

STATE OF MINNESOTA

EIGHTY-SIXTH SESSION — 2009

 TWENTY-FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MARCH 24, 2009

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

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

A quorum was present.

Hackbarth and Magnus were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Poppe 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. 896 and H. F. No. 951, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Lillie moved that S. F. No. 896 be substituted for H. F. No. 951 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1142 and H. F. No. 1400, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Kalin moved that the rules be so far suspended that S. F. No. 1142 be substituted for H. F. No. 1400 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson from the Committee on Finance to which was referred:

H. F. No. 111, A bill for an act relating to the State Board of Investment; requiring divestment from certain investments relating to Iran; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 11A.

Reported the same back with the following amendments:

Page 1, line 16, after "traded" insert "debt and"

Page 4, line 5, delete "unless" and insert "if"

Page 4, line 6, delete "consistent" and insert "inconsistent"

Page 4, line 7, delete "chair and vice-chair" and insert "executive director"

Page 4, line 8, before the period, insert ", and to the chairs of the legislative committees and divisions with jurisdiction over the State Board of Investment"

Page 4, delete line 12 and insert "updated and submitted annually"

Page 4, line 13, delete everything before the period

Page 4, line 14, after the period, insert "If the board determines that the divestment requirements of subdivision 4 are inconsistent with the board's fiduciary responsibilities with regard to certain scrutinized companies, the board must to the extent feasible sponsor, cosponsor, or support shareholder resolutions requiring scrutinized companies in which the board owns equity securities to cease scrutinized business operations."

Page 4, line 31, delete everything after "Reporting."

Page 4, delete lines 32 and 33

Page 4, line 34, delete "(b)"

Page 4, line 35, before "chairs" insert "executive director of the Legislative Commission on Pensions and Retirement, and to the"

Page 5, after line 22, insert:

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

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 166, A bill for an act relating to consumer protection; prohibiting retail sales of toys that have been recalled for safety reasons; proposing coding for new law in Minnesota Statutes, chapter 325F.

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

The report was adopted.

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

H. F. No. 239, A bill for an act relating to real estate; permitting homeowners to recover certain damages incurred due to faulty construction; amending Minnesota Statutes 2008, section 327A.05.

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

The report was adopted.

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

H. F. No. 403, A bill for an act relating to environment; requiring plastic yard waste bags to be compostable; establishing biodegradable and compostable standards for certain plastics; providing civil penalties; amending Minnesota Statutes 2008, section 115A.931; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the following amendments:

Page 2, line 19, after "who" insert "willfully"

Page 2, line 20, delete "subdivision 1" and insert "this section"

Page 2, line 25, delete "subdivision 1" and insert "this section"

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. 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 Finance.

The report was adopted.

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

H. F. No. 720, A bill for an act relating to crimes; adopting the Uniform Child Witness Testimony by Alternative Methods Act; amending Minnesota Statutes 2008, section 595.02, subdivisions 3, 4; proposing coding for new law in Minnesota Statutes, chapter 595.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 865, A bill for an act relating to natural resources; establishing a state trail; amending Minnesota Statutes 2008, section 85.015, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 871, A bill for an act relating to higher education; requiring the Minnesota Office of Higher Education to report on certain financial transactions.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 878, A bill for an act relating to transportation; adding provision governing relocation of highway centerline; modifying provisions relating to county state-aid highways and municipal state-aid streets; regulating placement of advertising devices; providing procedures for plats of lands abutting state rail bank property; amending Minnesota Statutes 2008, sections 161.16, by adding a subdivision; 162.06, subdivision 5; 162.07, subdivision 2; 162.09, subdivision 4; 162.12, subdivision 2; 162.13, subdivision 2; 173.02, by adding subdivisions; 173.16, subdivision 4; 505.03, subdivision 2.

Reported the same back with the following amendments:

Page 4, delete section 5

Renumber the sections in sequence and correct internal references

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 894, A bill for an act relating to nuclear waste; requiring commissioner of commerce to collect and hold in escrow fees paid by Minnesota ratepayers for permanent repository for disposal of high-level radioactive waste; amending Laws 1997, chapter 201, section 1.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 245A.11, subdivision 2a, is amended to read:

Subd. 2a. **Adult foster care license capacity.** The commissioner shall issue adult foster care licenses with a maximum licensed capacity of four beds, including nonstaff roomers and boarders, but may issue a license with a capacity of five beds, including roomers and boarders, only according to paragraphs (a) to (e).

