquart	Otremba	Sertich	Welti
Hilty	Knuth	Masin	Paymar	Simon	Winkler
Hornstein	Koenen	Morgan	Pelowski	Slawik	Spk. Kelliher
Hortman	Laine	Morrow	Persell	Slocum	
Hosch	Lenczewski	Mullery	Peterson	Solberg	

Those who voted in the negative were:

Anderson, B.	Dean	Garofalo	Kiffmeyer	Murdock	Torkelson
Anderson, P.	Demmer	Gottwalt	Kohls	Nornes	Urdahl
Anderson, S.	Dettmer	Gunther	Lanning	Peppin	Westrom
Beard	Doepke	Hackbarth	Loon	Sanders	Zellers
Brod	Downey	Hamilton	Mack	Scott	
Buesgens	Drazkowski	Holberg	Magnus	Seifert	
Cornish	Eastlund	Hoppe	McFarlane	Shimanski	
Davids	Emmer	Kelly	McNamara	Smith	

The motion prevailed.

Seifert and Sertich moved that the House instruct the Committee on Rules and Legislative Administration to enforce and administer Rule 2.41 of the Permanent Rules of the House to ensure that the fundamental constitutional rights of freedom of the press and freedom of expression are not restricted, and that the long-standing tradition of the Minnesota House of Representatives with regard to press access to committee meetings and floor sessions of the House is not abridged.

A roll call was requested and properly seconded.

The question was taken on the Seifert and Sertich motion and the roll was called. There were 133 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Brynaert	Dill	Gardner	Hilty	Kalin
Anderson, B.	Buesgens	Dittrich	Garofalo	Holberg	Kath
Anderson, P.	Bunn	Doepke	Gottwalt	Hoppe	Kelly
Anderson, S.	Carlson	Doty	Greiling	Hornstein	Kiffmeyer
Anzelc	Champion	Downey	Gunther	Hortman	Knuth
Atkins	Clark	Drazkowski	Hackbarth	Hosch	Koenen
Beard	Cornish	Eastlund	Hamilton	Howes	Kohls
Benson	Davids	Eken	Hansen	Huntley	Laine
Bigham	Davnie	Emmer	Hausman	Jackson	Lanning
Bly	Dean	Falk	Haws	Johnson	Lenczewski
Brod	Demmer	Faust	Hayden	Juhnke	Lesch
Brown	Dettmer	Fritz	Hilstrom	Kahn	Liebling

Lieder	McNamara	Obermueller	Rukavina	Slocum	Ward
Lillie	Morgan	Olin	Ruud	Smith	Walti
Loeffler	Morrow	Otremba	Sailer	Solberg	Westrom
Loon	Mullery	Paymar	Sanders	Sterner	Winkler
Mack	Murdock	Pelowski	Scalze	Swails	Zellers
Magnus	Murphy, E.	Peppin	Scott	Thao	Spk. Kelliher
Mahoney	Murphy, M.	Persell	Seifert	Thissen	
Mariani	Nelson	Peterson	Sertich	Tillberry	
Marquart	Newton	Poppe	Shimanski	Torkelson	
Masin	Nornes	Reinert	Simon	Urdahl	
McFarlane	Norton	Rosenthal	Slawik	Wagenius	

The motion prevailed.

#### ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 1:00 p.m., Monday, March 16, 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 16, 2009.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