(a) An adult foster care license holder may have a maximum license capacity of five if all persons in care are age 55 or over and do not have a serious and persistent mental illness or a developmental disability.

(b) The commissioner may grant variances to paragraph (a) to allow a foster care provider with a licensed capacity of five persons to admit an individual under the age of 55 if the variance complies with section 245A.04, subdivision 9, and approval of the variance is recommended by the county in which the licensed foster care provider is located.

(c) The commissioner may grant variances to paragraph (a) to allow the use of a fifth bed for emergency crisis services for a person with serious and persistent mental illness or a developmental disability, regardless of age, if the variance complies with section 245A.04, subdivision 9, and approval of the variance is recommended by the county in which the licensed foster care provider is located.

(d) ~~Notwithstanding paragraph (a),~~ The commissioner may issue an adult foster care license with a capacity of five adults if the fifth bed does not increase the overall statewide capacity of licensed adult foster care beds in homes which are not the primary residence of the license holder, over the licensed capacity in such homes on July 1, 2009, as identified in a plan submitted to the commissioner by the county, when the capacity is recommended by the county licensing agency of the county in which the facility is located and if the recommendation verifies that:

- (1) the facility meets the physical environment requirements in the adult foster care licensing rule;
- (2) the five-bed living arrangement is specified for each resident in the resident's:
 - (i) individualized plan of care;
 - (ii) individual service plan under section 256B.092, subdivision 1b, if required; or
 - (iii) individual resident placement agreement under Minnesota Rules, part 9555.5105, subpart 19, if required;
- (3) the license holder obtains written and signed informed consent from each resident or resident's legal representative documenting the resident's informed choice to living in the home and that the resident's refusal to consent would not have resulted in service termination; and
- (4) the facility was licensed for adult foster care before March 1, ~~2003~~ 2009.

(e) The commissioner shall not issue a new adult foster care license under paragraph (d) after June 30, ~~2005~~ 2011. The commissioner shall allow a facility with an adult foster care license issued under paragraph (d) before June 30, ~~2005~~ 2011, to continue with a capacity of five adults if the license holder continues to comply with the requirements in paragraph (d).

Sec. 2. Minnesota Statutes 2008, section 256B.092, subdivision 5a, is amended to read:

Subd. 5a. **Increasing adult foster care capacity to serve five persons.** ~~(a) When an a licensed adult foster care provider increases the capacity of an existing four-bed home licensed to serve four persons and obtains a license to serve a fifth person under this section, the county agency shall reduce the contracted negotiate per diem cost for room and board and the developmental disability waiver services of the existing foster care home by an average of 14 percent for all individuals living in that home. A county agency may average the required per diem rate reductions across several adult foster care homes that expand capacity under this section to achieve the necessary overall per diem reduction with the provider to manage a legislated rate reduction. The revised per diem costs must demonstrate an overall reduction in the payment to the provider for the persons receiving services affected by the occupancy change.~~

~~(b) Following the contract changes in paragraph (a), the commissioner shall adjust:~~

- ~~(1) individual county allocations for developmental disability waived services by the amount of savings that results from the changes made for developmental disability waiver recipients for whom the county is financially responsible; and~~
- ~~(2) group residential housing rate payments to the adult foster care home by the amount of savings that results from the changes made.~~

~~(c) Effective July 1, 2003, when a new five person adult foster care home is licensed under this section, county agencies shall not establish group residential housing room and board rates and developmental disability waiver service rates for the new home that exceed 86 percent of the average per diem room and board and developmental~~

~~disability waiver services costs of four person homes serving persons with comparable needs and in the same geographic area. A county agency developing more than one new five person adult foster care home may average the required per diem rates across the homes to achieve the necessary overall per diem reductions.~~

~~(d) The commissioner shall reduce the individual county allocations for developmental disability waived services by the savings resulting from the per diem limits on adult foster care recipients for whom the county is financially responsible, and shall limit the group residential housing rate for a new five person adult foster care home.~~

Sec. 3. Minnesota Statutes 2008, section 256B.49, subdivision 17, is amended to read:

Subd. 17. **Cost of services and supports.** (a) The commissioner shall ensure that the average per capita expenditures estimated in any fiscal year for home and community-based waiver recipients does not exceed the average per capita expenditures that would have been made to provide institutional services for recipients in the absence of the waiver.

(b) The commissioner shall implement on January 1, 2002, one or more aggregate, need-based methods for allocating to local agencies the home and community-based waived service resources available to support recipients with disabilities in need of the level of care provided in a nursing facility or a hospital. The commissioner shall allocate resources to single counties and county partnerships in a manner that reflects consideration of:

- (1) an incentive-based payment process for achieving outcomes;
- (2) the need for a state-level risk pool;
- (3) the need for retention of management responsibility at the state agency level; and
- (4) a phase-in strategy as appropriate.

(c) Until the allocation methods described in paragraph (b) are implemented, the annual allowable reimbursement level of home and community-based waiver services shall be the greater of:

(1) the statewide average payment amount which the recipient is assigned under the waiver reimbursement system in place on June 30, 2001, modified by the percentage of any provider rate increase appropriated for home and community-based services; or

(2) an amount approved by the commissioner based on the recipient's extraordinary needs that cannot be met within the current allowable reimbursement level. The increased reimbursement level must be necessary to allow the recipient to be discharged from an institution or to prevent imminent placement in an institution. The additional reimbursement may be used to secure environmental modifications; assistive technology and equipment; and increased costs for supervision, training, and support services necessary to address the recipient's extraordinary needs. The commissioner may approve an increased reimbursement level for up to one year of the recipient's relocation from an institution or up to six months of a determination that a current waiver recipient is at imminent risk of being placed in an institution.

(d) Beginning July 1, 2001, medically necessary private duty nursing services will be authorized under this section as complex and regular care according to sections 256B.0651 and 256B.0653 to 256B.0656. The rate established by the commissioner for registered nurse or licensed practical nurse services under any home and community-based waiver as of January 1, 2001, shall not be reduced.

(e) When a licensed adult foster care provider seeks to increase the capacity of an existing four-bed home to be licensed to serve a fifth person under section 245A.11, subdivision 2a, the county agency shall negotiate the per diem cost for room and board and the waiver services with the provider to manage a legislatively required rate reduction. The revised per diem costs must demonstrate an overall reduction in the payment to the provider for the persons receiving services affected by the occupancy change.

Sec. 4. **RESIDENTIAL HOME AND COMMUNITY-BASED WAIVERED SERVICES.**

Minnesota Statutes, section 252.28, subdivision 3, paragraph (d), shall not be in effect from July 1, 2009, to June 30, 2011, to allow the commissioner to issue licenses for residential programs with a capacity of five adults under the conditions specified in Minnesota Statutes, section 245A.11, subdivision 2a.

Sec. 5. **WAIVER.**

By December 1, 2009, the commissioner shall request all federal approvals and waiver amendments to the disability home and community-based waivers to allow properly licensed adult foster care homes to provide residential services for up to five individuals.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective July 1, 2009."

Delete the title and insert:

"A bill for an act relating to human services; changing capacity requirements for certain residential programs; requiring the commissioner to request federal waivers; amending Minnesota Statutes 2008, sections 245A.11, subdivision 2a; 256B.092, subdivision 5a; 256B.49, subdivision 17."

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

The report was adopted.

Carlson from the Committee on Finance 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; 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; 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:

Page 2, after line 4, insert:

"Sec. 2. Minnesota Statutes 2008, section 134.34, subdivision 1, is amended to read:

Subdivision 1. **Local support levels.** (a) A regional library basic system support grant shall be made to any regional public library system where there are at least three participating counties and where each participating city and county is providing for public library service support the lesser of (a) an amount equivalent to .82 percent of the average of the adjusted net tax capacity of the taxable property of that city or county, as determined by the commissioner of revenue for the second, third, and fourth year preceding that calendar year ~~in 1991 and later years~~ or (b) a per capita amount calculated under the provisions of this subdivision. The per capita amount is established for calendar year 1993 as \$7.62. In succeeding calendar years, the per capita amount shall be increased by a percentage equal to one-half of the percentage by which the total state adjusted net tax capacity of property as determined by the commissioner of revenue for the second year preceding that calendar year increases over that total adjusted net tax capacity for the third year preceding that calendar year.

(b) The minimum level of support specified under this subdivision or subdivision 4 shall be certified annually to the participating cities and counties by the Department of Education. If a city or county chooses to reduce its local support in accordance with subdivision 4, paragraph (b) or (c), it shall notify its regional public library system. The regional public library system shall notify the Department of Education that a revised certification is required. The revised minimum level of support shall be certified to the city or county by the Department of Education.

(c) A city which is a part of a regional public library system shall not be required to provide this level of support if the property of that city is already taxable by the county for the support of that regional public library system. In no event shall the Department of Education require any city or county to provide a higher level of support than the level of support specified in this section in order for a system to qualify for a regional library basic system support grant. This section shall not be construed to prohibit a city or county from providing a higher level of support for public libraries than the level of support specified in this section.

EFFECTIVE DATE. This section is effective for calendar years 2009 and later, except that the change in paragraph (a) is effective for calendar years 2011 and later.

Page 2, line 9, delete "first," and delete ", or" and insert "or"

Page 2, line 18, delete "to" and insert "in"

Page 2, line 23, after the period, insert "For calendar year 2009 only, the reduction under this paragraph shall be based on 2008 aid and credit reductions under the December 2008 unallotment, as well as any aid and credit reductions in calendar year 2009. For calendar year 2009 only, the commissioner of revenue will calculate the reductions under this paragraph and certify them to the commissioner of education within 15 days of this provision becoming law."

Page 2, line 24, delete "to" and insert "in"

Page 2, line 32, after the period, insert "The commissioner of revenue shall calculate the percent aid cut for each county and city under this paragraph and certify the percentage cuts to the commissioner of education by August 1 of the year prior to the year in which the reduced aids and credits are to be paid. The percentage of reduction related to reductions to credits under section 273.1384 shall be based on the best estimation available as of July 30."

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 1227, A bill for an act relating to unemployment insurance; conforming Minnesota law to the requirements necessary to receive federal stimulus funds; appropriating money; amending Minnesota Statutes 2008, sections 268.035, subdivisions 4, as amended, 21a, 23a, by adding a subdivision; 268.07, subdivisions 1, 2; 268.085, subdivision 15; 268.095, subdivisions 1, 6.

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

The report was adopted.

Carlson from the Committee on Finance to which was referred:

H. F. No. 1333, A bill for an act relating to metropolitan government; providing for the additional financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2008, section 473.39, by adding a subdivision.

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

The report was adopted.

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

H. F. No. 1345, A bill for an act relating to insurance; prohibiting certain claims processing practices by third-party administrators of health coverage plans; regulating health claims clearinghouses; providing a time limit on insurer audits of health claims payments; amending Minnesota Statutes 2008, section 60A.23, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Reported the same back with the following amendments:

Page 3, delete lines 31 and 32 and insert:

"(c) limit the time period to submit a claim, which may not be less than 90 days through contract or statute, unless the health care provider knew or was informed of the correct name and address of the responsible health plan company or third-party administrator."

Page 4, line 12, delete "care" and insert "plan or third-party administrator"

Page 4, line 13, delete "clearinghouse"

Page 4, line 14, delete "62Q.75, subdivision 3" and insert "60A.23, subdivision 8, paragraph (6), clause (c)"

Page 4, line 15, after "to" insert "a health plan or third-party administrator through" and after "clearinghouse" insert "or clearinghouse"

Page 4, line 16, delete everything after "the" and insert "health plan or third-party administrator"

Page 4, line 17, delete everything before the period and after "does" insert "not"

Page 4, delete lines 20 to 23

Page 4, line 27, delete "and no insurance"

Page 4, line 28, delete everything before "shall"

Page 4, delete line 29, and insert "initiate an audit to recover a paid claim on the basis that the claim was paid for a service that was not medically necessary treatment at a time that is more than six"

Page 4, line 31, delete "and no insurance"

Page 4, line 32, delete everything before "shall"

Page 4, line 33, after the first "audit" insert "described in paragraph (a)"

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.

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

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.

Reported the same back with the following amendments:

Page 1, line 21, delete "state" and insert "commissioner of employment and economic development"

Page 2, lines 3 and 12, delete "state" and insert "commissioner of employment and economic development"

Amend the title as follows:

Page 1, line 3, delete "one year" and insert "two years"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1797, A bill for an act relating to transportation; providing for receipt and appropriation of federal economic recovery funds; amending Minnesota Statutes 2008, section 161.36, by adding a subdivision.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 111, 166, 239, 720, 865, 871, 878, 1227, 1699 and 1797 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 896 and 1142 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lenczewski and Marquart introduced:

H. F. No. 2077, A bill for an act relating to local governments; providing mechanisms for cities to respond to state aid reductions and other revenue shortfalls; increasing flexibility to spend and raise revenue; authorizing cities to establish street improvement districts and to apportion street improvement fees within districts; requiring adoption of street improvement plans; authorizing cities to issue emergency debt certificates for unexpected revenue shortfalls; amending Minnesota Statutes 2008, sections 275.065, subdivision 6; 469.176, by adding a subdivision; 475.58, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 435; 471; 475.

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

Kalin introduced:

H. F. No. 2078, A bill for an act relating to public finance; authorizing the cities of Chisago City and Lindstrom to establish a joint venture, issue debt for use outside of the jurisdiction, and share revenues.

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

Rukavina; Carlson; Clark; Murphy, E., and Solberg introduced:

H. F. No. 2079, A bill for an act relating to taxation; individual income; imposing a progressive surtax; amending Minnesota Statutes 2008, section 290.06, by adding a subdivision.

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

Carlson introduced:

H. F. No. 2080, A bill for an act relating to higher education; requiring higher education institutions to partner with high schools to promote college attendance; establishing the Minnesota promise for higher education and revising the achieve scholarship program; amending Minnesota Statutes 2008, sections 136A.121, by adding a subdivision; 136A.127, subdivisions 2, 4, 9, 10, 12, 14, by adding a subdivision; 136A.87; proposing coding for new law in Minnesota Statutes, chapter 136A; repealing Minnesota Statutes 2008, section 136A.127, subdivisions 8, 13.

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

Bigham introduced:

H. F. No. 2081, A bill for an act relating to real property; modifying provisions governing use of foreclosure proceedings to enforce homeowner association assessment liens; amending Minnesota Statutes 2008, section 515B.3-116.

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

Hortman introduced:

H. F. No. 2082, A bill for an act relating to property; enacting the Uniform Disclaimer of Property Interests Act; proposing coding for new law in Minnesota Statutes, chapter 524; repealing Minnesota Statutes 2008, sections 501B.86; 525.532.

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

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

H. F. No. 2083, A bill for an act relating to capital improvements; appropriating money for the Headwaters Science Center; authorizing the sale and issuance of state bonds.

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

Eken introduced:

H. F. No. 2084, A bill for an act relating to natural resources; reorganizing, consolidating, and restructuring state environment and natural resource agencies and departments; establishing Environment and Natural Resources Structure Committee to advise legislature and governor on new structure; abolishing all powers and duties of Pollution Control Agency, Department of Natural Resources, Environmental Quality Board, Board of Water and Soil Resources, Petroleum Tank Release Compensation Board, and Agricultural Chemical Response Compensation Board; abolishing certain powers and duties of Departments of Agriculture, Health, Public Safety, and Commerce.

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

Koenen, Hilty, Clark, Wagenius and Gunther introduced:

H. F. No. 2085, A bill for an act relating to local government; authorizing counties to make joint purchases of energy and energy generation projects; authorizing a tax levy; amending Minnesota Statutes 2008, section 373.48, by adding a subdivision.

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

Slocum, Hornstein, Urdahl, Hausman and Lillie introduced:

H. F. No. 2086, A bill for an act relating to transportation; prescribing duties and powers of commissioner of transportation with respect to passenger rail between Chicago and St. Paul; authorizing use of design-build method of contracting in high-speed rail project; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Nornes introduced:

H. F. No. 2087, A bill for an act relating to higher education; defining terms; providing an appeals process; requiring a report; providing awards for online courses; appropriating money; amending Minnesota Statutes 2008, sections 135A.25, subdivision 4; 136A.08, subdivision 1, by adding a subdivision; 136A.127, by adding a subdivision.

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

Slawik, Rosenthal, Jackson, Bly and Ward introduced:

H. F. No. 2088, A bill for an act relating to early childhood education; school readiness program; school readiness service agreements; prekindergarten exploratory projects; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 119B.13, subdivision 1; 119B.231, subdivisions 2, 3, 4; Laws 2007, chapter 147, article 2, section 62, subdivision 5.

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

Hilty introduced:

H. F. No. 2089, A bill for an act relating to state government; transferring the Office of Energy Security to the Pollution Control Agency and renaming it the Department of Energy and Environmental Protection; requiring a report on necessary changes to management of water in this state; transferring the responsibilities of the commissioner of labor and industry to the commissioner of commerce and changing the name to commissioner of labor and commerce; making corresponding technical and housekeeping changes; transferring consumer protection responsibilities of the commissioner of commerce to the attorney general; transferring mortgage fraud investigation responsibilities from the commissioner of commerce to the commissioner of public safety; amending Minnesota Statutes 2008, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; 45.012; 116.02.

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

Hilty introduced:

H. F. No. 2090, A bill for an act relating to energy; requiring study and recommendations concerning low-carbon fuel standard for motor vehicle fuels.

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

Downey and Loon introduced:

H. F. No. 2091, A bill for an act relating to employment; limiting application to certain minors of certain collective bargaining provisions; proposing coding for new law in Minnesota Statutes, chapter 181A.

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

Eken introduced:

H. F. No. 2092, A bill for an act relating to appropriations; appropriating money for Red River basin management and water quality improvements.

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

Downey, Peppin, Brod, Loon and Kohls introduced:

H. F. No. 2093, A bill for an act relating to state government; creating a Minnesota State Government Contingency Planning Commission; 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.

Rukavina, Mahoney and Brynaert introduced:

H. F. No. 2094, A bill for an act relating to economic development; creating a Minnesota business venture capital program; creating a revolving fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Kalin introduced:

H. F. No. 2095, A bill for an act relating to capital improvements; appropriating money for green industrial parks; authorizing sale and issuance of state bonds.

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

Kalin introduced:

H. F. No. 2096, A bill for an act relating to energy; creating Minnesota Green Enterprise Authority; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Kahn introduced:

H. F. No. 2097, A bill for an act relating to state government; establishing a position of chief environmental officer; requiring a report; amending Minnesota Statutes 2008, sections 116C.03, subdivisions 2, 3a, 4, 5, by adding a subdivision; 116C.04, subdivisions 2, 3, 4, 7; 116C.06, subdivision 3; 116C.08.

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

Davnie introduced:

H. F. No. 2098, A bill for an act relating to veterans; appropriating money for ombudsman position at certain veterans homes.

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

Zellers and Atkins introduced:

H. F. No. 2099, A bill for an act relating to commerce; providing for the licensing and regulation of certain persons; establishing prelicense and continuing education requirements; amending Minnesota Statutes 2008, sections 45.22; 45.23; 60K.31, by adding a subdivision; 60K.36, subdivision 4, by adding a subdivision; 60K.37, by adding a subdivision; 60K.55, subdivision 2; 60K.56; 72B.02, subdivisions 2, 5, 11, by adding subdivisions; 72B.03; 72B.05; 72B.06; 72B.08, subdivisions 1, 2, 4; 72B.135, subdivisions 1, 2, 3; 82.32; 82B.05, subdivision 1; 82B.08, by adding subdivisions; 82B.09, by adding a subdivision; 82B.10; 82B.13, subdivisions 4, 5, 6; 82B.19, subdivisions 1, 2; 82B.20, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 45; 60K; 72B; 82; 82B; repealing Minnesota Statutes 2008, sections 72B.02, subdivision 12; 72B.04; 82B.02; Minnesota Rules, parts 2808.0100; 2808.1000; 2808.1100; 2808.1200; 2808.1300; 2808.1400; 2808.1500; 2808.1600; 2808.1700; 2808.2000; 2808.2100; 2808.6000; 2808.7000; 2808.7100; 2809.0010; 2809.0020; 2809.0030; 2809.0040; 2809.0050; 2809.0060; 2809.0070; 2809.0080; 2809.0090; 2809.0100; 2809.0110; 2809.0120; 2809.0130; 2809.0140; 2809.0150; 2809.0160; 2809.0170; 2809.0180; 2809.0190; 2809.0200; 2809.0210; 2809.0220.

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

Juhnke introduced:

H. F. No. 2100, A bill for an act relating to energy; requiring legislative reports by commissioner of agriculture on use of federal money for state biomass-related activities.

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

Murdock introduced:

H. F. No. 2101, A bill for an act relating to capital improvements; appropriating money for wastewater treatment facility improvements in the city of Deer Creek; authorizing the sale and issuance of state bonds.

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

Murdock introduced:

H. F. No. 2102, A bill for an act relating to energy improvements; appropriating money for the city of Deer Creek.

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

Murdock introduced:

H. F. No. 2103, A bill for an act relating to capital improvements; appropriating money for utility and street improvements in the city of Henning; authorizing the sale and issuance of state bonds.

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

Eken introduced:

H. F. No. 2104, A bill for an act relating to human services; designating critical access nursing facilities; amending Minnesota Statutes 2008, section 256B.441, 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.

Bly and Mariani introduced:

H. F. No. 2105, A bill for an act relating to education; directing commissioner of education to develop an assessment tool to fairly evaluate performance of alternative schools.

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

Bly and Mariani introduced:

H. F. No. 2106, A bill for an act relating to education; establishing a five-year pilot program allowing alternative learning centers and charter schools to identify systemic improvement measures to best serve eligible students; appropriating money.

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

Bly and Mariani introduced:

H. F. No. 2107, A bill for an act relating to education; authorizing schools to use an interdisciplinary teaching and learning program model; providing for an interdisciplinary teaching license; providing for rulemaking; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Morgan introduced:

H. F. No. 2108, A bill for an act relating to transportation; directing use of design-build method of contracting for interchange construction.

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

Morgan introduced:

H. F. No. 2109, A bill for an act relating to transportation; authorizing sale and issuance of trunk highway bonds; appropriating money for reconstructing interchange on marked Trunk Highway 13; authorizing sale and issuance of trunk highway bonds.

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

Marquart introduced:

H. F. No. 2110, A bill for an act relating to natural resources; modifying invasive species management provisions; amending Minnesota Statutes 2008, sections 84D.01, by adding subdivisions; 84D.02, subdivision 2; 103G.615, subdivision 2.

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

Clark introduced:

H. F. No. 2111, A bill for an act relating to energy; appropriating money for a solar photovoltaic project.

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

Atkins introduced:

H. F. No. 2112, A resolution memorializing the Congress of the United States to oppose enactment of legislation of the substance and tenor of S. 40/H.R. 3200 -- the National Insurance Act of 2007 -- proposed optional federal charter legislation.

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

Hansen and Juhnke introduced:

H. F. No. 2113, A bill for an act relating to taxation; property; providing a property valuation reduction for land constituting a riparian buffer; 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.

Clark and Davnie introduced:

H. F. No. 2114, A bill for an act relating to alcohol; allowing a special liquor license for the city of Minneapolis.

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

Simon introduced:

H. F. No. 2115, A bill for an act relating to economic development; appropriating money for the Minnesota Film and TV Board; amending Minnesota Statutes 2008, section 116U.26.

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

Hansen, Newton, Howes, Dittrich, McFarlane and Lieder introduced:

H. F. No. 2116, A bill for an act relating to motor vehicles; increasing fees on certain transactions; providing for acceptable methods of payment; imposing surcharge; amending Minnesota Statutes 2008, section 168.33, subdivision 7.

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

Sterner and Sailer introduced:

H. F. No. 2117, A bill for an act relating to environment; changing waste management reporting requirements; amending Minnesota Statutes 2008, section 115A.557, subdivision 3.

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

Rukavina, Juhnke and Koenen introduced:

H. F. No. 2118, A bill for an act relating to the military; appropriating money for postdeployment health assessments; proposing coding for new law in Minnesota Statutes, chapter 192.

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

Johnson introduced:

H. F. No. 2119, A bill for an act relating to courts; including appellate court appointments in the Commission on Judicial Selection process; amending Minnesota Statutes 2008, section 480B.01, subdivisions 1, 6, 8, 10.

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

Mullery introduced:

H. F. No. 2120, A bill for an act relating to corporate franchise taxation; providing a throwback sales rule; amending Minnesota Statutes 2008, section 290.191, subdivision 5.

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

Hackbarth, Rukavina and Gunther introduced:

H. F. No. 2121, A bill for an act relating to occupations and professions; creating separate boards for barbering and cosmetology; imposing penalties; amending Minnesota Statutes 2008, sections 154.001; 154.19; 154.51; 214.01, subdivision 3; 214.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 155A.

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

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Madam Speaker:

I hereby announce that the Senate has acceded to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 392, A bill for an act relating to taxation; providing a federal update; modifying computation of net income and payment of corporate franchise tax refunds; modifying requirements for appointment of commissioner of Department of Revenue; amending Minnesota Statutes 2008, sections 270C.02, subdivision 1; 289A.02, subdivision 7; 290.01, subdivisions 19, 19a, 19c, 19d, 31, by adding a subdivision; 290.067, subdivision 2a; 290A.03, subdivisions 3, 15; 291.005, subdivision 1.

The Senate has appointed as such committee:

Senators Bakk, Skoe, Olseen, Dibble and Vandevveer.

Said House File is herewith returned to the House.

COLLEEN J. PACHECO, First Assistant Secretary of the Senate

MOTIONS AND RESOLUTIONS

Huntley moved that the name of Kelliher be added as an author on H. F. No. 83. The motion prevailed.

Thissen moved that the name of Downey be added as an author on H. F. No. 458. The motion prevailed.

Gardner moved that his name be stricken as an author on H. F. No. 612. The motion prevailed.

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

Hilstrom moved that the name of Slocum be added as an author on H. F. No. 818. The motion prevailed.

Dill moved that the name of Brown be added as an author on H. F. No. 1157. The motion prevailed.

Slocum moved that her name be stricken as an author on H. F. No. 1166. The motion prevailed.

Gottwalt moved that the name of Dettmer be added as an author on H. F. No. 1196. The motion prevailed.

Smith moved that the name of Dettmer be added as an author on H. F. No. 1197. The motion prevailed.

Dean moved that the name of Bunn be added as an author on H. F. No. 1204. The motion prevailed.

Thissen moved that the name of Ward be added as an author on H. F. No. 1328. The motion prevailed.

Mariani moved that the name of Greiling be added as an author on H. F. No. 1340. The motion prevailed.

Otremba moved that the name of Shimanski be added as an author on H. F. No. 1447. The motion prevailed.

Gardner moved that the name of Downey be added as an author on H. F. No. 1548. The motion prevailed.

Persell moved that the name of Falk be added as an author on H. F. No. 1553. The motion prevailed.

Newton moved that the name of Poppe be added as an author on H. F. No. 1576. The motion prevailed.

Atkins moved that the name of Davids be added as an author on H. F. No. 1717. The motion prevailed.

Norton moved that the name of Gottwalt be added as an author on H. F. No. 1785. The motion prevailed.

Nelson moved that the name of Falk be added as an author on H. F. No. 1849. The motion prevailed.

Hackbarth moved that the name of Seifert be added as an author on H. F. No. 1881. The motion prevailed.

Abeler moved that the names of Fritz and Lanning be added as authors on H. F. No. 1909. The motion prevailed.

Hilty moved that the name of Slocum be added as an author on H. F. No. 1915. The motion prevailed.

Hornstein moved that the name of Welti be added as an author on H. F. No. 1918. The motion prevailed.

Thao moved that the name of Slocum be added as an author on H. F. No. 1919. The motion prevailed.

Champion moved that the name of Johnson be added as an author on H. F. No. 1934. The motion prevailed.

Brynaert moved that the name of Slocum be added as an author on H. F. No. 1941. The motion prevailed.

Kahn moved that the name of Slocum be added as an author on H. F. No. 1951. The motion prevailed.

Morgan moved that the name of Masin be added as an author on H. F. No. 1979. The motion prevailed.

Peterson moved that the name of Nelson be added as an author on H. F. No. 1986. The motion prevailed.

Simon moved that the name of Murphy, E., be added as an author on H. F. No. 2052. The motion prevailed.

Lanning moved that the names of Mariani and Hosch be added as authors on H. F. No. 2062. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 12:30 p.m., Wednesday, March 25, 2009. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and Speaker pro tempore Liebling declared the House stands adjourned until 12:30 p.m., Wednesday, March 25, 2009.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives