

STATE OF MINNESOTA

EIGHTY-SIXTH SESSION — 2009

 TWENTY-FIFTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MARCH 25, 2009

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

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

A quorum was present.

Cornish, Gardner, Hausman, Hoppe, Huntley and Winkler were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. Brynaert 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 STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 253, A bill for an act relating to animals; providing standards of care for dog and cat breeders; authorizing rulemaking; providing criminal penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 347.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Agriculture, Rural Economies and Veterans Affairs.

The report was adopted.

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

H. F. No. 264, A bill for an act relating to health; requiring health insurance coverage of durable medical equipment to include coverage of items necessary to reduce asthma symptoms; requiring state health care program coverage of certain items necessary to reduce asthma symptoms; amending Minnesota Statutes 2008, sections 62Q.66; 256B.0625, subdivision 31; 256D.03, subdivision 4.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, line 8, after "(b)" insert "For individuals under age 21,"

Page 2, line 12, after "is" insert "medically"

Page 2, delete section 3

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, delete line 3

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.

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

H. F. No. 330, A bill for an act relating to real estate; providing homeowners with a longer period within which to notify contractors of construction defects; amending Minnesota Statutes 2008, section 327A.03.

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. 362, A bill for an act relating to real estate; eliminating a requirement that homeowner's notice to building contractor of construction defect be in writing; amending Minnesota Statutes 2008, sections 327A.02, subdivision 4; 327A.03.

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. 420, A bill for an act relating to real estate; requiring that existing statutory implied residential construction warranties be made as express warranties and be provided to the buyer in writing; prohibiting waivers of the warranty; amending Minnesota Statutes 2008, sections 327A.04; 327A.06; 327A.07; 327A.08.

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. 519, A bill for an act relating to local government; regulating nonconforming lots in shoreland areas; amending Minnesota Statutes 2008, sections 82.22, subdivision 8; 394.36, subdivision 4, by adding a subdivision; 462.357, subdivision 1e; 513.56, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 394.36, subdivision 4, is amended to read:

Subd. 4. **Nonconformities; certain classes of property.** This subdivision applies to homestead and nonhomestead residential real estate and seasonal residential real estate occupied for recreational purposes. Except as otherwise provided by law, a nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an official control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion. If the nonconformity or occupancy is discontinued for a period of more than one year, or any nonconforming building or structure is

destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged, any subsequent use or occupancy of the land or premises must be a conforming use or occupancy. If a nonconforming building or structure is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the board may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property- or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback must be increased if practicable and reasonable conditions may be placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.

Sec. 2. Minnesota Statutes 2008, section 394.36, is amended by adding a subdivision to read:

Subd. 5. Existing nonconforming lots in shoreland areas. (a) This subdivision applies to shoreland lots of record in the office of the county recorder on the date of adoption of local shoreland controls that do not meet the requirements for lot size or lot width. A county shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas according to this subdivision.

(b) A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that:

(1) all structure and septic system setback distance requirements can be met;

(2) a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed or the lot is connected to a public sewer; and

(3) the impervious surface coverage does not exceed 25 percent of the lot.

(c) In a group of two or more contiguous lots of record under a common ownership, an individual lot must be considered as a separate parcel of land for the purpose of sale or development, if it meets the following requirements:

(1) the lot must be at least 66 percent of the dimensional standard for lot width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120;

(2) the lot must be connected to a public sewer, if available, or must be suitable for the installation of a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, and local government controls;

(3) impervious surface coverage must not exceed 25 percent of each lot; and

(4) development of the lot must be consistent with an adopted comprehensive plan.

(d) A lot subject to paragraph (c) not meeting the requirements of paragraph (c) must be combined with the one or more contiguous lots so they equal one or more conforming lots as much as possible.

(e) Notwithstanding paragraph (c), contiguous nonconforming lots of record in shoreland areas under a common ownership must be able to be sold or purchased individually if each lot contained a habitable residential dwelling at the time the lots came under common ownership and the lots are suitable for, or served by, a sewage treatment system consistent with the requirements of section 115.55 and Minnesota Rules, chapter 7080, or connected to a public sewer.

(f) In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.

(g) A portion of a conforming lot may be separated from an existing parcel as long as the remainder of the existing parcel meets the lot size and sewage system requirements of the zoning district for a new lot and the newly created parcel is combined with an adjacent parcel.

Sec. 3. Minnesota Statutes 2008, section 462.357, subdivision 1e, is amended to read:

Subd. 1e. **Nonconformities.** (a) Except as otherwise provided by law, any nonconformity, including the lawful use or occupation of land or premises existing at the time of the adoption of an additional control under this chapter, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion, unless:

(1) the nonconformity or occupancy is discontinued for a period of more than one year; or

(2) any nonconforming use is destroyed by fire or other peril to the extent of greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, and no building permit has been applied for within 180 days of when the property is damaged. In this case, a municipality may impose reasonable conditions upon a zoning or building permit in order to mitigate any newly created impact on adjacent property- or water body. When a nonconforming structure in the shoreland district with less than 50 percent of the required setback from the water is destroyed by fire or other peril to greater than 50 percent of its estimated market value, as indicated in the records of the county assessor at the time of damage, the structure setback must be increased if practicable and reasonable conditions may be placed upon a zoning or building permit to mitigate created impacts on the adjacent property or water body.

(b) Any subsequent use or occupancy of the land or premises shall be a conforming use or occupancy. A municipality may, by ordinance, permit an expansion or impose upon nonconformities reasonable regulations to prevent and abate nuisances and to protect the public health, welfare, or safety. This subdivision does not prohibit a municipality from enforcing an ordinance that applies to adults-only bookstores, adults-only theaters, or similar adults-only businesses, as defined by ordinance.

(c) Notwithstanding paragraph (a), a municipality shall regulate the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in floodplain areas to the extent necessary to maintain eligibility in the National Flood Insurance Program and not increase flood damage potential or increase the degree of obstruction to flood flows in the floodway.

(d) Paragraphs (d) to (j) apply to shoreland lots of record in the office of the county recorder on the date of adoption of local shoreland controls that do not meet the requirements for lot size or lot width. A municipality shall regulate the use of nonconforming lots of record and the repair, replacement, maintenance, improvement, or expansion of nonconforming uses and structures in shoreland areas according to paragraphs (d) to (j).

(e) A nonconforming single lot of record located within a shoreland area may be allowed as a building site without variances from lot size requirements, provided that:

(1) all structure and septic system setback distance requirements can be met;

(2) a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, can be installed or the lot is connected to a public sewer; and

(3) the impervious surface coverage does not exceed 25 percent of the lot.

(f) In a group of two or more contiguous lots of record under a common ownership, an individual lot must be considered as a separate parcel of land for the purpose of sale or development, if it meets the following requirements:

(1) the lot must be at least 66 percent of the dimensional standard for lot width and lot size for the shoreland classification consistent with Minnesota Rules, chapter 6120;

(2) the lot must be connected to a public sewer, if available, or must be suitable for the installation of a Type 1 sewage treatment system consistent with Minnesota Rules, chapter 7080, and local government controls;

(3) impervious surface coverage must not exceed 25 percent of each lot; and

(4) development of the lot must be consistent with an adopted comprehensive plan.

(g) A lot subject to paragraph (f) not meeting the requirements of paragraph (f) must be combined with the one or more contiguous lots so they equal one or more conforming lots as much as possible.

(h) Notwithstanding paragraph (f), contiguous nonconforming lots of record in shoreland areas under a common ownership must be able to be sold or purchased individually if each lot contained a habitable residential dwelling at the time the lots came under common ownership and the lots are suitable for, or served by, a sewage treatment system consistent with the requirements of section 115.55 and Minnesota Rules, chapter 7080, or connected to a public sewer.

(i) In evaluating all variances, zoning and building permit applications, or conditional use requests, the zoning authority shall require the property owner to address, when appropriate, storm water runoff management, reducing impervious surfaces, increasing setback, restoration of wetlands, vegetative buffers, sewage treatment and water supply capabilities, and other conservation-designed actions.

(j) A portion of a conforming lot may be separated from an existing parcel as long as the remainder of the existing parcel meets the lot size and sewage treatment requirements of the zoning district for a new lot and the newly created parcel is combined with an adjacent parcel.

Sec. 4. **EFFECTIVE DATE.**

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

Delete the title and insert:

"A bill for an act relating to local government; regulating nonconforming lots in shoreland areas; amending Minnesota Statutes 2008, sections 394.36, subdivision 4, by adding a subdivision; 462.357, subdivision 1e."

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. 528, A bill for an act relating to reverse mortgages; eliminating the requirement that a reverse mortgage becomes due when committed principal has been fully paid; mandating counseling by an independent housing agency; regulating lender default; imposing liability on a subsequent purchaser of a reverse mortgage; providing for a right of rescission; defining suitability; amending Minnesota Statutes 2008, section 47.58, subdivisions 1, 3, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 58; 60K.

Reported the same back with the following amendments:

Page 5, line 10, before "who" insert "with respect to a mortgage that is not federally insured"

Page 5, line 23, after the period, insert "Any mortgage filed in connection with a reverse mortgage loan is null and void upon rescission. The effects of a rescission shall be the same as provided in Regulation Z, Code of Federal Regulations, title 12, section 226.23. Within ten days of receipt of the written notice of rescission, the lender shall provide the borrower a written notice of acknowledgment that such mortgage is null and void and a satisfaction of mortgage."

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. 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.

The report was adopted.

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

H. F. No. 648, A bill for an act relating to education; establishing cardiopulmonary resuscitation and automated external defibrillator instruction guidelines; amending Minnesota Statutes 2008, section 120B.021, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[120B.236] CARDIOPULMONARY RESUSCITATION INSTRUCTION.**

School districts are encouraged to include cardiopulmonary resuscitation and automatic external defibrillator instruction as part of their curriculum and may seek the cooperation of trained local law enforcement officials or emergency medical technicians in providing the instruction. Schools offering cardiopulmonary resuscitation or automatic external defibrillator instruction must use cardiopulmonary resuscitation or automatic external defibrillator training that has been developed:

(1) by the American Heart Association or the American Red Cross and incorporate psychomotor skills to support the instruction; or

(2) using nationally recognized, evidence-based guidelines for cardiopulmonary resuscitation and incorporates psychomotor skills to support the instruction."

Delete the title and insert:

"A bill for an act relating to education; requiring school districts that offer cardiopulmonary resuscitation or automatic external defibrillator instruction to use instruction developed by the American Heart Association, the American Red Cross, or uses nationally recognized, evidence-based guidelines; proposing coding for new law in Minnesota Statutes, chapter 120B."

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 751, A bill for an act relating to education; authorizing school districts to create site-governed schools; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 123B.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[123B.045] DISTRICT-CREATED SITE-GOVERNED SCHOOLS.**

Subdivision 1. **Authority.** (a) A school board may approve site-governed schools under this section by requesting site-governing school proposals. The request for proposals must include what types of schools or education innovations the board intends to create. A group of licensed district professionals from one or multiple district sites may submit a proposal to start a site-governed school. The group submitting the proposal must include parents or other community members in the development of the proposal. A proposal may request approval for a model of a school not included in the request for proposal of the board.

(b) The school board and the applicable bargaining unit representing district employees must enter into memoranda of understanding specifying how applicable sections of current contracts will enable the provisions of subdivision 2, clause (7), to be implemented.

(c) Within 60 days of receipt of the application, the school board shall determine whether to approve, deny, or return the application to the applicants for further information or development.

(d) Upon approval of the proposal, an agreement between the district and the site council shall be developed identifying the powers and duties delegated to the site and outlining the details of the proposal including the provisions of subdivisions 2, 3, and 5. Any powers or duties not specifically delegated to the school site in the agreement remains with the school board.

Subd. 2. **Roles and responsibilities of site-governed schools.** Site-governed schools approved by the school board have the following autonomy and responsibilities at the discretion of the site:

(1) to create the site-governing council of the school. The council shall include teachers, administrators, parents, students if appropriate, community members, and other representatives of the community as determined by the site-governing council. Teachers may comprise a majority of the site-governing council at the option of a majority of the teachers at the site. The number of members on the site-governing council and the composition shall be included in the proposal approved by the school board;

(2) to determine the leadership model for the site including: selecting a principal, operating as a teacher professional practices model with school leadership functions performed by one or more teachers or administrators at the school or other model determined by the site;

(3) to determine the budget for the site and the allocation and expenditure of the revenue based on provisions of subdivision 3;

(4) to determine the learning model and organization of the school consistent with the application approved by the school board;

(5) to select and develop its curriculum and determine formative and summative assessment practices;

(6) to set policies for the site including student promotion, attendance, discipline, graduation requirements which may exceed the school board standards, length of school day and year, employee work rules, and other such rules as approved by the school board consistent with the mission, goals, and learning program of the school site;

(7) to select teachers and other staff consistent with current law and collective bargaining agreements and memoranda of understanding provided for in subdivision 1, paragraph (b). At least 70 percent of the teachers must be selected by the site prior to final approval of the agreement. Prior to requesting the district to employ staff not currently employed by the district, the site must first select from current district staff including those on requested and unrequested leave as provided for in sections 122A.40 and 122A.41. The school board shall be the legal employer of all staff at the site and all teachers and other staff members of the applicable bargaining units. Teachers and other employees may be required to sign an individual work agreement with the site-governing council committing themselves to the mission and learning program of the school and the requirements of the site-governing council; and

(8) to fulfill other provisions as agreed to by the district and site-governing council.

Subd. 3. Revenue to self-governed school. (a) The revenue that shall be allocated by the site includes the general education revenue generated by the students at the site from state, local, and private sources, operating levy revenue, federal revenue from the Elementary and Secondary Education Act, Individuals with Disabilities Education Act, Carl Perkins Act, and other federal programs as agreed to by the school board and site council.

(b) The district may retain an administrative fee for managing the federal programs, private revenues, and general administrative functions including school board, superintendent, district legal counsel, finance, accountability and self-governed school contract oversight, facilities maintenance, districtwide special education programs, and other such services as agreed to by the site and school board. The administrative fee shall be included in the agreement.

(c) As part of the agreement, the district may provide specific services for the site and may specify the amount to be paid for each service and retain the revenues for that amount. The formula or procedures for determining the amount of revenue to be allocated to the site each year shall be consistent with this subdivision and incorporated in the site budget annually following a timeline and process that is included in the agreement with the school board. The site is responsible for allocating revenue for all staff at the site and for the other provisions of the agreement with the district board.

(d) All unspent revenue shall be carried over to following years for the sole use of the site.

Subd. 4. **Exemption from statutes and rules.** Except as outlined in this section, site-governed schools established under this section are exempt from and subject to the same laws and rules as are chartered schools under section 124D.10.

Subd. 5. **Performance standards.** (a) The school board and the site council shall include in the agreement performance standards and expectations that shall include at least the following:

(1) student achievement targets on multiple indicators including either a growth model or value-added growth model;

(2) the criteria and process to be followed if it is determined that the site failed to comply with district oversight and accountability requirements as outlined in the agreement; and

(3) other performance provisions as agreed to.

(b) All agreements shall be filed with the commissioner. The initial agreement shall be for up to three years, shall be reviewed annually, and may be renewed by the district board for additional five-year terms based on the performance of the school.

Subd. 6. **Board termination of self-governed school authority.** (a) The district board may terminate the agreement for one or more of the following reasons:

(1) failure of the site to meet the provisions specified in the agreement in subdivision 5;

(2) violations of law; or

(3) other good cause shown.

(b) Site-governed schools that are terminated or not renewed for reasons other than cause may request to convert to charter school status as provided for in section 124D.10 and, if chartered by the board, shall become the owner of all materials, supplies, and equipment purchased during the period the school was a site-governed school."

Delete the title and insert:

"A bill for an act relating to education; authorizing school districts to create site-governed schools; proposing coding for new law in Minnesota Statutes, chapter 123B."

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. 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; 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.

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 implementation of 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 land use and transportation-related development projects for which preparation of an environmental assessment worksheet is mandatory.

(b) Beginning January 1, 2010, 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 aid responsible governmental units in implementing this subdivision. In developing the guidance document, the board shall consider published protocols for inventorying greenhouse gas emissions. The guidance document must include examples of mitigation measures for different types of projects.

(e) By November 1, 2009, the board shall provide an environmental assessment worksheet form consistent with this subdivision. The form must include analysis of greenhouse gas emissions, including project energy use and vehicle-related greenhouse gas emissions.

(f) 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) "land use and transportation-related development projects" means projects described in Minnesota Rules, part 4410.4300, subparts 14, 17, 19, 21, 22, 32, 34, 36, and 37.

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;

~~(10)~~ (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;

~~(11)~~ (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;

~~(12)~~ (13) a specification of any desegregation requirements that cannot be met by any other reasonable means;

~~(13)~~ (14) a specification, ~~if applicable,~~ of how the facility will utilize environmentally sustainable school facility design concepts; and

~~(14)~~ (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. 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, 2013, the council must:

(1) 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;

(2) revise the comprehensive plan guidelines identified in section 473.854 to reflect the goal identified in paragraph (a). The council is encouraged to use the resources created by the University of Minnesota under section 16, subdivision 1, to assist in updating the guidelines; and

(3) provide an estimate of the 2005 vehicle miles traveled for all local governmental units in the metropolitan area. The estimates should be based on the vehicle miles traveled of the residents of each governmental unit. The council is encouraged to work with the University of Minnesota Center for Transportation Studies to create these estimates.

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. Minnesota Statutes 2008, section 473.856, is amended to read:

473.856 METROPOLITAN SYSTEM STATEMENTS; AMENDMENTS.

The council shall prepare and transmit to each affected local governmental unit a metropolitan system statement when the council updates or revises its comprehensive development guide for the metropolitan area in conjunction with the decennial review required under section 473.864, subdivision 2, and when the council amends or modifies a metropolitan system plan. The statement shall contain information relating to the unit and appropriate surrounding territory that the council determines necessary for the unit to consider in reviewing the unit's comprehensive plan. The statement may include:

(1) the timing, character, function, location, projected capacity, and conditions on use for existing or planned metropolitan public facilities, as specified in metropolitan system plans, and for state and federal public facilities to the extent known to the council; and

(2) the population, employment, and household projections which have been used by the council as a basis for its metropolitan system plans.

Within nine months after receiving a system statement for an amendment to a metropolitan system plan, and within ~~three years~~ 30 months after receiving a system statement issued in conjunction with the decennial review required under section 473.864, subdivision 2, each affected local governmental unit shall review its comprehensive plan to determine if an amendment is necessary to ensure continued conformity with metropolitan system plans. If an amendment is necessary, the governmental unit shall prepare the amendment and submit it to the council for review pursuant to sections 462.355, 473.175, and 473.851 to 473.871.

Sec. 13. Minnesota Statutes 2008, section 473.858, subdivision 1, is amended to read:

Subdivision 1. **No conflicting zoning, fiscal device, official control.** Within nine months following the receipt of a metropolitan system statement for an amendment to a metropolitan system plan and within ~~three years~~ 30 months following the receipt of a metropolitan system statement issued in conjunction with the decennial review required under section 473.864, subdivision 2, every local governmental unit shall have reviewed and, if necessary, amended its comprehensive plan in accordance with sections 462.355, 473.175, and 473.851 to 473.871 and the applicable planning statute and shall have submitted the plan to the Metropolitan Council for review pursuant to section 473.175. The provisions of sections 462.355, 473.175, and 473.851 to 473.871 shall supersede the provisions of the applicable planning statute wherever a conflict may exist. If the comprehensive municipal plan is in conflict with the zoning ordinance, the zoning ordinance shall be brought into conformance with the plan by local government units in conjunction with the review and, if necessary, amendment of its comprehensive plan required under section 473.864, subdivision 2. After August 1, 1995, a local government unit shall not adopt any fiscal device or official control which is in conflict with its comprehensive plan, including any amendments to the plan, or which permits activity in conflict with metropolitan system plans, as defined by section 473.852, subdivision 8. The comprehensive plan shall provide guidelines for the timing and sequence of the adoption of official controls to ensure planned, orderly, and staged development and redevelopment consistent with the comprehensive plan. For purposes of this section, a fiscal device or official control shall not be considered to be in conflict with a local government unit's comprehensive plan or to permit an activity in conflict with metropolitan system plans if such fiscal device or official control is adopted to ensure the planned, orderly, and staged development of urbanization or redevelopment areas designated in the comprehensive plan pursuant to section 473.859, subdivision 5.

Sec. 14. Minnesota Statutes 2008, section 473.858, subdivision 2, is amended to read:

Subd. 2. **Adjacent review, comment.** Local governmental units shall submit their proposed plans to adjacent governmental units, affected special districts lying in whole or in part within the metropolitan area, and affected school districts for review and comment at least ~~six months~~ 90 days prior to submission of the plan to the council and shall submit copies to them on the submission of the plan to the council. For minor plan amendments, the council may prescribe a shorter review and comment period, or may waive the review and comment period if the minor plan amendments involve lands that are not contiguous to other local governmental units.

Sec. 15. Minnesota Statutes 2008, section 473.864, subdivision 2, is amended to read:

Subd. 2. **Decennial review.** By ~~December 31, 1998~~ July 1, 2015, and at least once every ten years thereafter, each local governmental unit shall review and, if necessary, amend its entire comprehensive plan and its fiscal devices and official controls. Such review and, if necessary, amendment shall ensure that, as provided in section 473.865, the fiscal devices and official controls of each local government unit are not in conflict with its comprehensive plan. Upon completion of review and, if necessary, amendment of its comprehensive plan, fiscal devices, and official controls as required by this section, each local government unit shall either:

(a) submit to the Metropolitan Council the entire current comprehensive plan together with written certification by the governing body of the local government unit that it has complied with this section and that no amendments to its plan or fiscal devices or official controls are necessary; or

(b)(1) submit the entire updated comprehensive plan and amendment or amendments to its comprehensive plan necessitated by its review to the Metropolitan Council for review; and

(2) submit the amendment or amendments to its fiscal devices or official controls necessitated by its review to the Metropolitan Council for information purposes as provided by section 473.865.

Except as otherwise provided in this paragraph, local governments shall consider, in preparing their updated comprehensive plans, amendments to metropolitan system plans in effect on ~~December 31, 1996~~ January 1, 2013. For metropolitan system plans, or amendments thereto, adopted after ~~December 31, 1996~~ January 1, 2013, local governments shall review their comprehensive plans to determine if an amendment is necessary to conform to the metropolitan system plans. If an amendment is necessary, the local government shall prepare the amendment and submit it to the council for review by ~~September 30, 1999~~ April 1, 2016, or nine months after the council transmits the metropolitan system plan amendment to the local government, whichever is later.

The periodic review required in this subdivision shall be in addition to the review required by section 473.856.

The Metropolitan Council may grant extensions to local government units in order to allow local government units to complete the review and, if necessary, amendment required by this subdivision. Such extensions, if granted by the Metropolitan Council, must include a timetable and plan for completion of the review and amendment.

Amendments to comprehensive plans of local governmental units shall be prepared, submitted, and adopted in conformance with guidelines adopted by the Metropolitan Council pursuant to section 473.854.

Sec. 16. **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, 2011, resources for use by local governments and the Metropolitan Council to identify land-use and transportation planning strategies and processes to support the policy goal 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 473.146, 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, 2011, 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 473.146, 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, 2013, 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 policy goal under Minnesota Statutes, section 473.146, subdivision 5, 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. **Metropolitan Council.** By January 1, 2014, the Metropolitan Council must use \$1,000,000 of the metropolitan livable communities fund to make grants to local governments to support their work related to Minnesota Statutes, section 473.864.

Subd. 5. **Commissioner of administration.** The Metropolitan Council must transfer \$..... from the metropolitan livable communities fund to the state treasury and that amount is appropriated to the commissioner of administration to fund a competitive grant program under Minnesota Statutes, section 116C.99.

Sec. 17. **APPLICATION.**

Sections 8 to 16 apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

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 and 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; 473.856; 473.858, subdivisions 1, 2; 473.864, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 116C; 174."

With the recommendation that when so amended the bill be re-referred to the Committee on K-12 Education Policy and Oversight without further recommendation.

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. 1182, A bill for an act relating to eminent domain; repealing certain exemptions for public service corporations; amending Minnesota Statutes 2008, section 117.225; repealing Minnesota Statutes 2008, section 117.189.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Finance without further recommendation.

The report was adopted.

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

H. F. No. 1237, A bill for an act relating to natural resources; modifying wild rice season; modifying certain definitions; modifying state park permit requirements; modifying authority to establish secondary units; eliminating liquor service at John A. Latsch State Park; providing for establishment of boater waysides; modifying watercraft operation requirements; providing for appeals and enforcement of certain civil penalties; providing for taking wild animals to protect public safety; modifying Board of Water and Soil Resources membership; modifying local water program; modifying Reinvest in Minnesota Resources Law; modifying certain easement authority; providing for notice of changes to public waters inventory; modifying critical habitat plate eligibility; modifying cost-share program; amending Minnesota Statutes 2008, sections 84.105; 84.66, subdivision 2; 84.92, subdivision 8; 85.053,

subdivision 3; 85.054, by adding subdivisions; 86A.05, by adding a subdivision; 86A.08, subdivision 1; 86A.09, subdivision 1; 86B.311, by adding a subdivision; 97A.321; 103B.101, subdivisions 1, 2; 103B.3369, subdivision 5; 103F.505; 103F.511, subdivisions 5, 8a, by adding a subdivision; 103F.515, subdivisions 1, 2, 4, 5, 6; 103F.521, subdivision 1; 103F.525; 103F.526; 103F.531; 103F.535, subdivision 5; 103G.201; 168.1296, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2008, sections 85.0505, subdivision 2; 103F.511, subdivision 4; 103F.521, subdivision 2; Minnesota Rules, parts 8400.3000; 8400.3030, subparts 1, 2, 3a, 4, 5, 6, 6a, 9, 10, 10a, 10b, 11, 11a, 14, 15, 17, 17a, 17b, 19, 20, 20a, 20b, 23, 24, 25, 26, 27, 28, 29, 30, 31, 31a, 32, 33, 33a, 33b, 36, 36a, 39a, 39b, 39c, 40, 42, 42a, 43, 43a, 44, 45, 46, 47a, 48; 8400.3060; 8400.3110; 8400.3130; 8400.3160; 8400.3200; 8400.3210; 8400.3230; 8400.3260; 8400.3300; 8400.3330; 8400.3360; 8400.3390; 8400.3400; 8400.3460; 8400.3500; 8400.3530, subparts 1, 2, 2a; 8400.3560; 8400.3600; 8400.3610; 8400.3630; 8400.3700; 8400.3730; 8400.3800; 8400.3830; 8400.3870; 8400.3930, subparts 1, 2, 3.

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. 1238, A bill for an act relating to game and fish; modifying refund provisions; modifying publication requirements; modifying restrictions in migratory feeding and resting areas; providing certain exemptions from local law; modifying wild animal and fish taking, possession, and licensing requirements; modifying provisions relating to the possession of certain weapons; removing bow and gun case requirements; authorizing certain fees; requiring rulemaking; amending Minnesota Statutes 2008, sections 17.4981; 17.4988, subdivision 3; 84.027, subdivision 13; 84.788, subdivision 11; 84.798, subdivision 10; 84.82, subdivision 11; 84.922, subdivision 12; 86B.415, subdivision 11; 97A.051, subdivision 2; 97A.075, subdivision 1; 97A.095, subdivision 2; 97A.137, by adding subdivisions; 97A.405, subdivision 4; 97A.421, subdivision 1; 97A.441, subdivision 7; 97A.445, subdivision 1, by adding a subdivision; 97A.451, subdivision 2; 97A.465, subdivision 1b; 97A.475, subdivisions 2, 3, 7, 11, 12, 29; 97A.525, subdivision 1; 97B.035, subdivision 2; 97B.041; 97B.045, subdivisions 1, 2; 97B.051; 97B.055, subdivision 3; 97B.086; 97B.111, subdivision 1; 97B.211, subdivision 1; 97B.328, subdivision 3; 97B.425; 97B.651; 97B.811, subdivisions 2, 3; 97B.931, subdivision 1; 97C.315, subdivision 1; 97C.355, subdivision 2; 97C.371, by adding a subdivision; 97C.385, subdivision 2; 97C.395, subdivision 1; Laws 2008, chapter 368, article 2, section 25; repealing Minnesota Statutes 2008, sections 97A.525, subdivision 2; 97B.301, subdivisions 7, 8; 97C.405.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 17.4981, is amended to read:

17.4981 GENERAL CONDITIONS FOR REGULATION OF AQUATIC FARMS.

(a) Aquatic farms are licensed to culture private aquatic life. Cultured aquatic life is not wildlife. Aquatic farms must be licensed and given classifications to prevent or minimize impacts on natural resources. The purpose of sections 17.4981 to 17.4997 is to:

- (1) prevent public aquatic life from entering an aquatic farm;
- (2) prevent release of nonindigenous or exotic species into public waters without approval of the commissioner;

- (3) protect against release of disease pathogens to public waters;
- (4) protect existing natural aquatic habitats and the wildlife dependent on them; and
- (5) protect private aquatic life from unauthorized taking or harvest.

(b) Private aquatic life that is legally acquired and possessed is an article of interstate commerce and may be restricted only as necessary to protect state fish and water resources.

(c) The commissioner of natural resources shall establish license and other fees as provided in section 16A.1285, subdivision 2, that would make aquaculture licensing and enforcement self-sustaining. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish the fees required by this section. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply. The commissioner shall develop best management practices for aquaculture to ensure the long-term sustainability of aquaculture and wetlands used for aquaculture, including, but not limited to, fish farming in man-made ponds.

Sec. 2. Minnesota Statutes 2008, section 17.4988, subdivision 3, is amended to read:

Subd. 3. **Inspection and additional fees.** Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish fees for the services listed in clauses (1) to (3) and the additional fee required under subdivision 2, paragraph (a). The fees must be set in an amount that does not recover significantly more or less than the cost of providing the service. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The services covered under this provision include:

- (1) initial inspection of each water to be licensed;
- (2) fish health inspection and certification, including initial tissue sample collection, basic fish health assessment, viral pathogen testing, and bacteriological testing; and
- (3) initial inspection for containment and quarantine facility inspections.

Sec. 3. Minnesota Statutes 2008, section 84.027, subdivision 13, is amended to read:

Subd. 13. **Game and fish rules.** (a) The commissioner of natural resources may adopt rules under sections 97A.0451 to 97A.0459 and this subdivision that are authorized under:

- (1) chapters 97A, 97B, and 97C to set open seasons and areas, to close seasons and areas, to select hunters for areas, to provide for tagging and registration of game and fish, to prohibit or allow taking of wild animals to protect a species, to prevent or control wildlife disease, to open or close bodies of water or portions of bodies of water for night bow fishing, and to prohibit or allow importation, transportation, or possession of a wild animal;
- (2) sections 84.093, 84.15, and 84.152 to set seasons for harvesting wild ginseng roots and wild rice and to restrict or prohibit harvesting in designated areas; and
- (3) section 84D.12 to designate prohibited invasive species, regulated invasive species, unregulated nonnative species, and infested waters.

(b) If conditions exist that do not allow the commissioner to comply with sections 97A.0451 to 97A.0459, the commissioner may adopt a rule under this subdivision by submitting the rule to the attorney general for review under section 97A.0455, publishing a notice in the State Register and filing the rule with the secretary of state and the Legislative Coordinating Commission, and complying with section 97A.0459, and including a statement of the

emergency conditions and a copy of the rule in the notice. The emergency conditions for opening a water body or portion of a water body for night bow fishing under this section may include the need to temporarily open the area to evaluate compatibility of the activity on that body of water prior to permanent rulemaking. The notice may be published after it is received from the attorney general or five business days after it is submitted to the attorney general, whichever is earlier.

(c) Rules adopted under paragraph (b) are effective upon publishing in the State Register and may be effective up to seven days before publishing and filing under paragraph (b), if:

(1) the commissioner of natural resources determines that an emergency exists;

(2) the attorney general approves the rule; and

(3) for a rule that affects more than three counties the commissioner publishes the rule once in a legal newspaper published in Minneapolis, St. Paul, and Duluth, or for a rule that affects three or fewer counties the commissioner publishes the rule once in a legal newspaper in each of the affected counties.

(d) Except as provided in paragraph (e), a rule published under paragraph (c), clause (3), may not be effective earlier than seven days after publication.

(e) A rule published under paragraph (c), clause (3), may be effective the day the rule is published if the commissioner gives notice and holds a public hearing on the rule within 15 days before publication.

(f) The commissioner shall attempt to notify persons or groups of persons affected by rules adopted under paragraphs (b) and (c) by public announcements, posting, and other appropriate means as determined by the commissioner.

(g) Notwithstanding section 97A.0458, a rule adopted under this subdivision is effective for the period stated in the notice but not longer than 18 months after the rule is adopted.

Sec. 4. Minnesota Statutes 2008, section 84.788, subdivision 11, is amended to read:

Subd. 11. **Refunds.** The commissioner may issue a refund on a registration, not including any issuing fees paid under subdivision 3, paragraph (e), or section 84.027, subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12 months~~ 60 days of the original registration, the registration is not used or transferred, and:

(1) the off-highway motorcycle was registered incorrectly ~~by the commissioner or the deputy registrar~~; or

(2) the off-highway motorcycle was registered twice, once by the dealer and once by the customer.

Sec. 5. Minnesota Statutes 2008, section 84.798, subdivision 10, is amended to read:

Subd. 10. **Refunds.** The commissioner may issue a refund on a registration, not including any issuing fees paid under subdivision 3, paragraph (b), or section 84.027, subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12 months~~ 60 days of the original registration ~~and the vehicle was registered incorrectly by the commissioner or the deputy registrar~~, the registration is not used or transferred, and:

(1) the off-road vehicle was registered incorrectly; or

(2) the off-road vehicle was registered twice, once by the dealer and once by the customer.

Sec. 6. Minnesota Statutes 2008, section 84.82, subdivision 11, is amended to read:

Subd. 11. **Refunds.** The commissioner may issue a refund on a registration, not including any issuing fees paid under subdivision 2, paragraph (e), or section 84.027, subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12 months~~ 60 days of the original registration, the registration is not used or transferred, and:

- (1) the snowmobile was registered incorrectly ~~by the commissioner or the deputy registrar~~; or
- (2) the snowmobile was registered twice, once by the dealer and once by the customer.

Sec. 7. Minnesota Statutes 2008, section 84.922, subdivision 12, is amended to read:

Subd. 12. **Refunds.** The commissioner may issue a refund on a registration, not including any issuing fees paid under subdivision 2, paragraph (e), or section 84.027, subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12 months~~ 60 days of the original registration, the registration is not used or transferred, and:

- (1) the vehicle was registered incorrectly ~~by the commissioner or the deputy registrar~~; or
- (2) the vehicle was registered twice, once by the dealer and once by the customer.

Sec. 8. Minnesota Statutes 2008, section 86B.415, subdivision 11, is amended to read:

Subd. 11. **Refunds.** The commissioner may issue a refund on a license or title, not including any issuing fees paid under subdivision 8 or section 84.027, subdivision 15, paragraph (a), clause (3), or 86B.870, subdivision 1, paragraph (b), if the refund request is received within ~~12 months~~ 60 days of the original license or title, the license or title is not used or transferred, and:

- (1) the watercraft was licensed or titled incorrectly ~~by the commissioner or the deputy registrar~~;
- (2) the customer was incorrectly charged a title fee; or
- (3) the watercraft was licensed or titled twice, once by the dealer and once by the customer.

Sec. 9. Minnesota Statutes 2008, section 97A.051, subdivision 2, is amended to read:

Subd. 2. **Summary of fish and game laws.** (a) The commissioner shall prepare a summary of the hunting and fishing laws and rules and deliver a sufficient supply to ~~county auditors~~ license vendors to furnish one copy to each person obtaining a hunting, fishing, or trapping license.

(b) At the beginning of the summary, under the heading "Trespass," the commissioner shall summarize the trespass provisions under sections 97B.001 to 97B.945, state that conservation officers and peace officers must enforce the trespass laws, and state the penalties for trespassing.

(c) In the summary the commissioner shall, under the heading "Duty to Render Aid," summarize the requirements under section 609.662 and state the penalties for failure to render aid to a person injured by gunshot.

Sec. 10. Minnesota Statutes 2008, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5), (6), (7), ~~(11)~~, (13), (14), and (15), ~~(16)~~, and ~~(17)~~, and 3, clauses (2), (3), (4), ~~(9)~~ (10), (11), and (12), ~~and (13)~~, and licenses issued under section 97B.301, subdivision 4.

(b) \$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and shall be used for deer habitat improvement or deer management programs.

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear management account and shall be used for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. When the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management at the end of a fiscal year exceeds \$2,500,000 for the first time, \$750,000 is canceled to the unappropriated balance of the game and fish fund. The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent.

Thereafter, when the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Sec. 11. Minnesota Statutes 2008, section 97A.095, subdivision 2, is amended to read:

Subd. 2. **Waterfowl feeding and resting areas.** The commissioner may, by rule, designate any part of a lake as a migratory feeding and resting area. Before designation, the commissioner must receive a petition signed by at least ten local resident licensed hunters describing the area of a lake that is a substantial feeding or resting area for migratory waterfowl, and find that the statements in the petition are correct, and that adequate, free public access to the lake exists near the designated area. The commissioner shall post the area as a migratory waterfowl feeding and resting area. Except as authorized in rules adopted by the commissioner, a person may not enter a posted migratory waterfowl feeding and resting area, during a period when hunting of migratory waterfowl is allowed, with watercraft or aircraft propelled by a motor, other than an electric motor ~~of less than 30 pounds thrust~~ with battery power of 12 volts or less. The commissioner may, by rule, further restrict the use of electric motors in migratory waterfowl feeding and resting areas.

Sec. 12. Minnesota Statutes 2008, section 97A.137, is amended by adding a subdivision to read:

Subd. 4. **Exemption from certain local ordinances.** (a) Wildlife management areas that are established according to section 86A.05, subdivision 8; designated under section 97A.133 or 97A.145; and 160 contiguous acres or larger are exempt from local ordinances that limit the use and management of the unit as authorized by state law.

(b) Wildlife management areas that are established according to section 86A.05, subdivision 8; designated under section 97A.133 or 97A.145; and at least 40 contiguous acres and less than 160 contiguous acres are exempt from local ordinances that:

(1) restrict trapping;

(2) restrict the discharge of archery equipment;

(3) restrict the discharge of shotguns with shot sizes of F or .22 inch diameter, or smaller diameter shot;

(4) restrict noise;

(5) require dogs on a leash; or

(6) would in any manner restrict the management of the unit as authorized by state law.

Sec. 13. Minnesota Statutes 2008, section 97A.137, is amended by adding a subdivision to read:

Subd. 5. **Portable stands.** Prior to the Saturday on or nearest September 16, a portable stand may be left overnight in a wildlife management area by a person with a valid bear license who is hunting within 100 yards of a bear bait site that is legally tagged and registered as prescribed under section 97B.425. Any person leaving a portable stand overnight under this subdivision must affix the person's name and address to the stand in such a manner that it can be read from the ground.

Sec. 14. Minnesota Statutes 2008, section 97A.405, subdivision 4, is amended to read:

Subd. 4. **Replacement licenses.** (a) The commissioner may permit licensed deer hunters to change zone, license, or season options. The commissioner may issue a replacement license if the applicant submits the original deer license and unused tags that are being replaced and the applicant pays any increase in cost between the original and the replacement license. A refund of the difference in fees may be issued when a person changes from a regular deer license to a youth deer license. ~~When a person submits both an archery and a firearms license for replacement, the commissioner may apply the value of both licenses towards the replacement license fee.~~

(b) A replacement license may be issued only if the applicant has not used any tag from the original license or licenses and meets the conditions of paragraph (c). The original license or licenses and all unused tags for the licenses being replaced must be submitted to the issuing agent at the time the replacement license is issued.

(c) A replacement license may be issued under the following conditions, or as otherwise prescribed by rule of the commissioner:

~~(1) when the season for the license being surrendered has not yet opened; or~~

~~(2) when the person is upgrading from a regular firearms or archery deer license to an all season deer license;~~

~~(3) when the person is upgrading from a regular firearms license to a multizone deer license; or~~

~~(4) when the person is changing from a regular firearms deer license to a youth deer license.~~

(d) Notwithstanding section 97A.411, subdivision 3, a replacement license is valid immediately upon issuance if the license being surrendered is valid at that time.

Sec. 15. Minnesota Statutes 2008, section 97A.421, subdivision 1, is amended to read:

Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void when:

(1) a second conviction occurs within three years under a license to trap fur-bearing animals, take small game or to take fish by angling or spearing;

(2) a third conviction occurs within one year under a minnow dealer's license;

(3) a second conviction occurs within three years for violations of section 97A.425 that do not involve falsifications or intentional omissions of information required to be recorded, or attempts to conceal unlawful acts within the records;

(4) two or more misdemeanor convictions occur within a three-year period under a private fish hatchery license;

(5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for a violation of section 97A.425 not described in clause (3); or

(6) the conviction is related to assisting a person in the illegal taking, transportation, or possession of wild animals, when acting as a hunting or angling guide.

(b) Except for big game licenses and as otherwise provided in this section, for one year after the conviction the person may not obtain the kind of license or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish law violation.

Sec. 16. Minnesota Statutes 2008, section 97A.441, subdivision 7, is amended to read:

Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may issue, without a fee, a license to take an antlerless deer to a resident who is an owner or tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land, as defined in section 97B.001, in deer permit areas that have deer archery licenses to take additional deer under section 97B.301, subdivision 4. A person may receive only one license per year under this subdivision. For properties with co-owners or cotenants, only one co-owner or cotenant may receive a license under this subdivision per year. The license issued under this subdivision is restricted to land leased for agricultural purposes or owned by the holder of the license within the permit area where the qualifying land is located. The holder of the license may transfer the license to the holder's spouse or dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license may purchase an additional license for taking deer and may take an additional deer under that license.

(b) A person who obtains a license under paragraph (a) must allow public deer hunting on their land during that deer hunting season, with the exception of the first Saturday and Sunday during the deer hunting season applicable to the license issued under section 97A.475, subdivision 2, ~~clauses (4) and (13)~~ clause (5).

Sec. 17. Minnesota Statutes 2008, section 97A.445, subdivision 1, is amended to read:

Subdivision 1. **Angling; Take a Kid Fishing Weekends.** A resident ~~over age 18~~ age 16 years or older may take fish by angling without an angling or fish house license during one three-day consecutive period of the open water angling season and one three-day consecutive period of the ice angling season designated by rule of the commissioner if accompanied by a child who is under age 16. The commissioner shall publicize the three-day periods as "Take a Kid Fishing Weekend" for the open water angling season and "Take a Kid Ice Fishing Weekend" for the ice angling season.

Sec. 18. Minnesota Statutes 2008, section 97A.445, is amended by adding a subdivision to read:

Subd. 1a. **Angling in a state park.** A resident may take fish by angling without an angling license when shore fishing or wading on state-owned land within a state park. When angling from a boat or float, this subdivision applies only to those water bodies completely encompassed within the statutory boundary of the state park. The exemption from an angling license does not apply to waters where a trout stamp is required.

Sec. 19. Minnesota Statutes 2008, section 97A.451, subdivision 2, is amended to read:

Subd. 2. **Residents under age 16; fishing.** A resident under the age of 16 years may take fish without a license. A person authorized to issue licenses must issue a license to a resident under the age of 16 without a fee to net ciscoes and whitefish for personal consumption under section 97A.475, subdivision 13.

EFFECTIVE DATE. This section is effective March 1, 2010.

Sec. 20. Minnesota Statutes 2008, section 97A.465, subdivision 1b, is amended to read:

Subd. 1b. **Residents discharged from active service.** (a) A resident who has served at any time during the preceding 24 months in federal active service, as defined in section 190.05, subdivision 5c, outside the United States as a member of the National Guard, or as a reserve component or active duty member of the United States armed forces and has been discharged from active service may take small game and fish without a license if the resident possesses official military discharge papers. The resident must obtain the seals, tags, and coupons required of a licensee, which must be furnished without charge.

(b) The commissioner shall issue, without fee, a deer license, valid for a deer of either sex, to a resident who has served at any time during the preceding 24 months in federal active service, as defined in section 190.05, subdivision 5c, outside the United States as a member of the National Guard, or as a reserve component or active duty member of the United States armed forces and has been discharged from active service. Eligibility under this paragraph is limited to one license per resident.

Sec. 21. Minnesota Statutes 2008, section 97A.475, subdivision 2, is amended to read:

Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents only, are:

- (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
- (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- (3) for persons age 18 or over to take turkey, \$23;
- (4) for persons under age 18 to take turkey, \$12;
- (5) for persons age 18 or over to take deer with firearms during the regular firearms season, \$26;
- (6) for persons age 18 or over to take deer by archery, \$26;
- (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$26;
- (8) to take moose, for a party of not more than six persons, \$310;
- (9) to take bear, \$38;
- (10) to take elk, for a party of not more than two persons, \$250;
- (11) ~~multizone license to take antlered deer in more than one zone, \$52;~~
- (12) to take Canada geese during a special season, \$4;

~~(13) all season license to take three deer throughout the state in any open deer season, except as restricted under section 97B.305, \$78;~~

~~(14)~~ (12) to take prairie chickens, \$20;

~~(15)~~ (13) for persons under age 18 to take deer with firearms during the regular firearms season, \$13;

~~(16)~~ (14) for persons under age 18 to take deer by archery, \$13; and

~~(17)~~ (15) for persons under age 18 to take deer by muzzleloader during the muzzleloader season, \$13.

Sec. 22. Minnesota Statutes 2008, section 97A.475, subdivision 3, is amended to read:

Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to nonresidents, are:

(1) for persons age 18 or over to take small game, \$73;

(2) for persons age 18 or over to take deer with firearms during the regular firearms season, \$135;

(3) for persons age 18 or over to take deer by archery, \$135;

(4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$135;

(5) to take bear, \$195;

(6) for persons age 18 and older to take turkey, \$78;

(7) for persons under age 18 to take turkey, \$12;

(8) to take raccoon or bobcat, \$155;

~~(9) multizone license to take antlered deer in more than one zone, \$270;~~

~~(10)~~ to take Canada geese during a special season, \$4;

~~(11)~~ (10) for persons under age 18 to take deer with firearms during the regular firearms season in any open season option or time period, \$13;

~~(12)~~ (11) for persons under age 18 to take deer by archery, \$13; and

~~(13)~~ (12) for persons under age 18 to take deer during the muzzleloader season, \$13.

(b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph (a), clauses (1) to ~~(9)~~ (8). An additional commission may not be assessed on this surcharge.

Sec. 23. Minnesota Statutes 2008, section 97A.475, subdivision 7, is amended to read:

Subd. 7. **Nonresident fishing.** (a) Fees for the following licenses, to be issued to nonresidents, are:

(1) to take fish by angling, \$37.50;

- (2) to take fish by angling limited to seven consecutive days selected by the licensee, \$26.50;
- (3) to take fish by angling for a 72-hour period selected by the licensee, \$22;
- (4) to take fish by angling for a combined license for a family for one or both parents and dependent children under the age of 16, \$50.50;
- (5) to take fish by angling for a 24-hour period selected by the licensee, \$8.50; ~~and~~
- (6) to take fish by angling for a combined license for a married couple, limited to 14 consecutive days selected by one of the licensees, \$38.50; and
- (7) to take fish by spearing from a dark house, \$37.50.

(b) A \$2 surcharge shall be added to all nonresident fishing licenses, except licenses issued under paragraph (a), clause (5). An additional commission may not be assessed on this surcharge.

Sec. 24. Minnesota Statutes 2008, section 97A.475, subdivision 11, is amended to read:

Subd. 11. **Fish houses ~~and~~, dark houses, and shelters; residents.** Fees for the following licenses are:

- (1) annual for a fish house ~~or~~, dark house, or shelter that is not rented, \$11.50;
- (2) annual for a fish house ~~or~~, dark house, or shelter that is rented, \$26;
- (3) three-year for a fish house ~~or~~, dark house, or shelter that is not rented, \$34.50; and
- (4) three-year for a fish house ~~or~~, dark house, or shelter that is rented, \$78.

Sec. 25. Minnesota Statutes 2008, section 97A.475, subdivision 12, is amended to read:

Subd. 12. **Fish houses, dark houses, and shelters; nonresident.** Fees for fish house, dark house, and shelter licenses for a nonresident are:

- (1) annual, \$33;
- (2) seven consecutive days, \$19; and
- (3) three-year, \$99.

Sec. 26. Minnesota Statutes 2008, section 97A.475, subdivision 29, is amended to read:

Subd. 29. **Private fish hatcheries.** The fees for the following licenses to be issued to residents and nonresidents are:

- (1) for a private fish hatchery, with annual sales under \$200, \$70;
- (2) for a private fish hatchery, with annual sales of \$200 or more, \$210 for the base license. The commissioner must establish an additional fee based on the acreage of the operation. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish the additional fee required by this subdivision. The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply; and

(3) to take sucker eggs from public waters for a private fish hatchery, \$400, plus \$6 for each quart in excess of 100 quarts.

Sec. 27. Minnesota Statutes 2008, section 97A.525, subdivision 1, is amended to read:

Subdivision 1. **Residents Generally.** A resident person may transport wild animals ~~within the state~~ by common carrier without being in the vehicle if the resident person has the license required to take the animals and they are shipped to the resident. ~~The wild animals that may be transported by common carrier are:~~ person or to a licensed taxidermist, tanner, or fur buyer.

~~(1) deer, bear, elk, and moose;~~

~~(2) undressed game birds; and~~

~~(3) fish.~~

Sec. 28. 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~~ not armed with a bolt or arrow.

Sec. 29. 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. 30. 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;

(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.

(b) Notwithstanding paragraph (a), a person may transport an unloaded, uncased firearm, excluding a pistol as defined under section 624.712, subdivision 2, unless:

(1) within an area where the discharge of a firearm has been prohibited under section 471.633;

(2) within the boundaries of a home rule charter or statutory city with a population of 2,500 or more;

(3) on school grounds as regulated under section 609.66, subdivision 1d; or

(4) otherwise restricted under section 97A.091, 97B.081, or 97B.086.

Sec. 31. Minnesota Statutes 2008, section 97B.045, subdivision 2, is amended to read:

Subd. 2. **Exception for disabled persons.** The restrictions in subdivision 1 do not apply to a disabled person if:

(1) the person possesses a permit under section 97B.055, subdivision 3; and

~~(2) the person is participating in a hunt sponsored by a nonprofit organization under a permit from the commissioner or is hunting on property owned or leased by the person; and~~

~~(3)~~ (2) the firearm is not loaded in the chamber until the vehicle is stationary, or is a hinge action firearm with the action open until the vehicle is stationary.

Sec. 32. 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. 33. Minnesota Statutes 2008, section 97B.055, subdivision 3, is amended to read:

Subd. 3. **Hunting from vehicle by disabled hunters.** (a) The commissioner may issue a special permit, without a fee, to discharge a firearm or bow and arrow from a stationary motor vehicle to a person who obtains the required licenses and who has a permanent physical disability that is more substantial than discomfort from walking. The permit recipient must be:

(1) unable to step from a vehicle without aid of a wheelchair, crutches, braces, or other mechanical support or prosthetic device; or

(2) unable to walk any distance because of a permanent lung, heart, or other internal disease that requires the person to use supplemental oxygen to assist breathing.

(b) The permanent physical disability must be established by medical evidence verified in writing by a licensed physician or chiropractor. The commissioner may request additional information from the physician or chiropractor if needed to verify the applicant's eligibility for the permit. Notwithstanding section 97A.418, the commissioner may, in consultation with appropriate advocacy groups, establish reasonable minimum standards for permits to be issued under this section. In addition to providing the medical evidence of a permanent disability, the applicant must possess a valid disability parking certificate authorized by section 169.345 or license plates issued under section 168.021.

(c) A person issued a special permit under this subdivision and hunting deer may take a deer of either sex, except in those antlerless permit areas and seasons where no antlerless permits are offered. This subdivision does not authorize another member of a party to take an antlerless deer under section 97B.301, subdivision 3.

(d) A permit issued under this subdivision is valid for five years.

(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this section for cause, including a violation of the game and fish laws or rules.

(f) A person who knowingly makes a false application or assists another in making a false application for a permit under this section is guilty of a misdemeanor. A physician or chiropractor who fraudulently certifies to the commissioner that a person is permanently disabled as described in this section is guilty of a misdemeanor.

(g) Notwithstanding paragraph (d), the commissioner may issue a permit valid for the entire life of the applicant if the commissioner determines that there is no chance that an applicant will become ineligible for a permit under this section and the applicant requests a lifetime permit.

Sec. 34. Minnesota Statutes 2008, section 97B.086, is amended to read:

97B.086 POSSESSION OF NIGHT VISION EQUIPMENT.

(a) A person may not possess night vision ~~goggle~~ equipment while taking wild animals or while having in possession, either individually or as one of a group of persons, a firearm, bow, or other implement that could be used to take wild animals.

(b) This section does not apply to a firearm that is:

(1) unloaded;

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

(3) in the closed trunk of a motor vehicle.

(c) This section does not apply to a bow that is:

(1) completely encased or unstrung; and

(2) in the closed trunk of a motor vehicle.

(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or bow must be placed in the rearmost location of the vehicle.

~~(e) This section does not apply to night vision goggle equipment possessed by peace officers or military personnel while exercising their duties.~~

Sec. 35. Minnesota Statutes 2008, section 97B.111, subdivision 1, is amended to read:

Subdivision 1. **Establishment; requirements.** The commissioner may establish criteria, special seasons, and limits for persons who have a physical disability to take big game and small game with firearms and by archery in designated areas. A person hunting under this section who has a physical disability must have a verified statement of the disability by a licensed physician and must be participating in a program for physically disabled hunters sponsored by a nonprofit organization that is permitted under subdivision 2. Notwithstanding section 97B.055, subdivision 3, the commissioner may authorize hunt participants to shoot from a stationary motor vehicle. A license is not required for a person to assist a physically disabled person hunting during a special season under this section.

Sec. 36. Minnesota Statutes 2008, section 97B.211, subdivision 1, is amended to read:

Subdivision 1. **Possession of firearms prohibited.** (a) A person may not take deer by archery while in possession of a firearm.

(b) Paragraph (a) does not apply to a handgun carried in compliance with section 624.714.

Sec. 37. Minnesota Statutes 2008, section 97B.328, subdivision 3, is amended to read:

Subd. 3. **Definition.** For purposes of this section, "bait or feed" includes grains, fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer and that has been placed by a person. Liquid scents, salt, and minerals, ~~and bird feeders containing grains or nuts that are at least six feet above the ground~~ are not bait or feed. Food that has not been placed by a person and resulting from normal or accepted farming, forest management, wildlife food plantings, orchard management, or other similar land management activities is not bait or feed.

Sec. 38. Minnesota Statutes 2008, section 97B.425, is amended to read:

97B.425 BAITING BEARS.

(a) Notwithstanding section 609.68, a person may place bait to take bear and must display a tag at each site where bait is placed and register the sites. The commissioner shall prescribe the method of tagging and registering the sites. The tag displayed at each site where bait is placed must contain identification information for a licensed bear hunter or a licensed bear outfitter. A person must have the license identification number of the person with the bear license in their possession or be a licensed bear outfitter while attending a bear bait station. To attract bear a person may not use a bait with:

(1) a carcass from a mammal, if the carcass contains more than 25 percent of the intact carcass;

- (2) meat from mammals, if the meat contains bones;
- (3) bones of mammals;
- (4) solid waste containing bottles, cans, plastic, paper, or metal;
- (5) materials that are not readily biodegradable; or
- (6) any part of a swine, except cured pork.

(b) A private landowner or person authorized by the private landowner may use a barrel to bait bear on the person's private land. The barrel must be securely chained or cabled to a tree so that it cannot be moved from the site by a bear and the barrel may not include a mechanical device for dispensing feed. The barrel must be marked with the name and address of the person who registered the bait site. For purposes of this paragraph, "barrel" means a 30 gallon or larger drum.

Sec. 39. Minnesota Statutes 2008, section 97B.651, is amended to read:

97B.651 UNPROTECTED MAMMALS AND BIRDS.

Subdivision 1. **Taking unprotected mammals and birds.** Mammals that are unprotected wild animals and unprotected birds may be taken at any time and in any manner, except with artificial lights, or by using a motor vehicle in violation of section 97B.091. Poison may not be used to take unprotected mammals or unprotected birds unless the safety of humans and domestic livestock is ensured. Unprotected mammals and unprotected birds may be possessed, bought, sold, or transported in any quantity, except importation or exportation is restricted as provided in subdivision 2.

Subd. 2. **Taking and possessing live coyotes.** A person may not export a live coyote out of the state or import a live coyote into the state unless authorized under a permit from the commissioner.

Sec. 40. Minnesota Statutes 2008, section 97B.811, subdivision 2, is amended to read:

Subd. 2. **Hours for placing decoys.** Except as provided in subdivisions 3 and 4, a person may not place decoys in public waters or on public lands more than ~~one hour~~ two hours before lawful shooting hours for waterfowl.

Sec. 41. Minnesota Statutes 2008, section 97B.811, subdivision 3, is amended to read:

Subd. 3. **Restrictions on leaving decoys unattended.** During the open season for waterfowl, a person may not leave decoys in public waters between sunset and one hour before lawful shooting hours or leave decoys unattended during other times for more than four consecutive hours unless:

~~(1) the decoys are in waters adjacent to completely surrounded by private land under the control of the hunter; and there is no public access to the water.~~

~~(2) there is not natural vegetation growing in water sufficient to partially conceal a hunter.~~

Sec. 42. Minnesota Statutes 2008, section 97B.931, subdivision 1, is amended to read:

Subdivision 1. **Restrictions.** A person may not tend a trap set for wild animals between 10:00 p.m. and 5:00 a.m. Between 5:00 a.m. and 10:00 p.m. a person on foot may use a portable artificial light to tend traps. While using a light in the field, the person may not possess or use a firearm other than a handgun or rifle capable of firing only rimfire cartridges of .17 or .22 caliber including .22 magnum.

Sec. 43. Minnesota Statutes 2008, section 97C.315, subdivision 1, is amended to read:

Subdivision 1. **Lines.** An angler may ~~not use more than one line except:~~

~~(1) two lines may be used to take fish through the ice; and,~~

~~(2) the commissioner may, by rule, authorize the use of two lines in areas designated by the commissioner in Lake Superior.~~

Sec. 44. Minnesota Statutes 2008, section 97C.355, subdivision 2, is amended to read:

Subd. 2. **License required.** A person may not leave a dark house ~~or~~ fish house, or shelter unattended on the ice at any time between midnight and one hour before sunrise unless the house or shelter is licensed and has ~~a~~ the license tag attached to the exterior in a readily visible location, except as provided in this subdivision. The commissioner must issue a tag with a dark house ~~or~~ fish house, or shelter license, marked with a number to correspond with the license and the year of issue. A dark house ~~or~~ fish house, or shelter license is not required of a resident on boundary waters where the adjacent state does not charge a fee for the same activity.

Sec. 45. Minnesota Statutes 2008, section 97C.371, is amended by adding a subdivision to read:

Subd. 5. **Nonresidents.** Nonresidents may spear from a fish house or dark house.

Sec. 46. Minnesota Statutes 2008, section 97C.385, subdivision 2, is amended to read:

Subd. 2. ~~Summer Angling limits must be same as and spearing limits.~~ (a) If the commissioner reduces the limit of a species of game fish taken by spearing in any waters under section 97A.045, subdivision 2, the commissioner must reduce the limit for taking of the species by angling in the waters during the following open season for angling.

(b) The commissioner shall not limit the size of a northern pike allowed to be taken by spear.

Sec. 47. Minnesota Statutes 2008, section 97C.395, subdivision 1, is amended to read:

Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling are as follows:

(1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February;

(2) for lake trout, from January 1 to October 31;

(3) for the winter season for lake trout on all lakes located outside or partially within the Boundary Waters Canoe Area, from January 15 to March 31;

(4) for the winter season for lake trout on all lakes located entirely within the Boundary Waters Canoe Area, from January 1 to March 31;

~~(5)~~ (6) for brown trout, brook trout, rainbow trout, and splake, between January 1 to October 31 as prescribed by the commissioner by rule except as provided in section 97C.415, subdivision 2;

~~(5)~~ (6) for the winter season for brown trout, brook trout, rainbow trout, and splake on all lakes, from January 15 to March 31; and

~~(6)~~ (7) for salmon, as prescribed by the commissioner by rule.

(b) The commissioner shall close the season in areas of the state where fish are spawning and closing the season will protect the resource.

Sec. 48. Laws 2008, chapter 368, article 2, section 25, the effective date, is amended to read:

EFFECTIVE DATE. The amendments to paragraph (a) are effective March 1, ~~2009~~ 2010.

EFFECTIVE DATE. This section is effective retroactively from March 1, 2009.

Sec. 49. **ELK MANAGEMENT PLAN.**

(a) Within 90 days of the effective date of this section, the commissioner of natural resources shall:

(1) develop an elk management plan consistent with the requirements under Minnesota Statutes, section 97B.516;

(2) present the elk management plan to the Kittson, Marshall, and Roseau County Boards; and

(3) begin implementing the plan.

(b) If the commissioner fails to meet all the requirements in paragraph (a), the commissioner shall establish an open season for elk in Kittson, Marshall, and Roseau Counties to begin in 2009 and continue until the elk population reaches 30 or less in Marshall County and 30 or less in Kittson County.

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

Sec. 50. **RULEMAKING.**

(a) The commissioner of natural resources shall adopt or amend rules to establish minimum size limits for muskellunge on inland waters consistent with the provisions of this section. The commissioner must:

(1) establish a 48-inch statewide minimum size restriction for muskellunge and muskellunge-northern pike hybrids in inland waters, except for the lakes listed in clause (2) that are managed specifically for muskellunge-northern pike hybrids in Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties; and

(2) establish a 40-inch minimum size restriction for muskellunge-northern pike hybrids in the following lakes in Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties:

<u>LAKE</u>	<u>COUNTY</u>
<u>Bryant</u>	<u>Hennepin</u>
<u>Bush</u>	<u>Hennepin</u>
<u>Calhoun</u>	<u>Hennepin</u>
<u>Cedar</u>	<u>Hennepin</u>
<u>Cedar</u>	<u>Scott</u>
<u>Clear</u>	<u>Washington</u>
<u>Crystal</u>	<u>Dakota</u>
<u>Crystal</u>	<u>Hennepin</u>
<u>Eagle</u>	<u>Carver</u>

<u>Elmo</u>	<u>Washington</u>
<u>Gervais</u>	<u>Ramsey</u>
<u>Island</u>	<u>Ramsey</u>
<u>Isles</u>	<u>Hennepin</u>
<u>Johanna</u>	<u>Ramsey</u>
<u>Nokomis</u>	<u>Hennepin</u>
<u>Orchard</u>	<u>Dakota</u>
<u>Phalen</u>	<u>Ramsey</u>
<u>Pierson</u>	<u>Carver</u>
<u>Silver</u>	<u>Ramsey</u>
<u>Wasserman</u>	<u>Carver</u>
<u>Weaver</u>	<u>Hennepin</u>

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt the rules. Minnesota Statutes, section 14.386, does not apply except as provided in Minnesota Statutes, section 14.388.

Sec. 51. **REPEALER.**

Minnesota Statutes 2008, sections 97A.525, subdivision 2; 97B.301, subdivisions 7 and 8; and 97C.405, are repealed."

Delete the title and insert:

"A bill for an act relating to game and fish; modifying refund provisions; modifying publication requirements; modifying restrictions in migratory feeding and resting areas; providing certain exemptions from local law; modifying wild animal and fish taking, possession, and licensing requirements; modifying provisions relating to the possession of certain weapons; removing bow and gun case requirements; authorizing certain fees; requiring rulemaking; amending Minnesota Statutes 2008, sections 17.4981; 17.4988, subdivision 3; 84.027, subdivision 13; 84.788, subdivision 11; 84.798, subdivision 10; 84.82, subdivision 11; 84.922, subdivision 12; 86B.415, subdivision 11; 97A.051, subdivision 2; 97A.075, subdivision 1; 97A.095, subdivision 2; 97A.137, by adding subdivisions; 97A.405, subdivision 4; 97A.421, subdivision 1; 97A.441, subdivision 7; 97A.445, subdivision 1, by adding a subdivision; 97A.451, subdivision 2; 97A.465, subdivision 1b; 97A.475, subdivisions 2, 3, 7, 11, 12, 29; 97A.525, subdivision 1; 97B.035, subdivision 2; 97B.041; 97B.045, subdivisions 1, 2; 97B.051; 97B.055, subdivision 3; 97B.086; 97B.111, subdivision 1; 97B.211, subdivision 1; 97B.328, subdivision 3; 97B.425; 97B.651; 97B.811, subdivisions 2, 3; 97B.931, subdivision 1; 97C.315, subdivision 1; 97C.355, subdivision 2; 97C.371, by adding a subdivision; 97C.385, subdivision 2; 97C.395, subdivision 1; Laws 2008, chapter 368, article 2, section 25; repealing Minnesota Statutes 2008, sections 97A.525, subdivision 2; 97B.301, subdivisions 7, 8; 97C.405."

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. 1322, A bill for an act relating to health information technology; creating certain requirements for the use of federal funding; requiring legislative approval of a plan; limiting the appropriation of federal funds.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 62J.495, is amended to read:

62J.495 HEALTH INFORMATION TECHNOLOGY AND INFRASTRUCTURE.

Subdivision 1. **Implementation.** By January 1, 2015, all hospitals and health care providers must have in place an interoperable electronic health records system within their hospital system or clinical practice setting. The commissioner of health, in consultation with the ~~e-Health Information Technology and Infrastructure~~ Advisory Committee, shall develop a statewide plan to meet this goal, including uniform standards to be used for the interoperable system for sharing and synchronizing patient data across systems. The standards must be compatible with federal efforts. The uniform standards must be developed by January 1, 2009, ~~with a status report on the development of these standards submitted to the legislature by January 15, 2008~~ and updated on an ongoing basis. ~~The commissioner shall include an update on standards development as part of an annual report to the legislature.~~

Subd. 1a. **Definitions.** (a) "Certified electronic health record technology" means an electronic health record that is certified pursuant to section 3001(c)(5) of the HITECH Act to meet the standards and implementation specifications adopted under section 3004 as applicable.

(b) "Commissioner" means the commissioner of health.

(c) "Electronic data intermediary" means any entity that provides the infrastructure to connect computer systems or other electronic devices utilized by prescribing practitioners with those used by pharmacies, health plans, third party administrators, and pharmacy benefit manager in order to facilitate the secure transmission of electronic prescriptions, refill authorization requests, communications, and other prescription-related information between such entities.

(d) "HITECH Act" means the Health Information Technology for Economic and Clinical Health Act in division A, title XIII and division B, title IV of the American Recovery and Reinvestment Act of 2009, including federal regulations adopted under that act.

(e) "Interoperable electronic health record" means an electronic health record that securely exchanges health information with another electronic health record system that meets national requirements for certification under the HITECH Act.

(f) "Qualified electronic health record" means an electronic record of health-related information on an individual that includes patient demographic and clinical health information and has the capacity to:

(1) provide clinical decision support;

(2) support physician order entry;

(3) capture and query information relevant to health care quality; and

(4) exchange electronic health information with, and integrate such information from, other sources.

Subd. 2. ~~E-Health Information Technology and Infrastructure~~ **Advisory Committee.** (a) The commissioner shall establish ~~a an e-Health Information Technology and Infrastructure~~ Advisory Committee governed by section 15.059 to advise the commissioner on the following matters:

(1) assessment of the adoption and effective use of health information technology by the state, licensed health care providers and facilities, and local public health agencies;

(2) recommendations for implementing a statewide interoperable health information infrastructure, to include estimates of necessary resources, and for determining standards for ~~administrative~~ clinical data exchange, clinical support programs, patient privacy requirements, and maintenance of the security and confidentiality of individual patient data;

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

(4) other related issues as requested by the commissioner.

(b) The members of the ~~e-Health Information Technology and Infrastructure~~ Advisory Committee shall include the commissioners, or commissioners' designees, of health, human services, administration, and commerce and additional members to be appointed by the commissioner to include persons representing Minnesota's local public health agencies, licensed hospitals and other licensed facilities and providers, private purchasers, the medical and nursing professions, health insurers and health plans, the state quality improvement organization, academic and research institutions, consumer advisory organizations with an interest and expertise in health information technology, and other stakeholders as identified by the ~~Health Information Technology and Infrastructure Advisory Committee~~ commissioner to fulfill the requirements of section 3013, paragraph (g) of the HITECH Act.

(c) The commissioner shall prepare and issue an annual report not later than January 30 of each year outlining progress to date in implementing a statewide health information infrastructure and recommending future projects action on policy and necessary resources to continue the promotion of adoption and effective use of health information technology.

(d) Notwithstanding section 15.059, this subdivision expires June 30, 2015.

Subd. 3. Interoperable electronic health record requirements. ~~(a)~~ To meet the requirements of subdivision 1, hospitals and health care providers must meet the following criteria when implementing an interoperable electronic health records system within their hospital system or clinical practice setting.

(a) The electronic health record must be a qualified electronic health record.

(b) The electronic health record must be certified by the ~~Certification Commission for Healthcare Information Technology, or its successor~~ Office of the National Coordinator pursuant to the HITECH Act. This criterion only applies to hospitals and health care providers ~~whose practice setting is a practice setting covered by the Certification Commission for Healthcare Information Technology certifications~~ only if a certified electronic health record product for the provider's particular practice setting is available. This criterion shall be considered met if a hospital or health care provider is using an electronic health records system that has been certified within the last three years, even if a more current version of the system has been certified within the three-year period.

(c) The electronic health record must meet the standards established according to section 3004 of the HITECH Act as applicable.

(d) The electronic health record must have the ability to generate information on clinical quality measures and other measures reported under sections 4101, 4102, and 4201 of the HITECH Act.

~~(e)~~ (e) A health care provider who is a prescriber or dispenser of ~~controlled substances~~ legend drugs must have an electronic health record system that meets the requirements of section 62J.497.

Subd. 4. Coordination with national HIT activities. (a) The commissioner, in consultation with the e-Health Advisory Committee, shall update the statewide implementation plan required under subdivision 2 and released June 2008, to be consistent with the updated Federal HIT Strategic Plan released by the Office of the National Coordinator in accordance with section 3001 of the HITECH Act. The statewide plan shall meet the requirements for a plan required under section 3013 of the HITECH Act.

(b) The commissioner, in consultation with the e-Health Advisory Committee, shall work to ensure coordination between state, regional, and national efforts to support and accelerate efforts to effectively use health information technology to improve the quality and coordination of health care and continuity of patient care among health care providers, to reduce medical errors, to improve population health, to reduce health disparities, and to reduce chronic disease. The commissioner's coordination efforts shall include but not be limited to:

(1) assisting in the development and support of health information technology regional extension centers established under section 3012(c) of the HITECH Act to provide technical assistance and disseminate best practices; and

(2) providing supplemental information to the best practices gathered by regional centers to ensure that the information is relayed in a meaningful way to the Minnesota health care community.

(c) The commissioner, in consultation with the e-Health Advisory Committee, shall monitor national activity related to health information technology and shall coordinate statewide input on policy development. The commissioner shall coordinate statewide responses to proposed federal regulations in order to ensure that the needs of the Minnesota health care community are adequately and efficiently addressed in the proposed regulations. The commissioner's responses may include, but are not limited to:

(1) reviewing and evaluating any standard, implementation specification, or certification criteria proposed by the national HIT standards committee;

(2) reviewing and evaluating policy proposed by the national HIT policy committee relating to the implementation of a nationwide health information technology infrastructure;

(3) monitoring and responding to activity related to the development of quality measures and other measures as required by section 4101 of the HITECH Act. Any response related to quality measures shall consider and address the quality efforts required under chapter 62U; and

(4) monitoring and responding to national activity related to privacy, security, and data stewardship of electronic health information and individually identifiable health information.

(d) To the extent that the state is either required or allowed to apply, or designate an entity to apply for or carry out activities and programs under section 3013 of the HITECH Act, the commissioner of health, in consultation with the e-Health Advisory Committee and the commissioner of human services, shall be the lead applicant or sole designating authority. The commissioner shall make such designations consistent with the goals and objectives of sections 62J.495 to 62J.497, and sections 62J.50 to 62J.61.

(e) The commissioner of human services shall apply for funding necessary to administer the incentive payments to providers authorized under title IV of the American Recovery and Reinvestment Act.

(f) The commissioner shall include in the report to the legislature information on the activities of this subdivision and provide recommendations on any relevant policy changes that should be considered in Minnesota.

Subd. 5. **Collection of data for assessment and eligibility determination.** (a) The commissioner of health, in consultation with the commissioner of human services, may require providers, dispensers, group purchasers, and electronic data intermediaries to submit data in a form and manner specified by the commissioner to assess the status of adoption, effective use, and interoperability of electronic health records for the purpose of:

(1) demonstrating Minnesota's progress on goals established by the Office of the National Coordinator to accelerate the adoption and effective use of health information technology established under the HITECH Act;

(2) assisting the Center for Medicare and Medicaid Services and Department of Human Services in determining eligibility of health care professionals and hospitals to receive federal incentives for the adoption and effective use of health information technology under the HITECH Act or other federal incentive programs;

(3) assisting the Office of the National Coordinator in completing required assessments of the impact of the implementation and effective use of health information technology in achieving goals identified in the national strategic plan, and completing studies required by the HITECH Act;

(4) providing the data necessary to assist the Office of the National Coordinator in conducting evaluations of regional extension centers as required by the HITECH Act; and

(5) other purposes as necessary to support the implementation of the HITECH Act.

(b) The commissioner shall coordinate with the commissioner of human services and other state agencies in the collection of data required under this section to:

(1) avoid duplicative reporting requirements;

(2) maximize efficiencies in the development of reports on state activities as required by HITECH; and

(3) determine health professional and hospital eligibility for incentives available under the HITECH Act.

Subd. 6. **Data classification.** (a) Data collected on providers, dispensers, group purchasers, and electronic data intermediaries under this section are private data on individuals or nonpublic data, as defined in section 13.02. Notwithstanding the definition of summary data in section 13.02, subdivision 19, summary data prepared under this subdivision may be derived from nonpublic data.

(b) The commissioner shall not collect data or publish analyses that identify, or could potentially identify, individual patients.

Sec. 2. Minnesota Statutes 2008, section 62J.496, is amended to read:

62J.496 ELECTRONIC HEALTH RECORD SYSTEM REVOLVING ACCOUNT AND LOAN PROGRAM.

Subdivision 1. **Account establishment.** (a) An account is established to: ~~provide loans to eligible borrowers to assist in financing the installation or support of an interoperable health record system. The system must provide for the interoperable exchange of health care information between the applicant and, at a minimum, a hospital system, pharmacy, and a health care clinic or other physician group.~~

(1) finance the purchase of certified electronic health records or qualified electronic health records as defined in section 62J.495, subdivision 1a;

(2) enhance the utilization of electronic health record technology, which may include costs associated with upgrading the technology to meet the criteria necessary to be a certified electronic health record or a qualified electronic health record;

(3) train personnel in the use of electronic health record technology; and

(4) improve the secure electronic exchange of health information.

(b) Amounts deposited in the account, including any grant funds obtained through federal or other sources, loan repayments, and interest earned on the amounts shall be used only for awarding loans or loan guarantees, as a source of reserve and security for leveraged loans, or for the administration of the account.

(c) The commissioner may accept contributions to the account from private sector entities subject to the following provisions:

(1) the contributing entity may not specify the recipient or recipients of any loan issued under this subdivision;

(2) the commissioner shall make public the identity of any private contributor to the loan fund, as well as the amount of the contribution provided; and

(3) the commissioner may issue letters of commendation or make other awards that have no financial value to any such entity.

(d) The commissioner may use the loan funds to reimburse private sector entities for any contribution made to the loan fund. Reimbursement to private entities may not exceed the principle amount contributed to the loan fund.

(e) The commissioner may use funds deposited in the account to guarantee, or purchase insurance for, a local obligation if the guarantee or purchase would improve credit market access or reduce the interest rate applicable to the obligation involved.

(f) The commissioner may use funds deposited in the account as a source of revenue or security for the payment of principal and interest on revenue or bonds issued by the state if the proceeds of the sale of the bonds will be deposited into the loan fund.

Subd. 2. **Eligibility.** (a) "Eligible borrower" means one of the following:

(1) federally qualified health centers;

~~(1)~~ (2) community clinics, as defined under section 145.9268;

~~(2)~~ (3) hospitals eligible for rural hospital capital improvement grants, as defined in section 144.148;

~~(3) physician clinics located in a community with a population of less than 50,000 according to United States Census Bureau statistics and outside the seven-county metropolitan area;~~

(4) individual or small group physician practices that are focused primarily on primary care;

~~(4)~~ (5) nursing facilities licensed under sections 144A.01 to 144A.27; and

~~(5)~~ (6) other providers of health or health care services approved by the commissioner for which interoperable electronic health record capability would improve quality of care, patient safety, or community health.

(b) The commissioner shall administer the loan fund to prioritize support and assistance to:

(1) critical access hospitals;

(2) federally qualified health centers;

(3) entities that serve uninsured, underinsured, and medically underserved individuals, regardless of whether such area is urban or rural; and

(4) individual or small group practices that are primarily focused on primary care.

~~(b) To be eligible for a loan under this section, the~~ (c) An eligible applicant must submit a loan application to the commissioner of health on forms prescribed by the commissioner. The application must include, at a minimum:

(1) the amount of the loan requested and a description of the purpose or project for which the loan proceeds will be used;

(2) a quote from a vendor;

(3) a description of the health care entities and other groups participating in the project;

(4) evidence of financial stability and a demonstrated ability to repay the loan; and

(5) a description of how the system to be financed ~~interconnects~~ interoperates or plans in the future to ~~interconnect~~ interoperate with other health care entities and provider groups located in the same geographical area;

(6) a plan on how the certified electronic health record technology will be maintained and supported over time; and

(7) any other requirements for applications included or developed pursuant to section 3014 of the HITECH Act.

Subd. 3. **Loans.** (a) The commissioner of health may make a no interest, ~~or low interest,~~ loan to a provider or provider group who is eligible under subdivision 2 ~~on a first come, first served basis provided that the applicant is able to comply with this section consistent with the priorities established in subdivision 2.~~ The total accumulative loan principal must not exceed ~~\$1,500,000~~ \$3,000,000 per loan. The interest rate for each loan, if imposed, shall not exceed the current market interest rate. The commissioner of health has discretion over the size, interest rate, and number of loans made. Nothing in this section shall require the commissioner to make a loan to an eligible borrower under subdivision 2.

(b) The commissioner of health may prescribe forms and establish an application process and, notwithstanding section 16A.1283, may impose a reasonable nonrefundable application fee to cover the cost of administering the loan program. Any application fees imposed and collected under the electronic health records system revolving account and loan program in this section are appropriated to the commissioner of health for the duration of the loan program. The commissioner may apply for and use all federal funds available through the HITECH Act to administer the loan program.

(c) For loans approved prior to July 1, 2009, the borrower must begin repaying the principal no later than two years from the date of the loan. Loans must be amortized no later than six years from the date of the loan.

(d) For loans granted on January 1, 2010, or thereafter, the borrower must begin repaying the principle no later than one year from the date of the loan. Loans must be amortized no later than six years after the date of the loan.

~~(d) Repayments~~ (e) All repayments and interest paid on each loan must be credited to the account.

(f) The loan agreement shall include the assurances that borrower meets requirements included or developed pursuant to section 3014 of the HITECH Act. The requirements shall include, but are not limited to:

(1) submitting reports on quality measures in compliance with regulations adopted by the federal government;

(2) demonstrating that any certified electronic health record technology purchased, improved, or otherwise financially supported by this loan program is used to exchange health information in a manner that, in accordance with law and standards applicable to the exchange of information, improves the quality of health care;

(3) including a plan on how the borrower intends to maintain and support the certified electronic health record technology over time and the resources expected to be used to maintain and support the technology purchased with the loan; and

(4) complying with other requirements the secretary may require to use loans funds under the HITECH Act.

Subd. 4. **Data classification.** Data collected by the commissioner of health on the application to determine eligibility under subdivision 2 and to monitor borrowers' default risk or collect payments owed under subdivision 3 are (1) private data on individuals as defined in section 13.02, subdivision 12; and (2) nonpublic data as defined in section 13.02, subdivision 9. The names of borrowers and the amounts of the loans granted are public data.

Sec. 3. Minnesota Statutes 2008, section 62J.497, subdivision 1, is amended to read:

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

(a) "Backward compatible" means that the newer version of a data transmission standard would retain, at a minimum, the full functionality of the versions previously adopted, and would permit the successful completion of the applicable transactions with entities that continue to use the older versions.

~~(a)~~ (b) "Dispense" or "dispensing" has the meaning given in section 151.01, subdivision 30. Dispensing does not include the direct administering of a controlled substance to a patient by a licensed health care professional.

~~(b)~~ (c) "Dispenser" means a person authorized by law to dispense a controlled substance, pursuant to a valid prescription.

~~(c)~~ (d) "Electronic media" has the meaning given under Code of Federal Regulations, title 45, part 160.103.

~~(d)~~ (e) "E-prescribing" means the transmission using electronic media of prescription or prescription-related information between a prescriber, dispenser, pharmacy benefit manager, or group purchaser, either directly or through an intermediary, including an e-prescribing network. E-prescribing includes, but is not limited to, two-way transmissions between the point of care and the dispenser and two-way transmissions related to eligibility, formulary, and medication history information.

~~(e)~~ (f) "Electronic prescription drug program" means a program that provides for e-prescribing.

~~(f)~~ (g) "Group purchaser" has the meaning given in section 62J.03, subdivision 6.

~~(g)~~ (h) "HL7 messages" means a standard approved by the standards development organization known as Health Level Seven.

~~(h)~~ (i) "National Provider Identifier" or "NPI" means the identifier described under Code of Federal Regulations, title 45, part 162.406.

~~(i)~~ (j) "NCPDP" means the National Council for Prescription Drug Programs, Inc.

~~(j)~~ (k) "NCPDP Formulary and Benefits Standard" means the National Council for Prescription Drug Programs Formulary and Benefits Standard, Implementation Guide, Version 1, Release 0, October 2005.

~~(k)~~ (l) "NCPDP SCRIPT Standard" means the National Council for Prescription Drug Programs Prescriber/Pharmacist Interface SCRIPT Standard, Implementation Guide Version 8, Release 1 (Version 8.1), October 2005, or the most recent standard adopted by the Centers for Medicare and Medicaid Services for e-prescribing under Medicare Part D as required by section 1860D-4(e)(4)(D) of the Social Security Act, and regulations adopted under it. The standards shall be implemented according to the Centers for Medicare and Medicaid Services schedule for compliance. Subsequently released versions of the NCPDP SCRIPT Standard may be used, provided that the new version of the standard is backward compatible to the current version adopted by the Centers for Medicare and Medicaid Services.

~~(l)~~ (m) "Pharmacy" has the meaning given in section 151.01, subdivision 2.

~~(m)~~ (n) "Prescriber" means a licensed health care professional who is authorized to prescribe a controlled substance under section 152.12, subdivision 1.

~~(n)~~ (o) "Prescription-related information" means information regarding eligibility for drug benefits, medication history, or related health or drug information.

~~(o)~~ (p) "Provider" or "health care provider" has the meaning given in section 62J.03, subdivision 8.

Sec. 4. Minnesota Statutes 2008, section 62J.497, subdivision 2, is amended to read:

Subd. 2. **Requirements for electronic prescribing.** (a) Effective January 1, 2011, all providers, group purchasers, prescribers, and dispensers must establish ~~and~~ maintain, and use an electronic prescription drug program ~~that complies. This program must comply~~ with the applicable standards in this section for transmitting, directly or through an intermediary, prescriptions and prescription-related information using electronic media.

(b) ~~Nothing in this section requires providers, group purchasers, prescribers, or dispensers to conduct the transactions described in this section. If transactions described in this section are conducted, they must be done electronically using the standards described in this section. Nothing in this section requires providers, group purchasers, prescribers, or dispensers to electronically conduct transactions that are expressly prohibited by other sections or federal law.~~

(c) Providers, group purchasers, prescribers, and dispensers must use either HL7 messages or the NCPDP SCRIPT Standard to transmit prescriptions or prescription-related information internally when the sender and the recipient are part of the same legal entity. If an entity sends prescriptions outside the entity, it must use the NCPDP SCRIPT Standard or other applicable standards required by this section. Any pharmacy within an entity must be able to receive electronic prescription transmittals from outside the entity using the adopted NCPDP SCRIPT Standard. This exemption does not supersede any Health Insurance Portability and Accountability Act (HIPAA) requirement that may require the use of a HIPAA transaction standard within an organization.

~~(d) Entities transmitting prescriptions or prescription related information where the prescriber is required by law to issue a prescription for a patient to a nonprescribing provider that in turn forwards the prescription to a dispenser are exempt from the requirement to use the NCPDP SCRIPT Standard when transmitting prescriptions or prescription related information."~~

Delete the title and insert:

"A bill for an act relating to health; changing provisions for health information technology and infrastructure; establishing an e-health advisory committee; changing electronic health records provisions; changing electronic health record system revolving account and loan program; modifying electronic prescribing provisions; amending Minnesota Statutes 2008, sections 62J.495; 62J.496; 62J.497, subdivisions 1, 2."

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

The report was adopted.

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

H. F. No. 1341, A bill for an act relating to health; changing provisions in the newborn screening program; amending Minnesota Statutes 2008, sections 13.386, subdivision 3; 144.125, subdivision 3, by adding subdivisions.

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

The report was adopted.

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

H. F. No. 1367, A bill for an act relating to agriculture; changing provisions of the Minnesota Noxious Weed Law; establishing a fund; providing for grants; creating an advisory committee; amending Minnesota Statutes 2008, sections 18.75; 18.76; 18.77, subdivisions 1, 3, 5, by adding subdivisions; 18.78, subdivision 1, by adding a subdivision; 18.79; 18.80, subdivision 1; 18.81, subdivision 1; 18.82, subdivisions 1, 3; 18.83; 18.84, subdivisions 1, 2, 3; 18.86; 18.87; 18.88; proposing coding for new law in Minnesota Statutes, chapter 18; repealing Minnesota Statutes 2008, section 18.81, subdivision 3.

Reported the same back with the following amendments:

Page 2, line 23, after the first "inspector" insert "or other designated county employee"

Page 3, line 14, delete "township" and insert "municipality"

Page 5, line 18, after the period, insert "The commissioner shall maintain on the department's Web site weed management information including but not limited to the roles and responsibilities of citizens and government entities under sections 18.76 to 18.91 and specific guidance on whom a person should contact to report a noxious weed issue."

Page 6, line 4, delete everything before the period and insert "responsibilities specified by the county board under section 18.81, subdivision 1. Upon request, the commissioner must provide information and other technical assistance to the county weed inspector or other designated employee to aid in the performance of responsibilities specified by the county board under section 18.81, subdivision 1"

Page 6, line 7, after "inspector" insert "or other designated employee"

Page 6, after line 27, insert:

"Sec. 16. Minnesota Statutes 2008, section 18.81, subdivision 3, is amended to read:

Subd. 3. **Nonperformance by inspectors; reimbursement for expenses.** If local weed inspectors neglect or fail to do their duty as prescribed in this section, the county agricultural inspector ~~shall or other designated employee, in consultation with the commissioner, may~~ issue a notice to the inspector providing instructions on how and when to do their duty. If, after the time allowed in the notice, the local weed inspector has not complied as directed, the county agricultural inspector ~~or other designated employee~~ may consult with the commissioner to perform the duty for the local weed inspector. A claim for the expense of doing the local weed inspector's duty is a legal charge against the municipality in which the inspector has jurisdiction. The county agricultural inspector ~~doing or other designated employee overseeing~~ the work may file an itemized statement of costs with the clerk of the municipality in which the work was performed. The municipality shall immediately issue proper warrants to the county for the work performed. If the municipality fails to issue the warrants, the county auditor may include the amount contained in the itemized statement of costs as part of the next annual tax levy in the municipality and withhold that amount from the municipality in making its next apportionment."

Page 8, lines 30 to 36, reinstate the stricken language

Page 9, line 1, reinstate the stricken language

Page 9, line 2, delete the new language and reinstate the stricken language

Page 9, delete lines 3 to 6

Page 9, line 7, delete everything before the period

Page 9, lines 10 and 11, reinstate the stricken language

Page 13, line 9, delete "may" and insert "shall"

Page 13, line 24, delete the second "and"

Page 13, line 25, delete the period and insert "; and"

Page 13, after line 25, insert:

"(15) local soil and water conservation districts."

Page 13, line 31, after the period, insert "The committee must provide its initial set of recommendations, advice, and assistance to the commissioner no later than 12 months after the date of final enactment."

Page 13, delete section 28

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 State and Local Government Operations Reform, Technology and Elections.

The report was adopted.

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

H. F. No. 1406, A bill for an act relating to gambling; providing for certain reimbursement relating to pari-mutuel wagering; modifying provisions relating to lawful gambling taxes; amending Minnesota Statutes 2008, sections 240.13, by adding a subdivision; 297E.01, subdivisions 7, 8; 297E.02, subdivisions 1, 2, 3, 7, 10; 297E.13, subdivision 5; 349.12, subdivision 25; 349.166, subdivision 2; 349.19, subdivision 2; repealing Minnesota Statutes 2008, sections 297E.02, subdivisions 4, 6, 11; 349.15, subdivision 3; 349.19, subdivision 2a.

Reported the same back with the following amendments:

Page 1, line 14, delete "using or selling" and insert "accepting wagers, that could have been placed at the class A racetrack,"

Page 1, line 15, delete everything before "as"

Page 1, line 22, delete "using or selling" and insert "not compensating a class B licensee under this subdivision or pursuant to a simulcasting, or other agreement,"

Page 1, delete line 23

Page 2, line 2, delete "sale or use of the televised signal" and insert "event"

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

The report was adopted.

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

H. F. No. 1447, A bill for an act relating to higher education; establishing a veterinarian education loan forgiveness program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

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. 1448, A bill for an act relating to civil law; releasing information to health care agents; providing access to health care agents; amending Minnesota Statutes 2008, sections 13.384, subdivisions 2, 3; 144.225, subdivision 7; 144.419, subdivision 5; 169.09, subdivision 13; 246.70; 253B.10, subdivision 3; 253B.14; 253B.16, subdivision 2; 256B.48, subdivision 8.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Health Care and Human Services Policy and Oversight.

The report was adopted.

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

H. F. No. 1529, A bill for an act relating to civil proceedings; removing a dollar limitation on attorney or agent fees in certain cases; amending Minnesota Statutes 2008, section 15.471, subdivision 5.

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. 1532, A bill for an act relating to the secretary of state; regulating various filings, forms, records, submissions, motions, and orders; regulating certain dissolutions; defining a term; amending Minnesota Statutes 2008, sections 5.15; 5.23, subdivisions 1, 4; 5.26, subdivision 1; 270C.63, subdivision 4; 272.488, subdivision 2; 302A.115, subdivision 1; 302A.151; 303.06; 303.11; 308A.121, subdivision 1; 308B.211, subdivision 1; 308B.215; 317A.115, subdivision 2; 321.0108; 321.0809; 321.0902; 321.0906; 321.0909; 322B.12, subdivision 1; 322B.91, subdivision 1; 322B.92; 336.9-519; 336.9-521; 336.9-525; 336A.03, subdivision 3; 336A.09, subdivision 1; 545.05, subdivisions 1, 2, 4, 7, 10, 11, 13; proposing coding for new law in Minnesota Statutes, chapter 5; repealing Minnesota Statutes 2008, sections 5.03; 308B.121, subdivision 3; Minnesota Rules, part 8280.0470.

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. 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, 3, 5; 144.4197; 145A.06, subdivision 7; 151.37, subdivisions 2, 10; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Public Safety Policy and Oversight.

The report was adopted.

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

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.

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

The report was adopted.

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

H. F. No. 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.

Reported the same back with the recommendation that 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. 1709, A bill for an act relating to human services; changing child welfare provisions; amending Minnesota Statutes 2008, sections 13.46, subdivision 2; 256.01, subdivision 14b; 259.52, subdivisions 2, 6; 260.012; 260.93; 260B.007, subdivision 7; 260B.157, subdivision 3; 260B.198, subdivision 1; 260C.007, subdivisions 18, 25; 260C.151, subdivisions 1, 2, 3, by adding a subdivision; 260C.163, by adding a subdivision; 260C.175, subdivision 1; 260C.176, subdivision 1; 260C.178, subdivisions 1, 3; 260C.201, subdivisions 1, 3, 5, 11; 260C.209, subdivision 3; 260C.212, subdivisions 1, 2, 4, 4a, 5, 7; 260D.02, subdivision 5; 260D.03, subdivision 1; 260D.07; 484.76, subdivision 2; Laws 2008, chapter 361, article 6, section 58; proposing coding for new law in Minnesota Statutes, chapter 260C; repealing Minnesota Statutes 2008, section 260C.209, subdivision 4.

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. 1728, A bill for an act relating to human services; amending child care programs, program integrity, adult supports including general assistance medical care and group residential housing, and Minnesota family investment program; amending Minnesota Statutes 2008, sections 119B.011, subdivision 3; 119B.08, subdivision 2; 119B.09, subdivision 1; 119B.12, subdivision 1; 119B.13, subdivision 6; 119B.15; 119B.231, subdivision 3; 256.014, subdivision 1; 256.0471, subdivision 1, by adding a subdivision; 256D.01, subdivision 1b; 256D.44, subdivision 3; 256I.04, subdivisions 2a, 3; 256I.05, subdivision 1k; 256J.24, subdivision 5; 256J.425, subdivisions 2, 3; 256J.521, subdivision 2; 256J.545; 256J.561, subdivision 2; 256J.575, subdivision 3; 256J.626, subdivision 7; 256J.95, subdivisions 11, 13.

Reported the same back with the following amendments:

Page 11, after line 12, insert:

"Section 1. Minnesota Statutes 2008, section 145A.17, is amended by adding a subdivision to read:

Subd. 4a. Home visitors as MFIP employment and training service providers. The county social service agency and the local public health department may mutually agree to utilize home visitors under this section as MFIP employment and training service providers under section 256J.49, subdivision 4, for MFIP participants who are: (1) ill or incapacitated under section 256J.425, subdivision 2; or (2) minor caregivers under section 256J.54. The county social service agency and the local public health department may also mutually agree to utilize home visitors to provide outreach to MFIP families who are being sanctioned or who have been terminated from MFIP due to the 60-month time limit."

Page 13, after line 27, insert:

"Sec. 5. Minnesota Statutes 2008, section 256J.49, subdivision 1, is amended to read:

Subdivision 1. **Scope.** The terms used in sections ~~256J.50~~ 256J.425 to 256J.72 have the meanings given them in this section.

Sec. 6. Minnesota Statutes 2008, section 256J.49, subdivision 4, is amended to read:

Subd. 4. **Employment and training service provider.** "Employment and training service provider" means:

(1) a public, private, or nonprofit agency with which a county has contracted to provide employment and training services and which is included in the county's service agreement submitted under section 256J.626, subdivision 4; ~~or~~

(2) a county agency, if the county has opted to provide employment and training services and the county has indicated that fact in the service agreement submitted under section 256J.626, subdivision 4; or

(3) a home visitor under section 145A.17, subdivision 4a, for minor caregivers or participants who are ill or incapacitated.

Notwithstanding section 116L.871, an employment and training services provider meeting this definition may deliver employment and training services under this chapter."

Page 17, line 17, reinstate the stricken language

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "utilizing home visitors as MFIP employment and training service providers;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass and be re-referred to the Early Childhood Finance and Policy Division.

The report was adopted.

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

H. F. No. 1771, A bill for an act relating to child support; changing certain provisions; redirecting payment of child support; amending Minnesota Statutes 2008, section 518A.46, subdivision 5, by adding a subdivision.

Reported the same back with the following amendments:

Page 4, line 1, delete "or"

Page 4, line 4, delete the period and insert "; or"

Page 4, after line 4, insert:

"(3) the redirection of child support is not in the best interests of the child."

Page 4, line 21, delete "the date" and insert "14 days' notice to the obligee, obligor, and caretaker. The public authority shall provide this notice after determining that"

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. 1886, A bill for an act relating to agriculture; establishing the Feeding Minnesota Task Force; proposing coding for new law in Minnesota Statutes, chapter 31.

Reported the same back with the recommendation that 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. 1889, A bill for an act relating to state government; allowing all public employees to buy into the state long-term care insurance program; amending Minnesota Statutes 2008, section 43A.318, subdivision 2.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on State and Local Government Operations Reform, Technology and Elections.

The report was adopted.

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

S. F. No. 265, A bill for an act relating to public safety; requiring crime alerts to be distributed in a format that disabled citizens can access; amending Minnesota Statutes 2008, section 13.871, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 611A.

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 330, 362, 420, 519, 528, 569, 648, 1237, 1341, 1529, 1532, 1568 and 1667 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 265 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Olin introduced:

H. F. No. 2122, A bill for an act relating to natural resources; requiring an elk management plan.

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

Wagenius, Knuth, Gardner, Morgan and Scalze introduced:

H. F. No. 2123, A bill for an act relating to environment finance; requiring waters to be monitored for endocrine disruptors and other compounds; appropriating money.

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

Murphy, E., introduced:

H. F. No. 2124, A bill for an act relating to human services; modifying licensing requirements related to child care centers; amending Minnesota Statutes 2008, sections 245A.06, subdivision 8; 245A.07, subdivision 5; 245C.301.

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

Clark, Davnie and Hornstein introduced:

H. F. No. 2125, A bill for an act relating to crime prevention; providing for an aggressive initiative against chemical dependency; increasing the tax on alcoholic beverages to fund this initiative; eliminating obsolete language and making technical corrections; appropriating money; amending Minnesota Statutes 2008, sections 169A.275, subdivision 5; 169A.284, subdivision 1; 169A.54, subdivision 11; 169A.70, subdivisions 2, 3, 7, by adding subdivisions; 254B.01, subdivision 2; 254B.02, subdivision 1; 254B.04, subdivisions 1, 3; 254B.06, subdivision 1; 297G.03, subdivisions 1, 2; 297G.04, subdivisions 1, 2; 609.115, subdivision 8; 609.135, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 254A; 373; 609; repealing Minnesota Statutes 2008, sections 254B.02, subdivisions 2, 3, 4; 254B.03, subdivision 4; 254B.09, subdivisions 4, 5, 7.

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

Loon, Brod, Emmer, Gottwalt, Downey and Dean introduced:

H. F. No. 2126, A bill for an act relating to health; permitting Minnesota residents to buy health coverage approved in other states; creating a Physician's Council on Health Care Policy to analyze health coverage mandates; providing a tax credit for persons without access to employer-based coverage; amending Minnesota Statutes 2008, sections 62A.02, by adding a subdivision; 290.06, by adding a subdivision; 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.

Loon, Kohls, Brod, Mack, Zellers and Downey introduced:

H. F. No. 2127, A bill for an act relating to taxation; income; corporate franchise; modifying the research tax credit; amending Minnesota Statutes 2008, section 290.068, subdivisions 1, 2, 3, 4.

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

Eken, Torkelson, Hausman, Gardner, Kahn, Olin, Lanning, Huntley, Ward, Knuth, Solberg and Bly introduced:

H. F. No. 2128, A bill for an act relating to state government; appropriating money from the clean water fund for clean water legacy activities.

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

Bly and Marquart introduced:

H. F. No. 2129, A bill for an act relating to taxation; property; reducing the state general levy for historic commercial buildings; amending Minnesota Statutes 2008, section 273.13, by adding a subdivision.

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

Juhnke introduced:

H. F. No. 2130, A bill for an act relating to liquor; clarifying on-sale event license requirement; amending Minnesota Statutes 2008, section 340A.404, subdivision 4.

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

Hansen, Gunther, Kelliher, Solberg and Sertich introduced:

H. F. No. 2131, A bill for an act relating to state government; appropriating money for environment and natural resources.

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

Gunther introduced:

H. F. No. 2132, A bill for an act relating to state government; modifying administration of the Lessard Outdoor Heritage Council; amending Minnesota Statutes 2008, section 97A.056, subdivisions 2, 7.

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

Eken and Hansen introduced:

H. F. No. 2133, A bill for an act relating to environment; modifying regulation of storm water discharges; appropriating money; amending Minnesota Statutes 2008, section 115.03, subdivision 5c.

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

Hausman introduced:

H. F. No. 2134, A bill for an act relating to capital improvements; appropriating money for asset preservation for various state agencies and higher education facilities; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Juhnke, Hamilton and Otremba introduced:

H. F. No. 2135, A bill for an act relating to agriculture; directing the commissioner of agriculture to make recommendations on horse operations.

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

Hamilton introduced:

H. F. No. 2136, A bill for an act relating to liquor; authorizing microdistilleries; amending Minnesota Statutes 2008, sections 340A.101, by adding a subdivision; 340A.301, subdivisions 4, 6.

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

Morrow introduced:

H. F. No. 2137, A bill for an act relating to commerce; exempting a disabled veterans organization from the prohibition on use of an automatic dialing device in certain situations; amending Minnesota Statutes 2008, section 325E.27.

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

Atkins introduced:

H. F. No. 2138, A bill for an act relating to insurance; regulating continuation coverage; conforming Minnesota law to the requirements necessary for assistance eligible individuals who are not enrolled in continuation coverage to receive a federal premium subsidy under the American Recovery and Reinvestment Act of 2009; amending Minnesota Statutes 2008, section 62A.17, by adding a subdivision.

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

Abeler and Newton introduced:

H. F. No. 2139, A bill for an act relating to transportation; requiring certain striping on Trunk Highway 47.

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

Hayden, Champion and Huntley introduced:

H. F. No. 2140, A bill for an act relating to public safety; providing a restorative justice-based alternative disposition process for certain juvenile offenses; proposing coding for new law in Minnesota Statutes, chapter 260B.

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

Slocum and Knuth introduced:

H. F. No. 2141, A bill for an act relating to economic development; appropriating money for a grant for women's business development programs.

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

Dettmer introduced:

H. F. No. 2142, A bill for an act relating to highways; requiring commissioner of transportation to install specific service sign displaying information regarding church in Forest Lake.

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

Westrom introduced:

H. F. No. 2143, A bill for an act relating to public safety; requiring certain sex offenders to wear tracking and monitoring bracelets after release from prison; prescribing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Olin introduced:

H. F. No. 2144, A bill for an act relating to state lands; authorizing the sale of certain consolidated conservation lands in Roseau County.

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

Thissen introduced:

H. F. No. 2145, A bill for an act relating to human services; establishing the State-County Results, Accountability, and Service Delivery Redesign; requiring reports; appropriating money; 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.

Pelowski introduced:

H. F. No. 2146, A bill for an act relating to state government; clarifying Minnesota Management and Budget oversight; establishing the management analysis revolving fund; appropriating money; amending Minnesota Statutes 2008, sections 13.64; 16A.055, by adding a subdivision; 16A.126; 16B.36, subdivision 1; 16B.48, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Solberg, by request, introduced:

H. F. No. 2147, A bill for an act relating to taxation; authorizing the city of Grand Rapids to impose a local sales tax; adjusting the local government aid payment to the city.

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

Huntley introduced:

H. F. No. 2148, A bill for an act relating to human services; modifying treatment of Medicare costs for purposes of nursing facility rebasing; amending Minnesota Statutes 2008, section 256B.441, subdivision 48, by adding a subdivision.

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

Obermueller introduced:

H. F. No. 2149, A bill for an act relating to health occupations; removing the number of attempts allowed to pass the medical licensing examination; amending Minnesota Statutes 2008, section 147.02, subdivision 1.

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

Clark introduced:

H. F. No. 2150, A bill for an act relating to appropriations; appropriating money for health and human services for certain programs and grants; appropriating money for various state agencies.

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

Brod introduced:

H. F. No. 2151, A bill for an act relating to health; developing a statewide plan for the redesign of the health care system.

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

Peppin introduced:

H. F. No. 2152, A bill for an act relating to local government; requiring town board consent before Three Rivers Park District acquires property in a town; amending Minnesota Statutes 2008, section 383B.72.

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

Falk introduced:

H. F. No. 2153, A bill for an act relating to education finance; allowing Independent School District No. 2853, Lac qui Parle Valley, to levy funds for a replacement elevator.

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

Sailer, Lillie and Gardner introduced:

H. F. No. 2154, A bill for an act relating to solid waste; establishing composting competitive grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115A.

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

Gunther introduced:

H. F. No. 2155, A bill for an act relating to the environment; appropriating money to continue SCORE activities.

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

Anderson, P., introduced:

H. F. No. 2156, A bill for an act relating to elections; providing for the postponement of a local election or extension of voting hours in the event of inclement weather; proposing coding for new law in Minnesota Statutes, chapter 204C.

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

Atkins introduced:

H. F. No. 2157, A bill for an act relating to insurance; requiring the Joint Underwriting Association to provide liquor liability insurance on the same basis as other insurance; amending Minnesota Statutes 2008, section 62I.13, subdivision 2.

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

Westrom introduced:

H. F. No. 2158, A bill for an act relating to education finance; modifying the postsecondary enrollments options program; amending Minnesota Statutes 2008, section 124D.09, subdivisions 13, 20.

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

Westrom introduced:

H. F. No. 2159, A bill for an act relating to energy; providing for utility rebates to homeowners for certain renewable energy projects used to heat a residence; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

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

Westrom introduced:

H. F. No. 2160, A bill for an act relating to energy; permitting utility to expend funds on renewable sources of electricity and receive credit to its conservation goals, under certain conditions; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

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

Westrom introduced:

H. F. No. 2161, A bill for an act relating to energy; establishing grant program for renewable energy projects; appropriating money.

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

Solberg and Persell introduced:

H. F. No. 2162, A bill for an act relating to state lands; modifying lease terms for tax-forfeited lands in Itasca County; amending Laws 2007, chapter 57, article 1, section 162.

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

Loeffler introduced:

H. F. No. 2163, A bill for an act relating to insurance; expanding the small employer health insurance market; creating a process for developing a standard application form for small employer health coverage; amending Minnesota Statutes 2008, section 62L.02, subdivision 26.

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

Sterner introduced:

H. F. No. 2164, A bill for an act relating to campaign finance; specifying certain costs and fees as a noncampaign disbursement; amending Minnesota Statutes 2008, section 10A.01, subdivision 26.

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

Clark, Urdahl, Wagenius and Rukavina introduced:

H. F. No. 2165, A bill for an act relating to education finance; providing funding for Ojibwe and Dakota immersion programs; appropriating money.

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

Lillie and Atkins introduced:

H. F. No. 2166, A bill for an act relating to occupations and professions; modifying regulation of barbers and barbering schools; amending Minnesota Statutes 2008, sections 154.06; 154.065, subdivision 2; 154.07, by adding a subdivision; 154.15, by adding a subdivision; repealing Minnesota Statutes 2008, section 154.07, subdivision 5.

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

Murphy, E., introduced:

H. F. No. 2167, A bill for an act relating to elections; modifying certain procedures for processing absentee ballots; requiring review of rejected absentee ballots by the county canvassing board; amending Minnesota Statutes 2008, sections 203B.04, by adding a subdivision; 203B.07, by adding a subdivision; 204C.32, subdivision 1; 204C.33, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 203B.

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

Persell, Solberg, Anzelc, Howes and Sailer introduced:

H. F. No. 2168, A bill for an act relating to capital improvements; appropriating money for Leech Lake Tribal College; authorizing the sale and issuance of state bonds.

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

Drazkowski introduced:

H. F. No. 2169, A bill for an act relating to education finance; allowing Independent School District No. 857, Lewiston, to collect special education revenue for hired special education teachers.

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

Beard, Mahoney, Gottwalt, Winkler and Peppin introduced:

H. F. No. 2170, A bill for an act relating to economic development; promoting a science and technology initiative; creating a commission; establishing a center; creating economic development grant programs; defining terms; requiring reports; 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.

Abeler, Rukavina, Dittrich and Rosenthal introduced:

H. F. No. 2171, A bill for an act relating to higher education; requiring the Board of Trustees of MnSCU to implement a policy on credit transfers; requiring a report to the legislature.

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

Lenczewski; Murphy, M.; Lieder and Wagenius introduced:

H. F. No. 2172, A bill for an act relating to taxation; sales and use; making technical changes related to the sales tax imposed under the Minnesota Constitution, article XI, section 15; amending Minnesota Statutes 2008, sections 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1.

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

MOTIONS AND RESOLUTIONS

Urdahl moved that the name of Welti be added as an author on H. F. No. 563. The motion prevailed.

Marquart moved that the name of Hamilton be added as an author on H. F. No. 872. The motion prevailed.

Seifert moved that the name of Murdock be added as an author on H. F. No. 1437. The motion prevailed.

Westrom moved that the name of Otremba be added as an author on H. F. No. 1501. The motion prevailed.

Hilstrom moved that the name of Slocum be added as an author on H. F. No. 1542. The motion prevailed.

Slawik moved that the name of Slocum be added as an author on H. F. No. 1543. The motion prevailed.

Bigham moved that the name of Reinert be added as an author on H. F. No. 1556. The motion prevailed.

Mullery moved that the name of Slocum be added as an author on H. F. No. 1617. The motion prevailed.

Sailer moved that the name of Slocum be added as an author on H. F. No. 1626. The motion prevailed.

Liebling moved that the name of Slocum be added as an author on H. F. No. 1641. The motion prevailed.

Clark moved that the name of Slocum be added as an author on H. F. No. 1645. The motion prevailed.

Swails moved that the name of Slocum be added as an author on H. F. No. 1665. The motion prevailed.

Atkins moved that the name of Slocum be added as an author on H. F. No. 1675. The motion prevailed.

Beard moved that his name be stricken as an author on H. F. No. 1679. The motion prevailed.

Davnie moved that the name of Slocum be added as an author on H. F. No. 1697. The motion prevailed.

Newton moved that the name of Ward be added as an author on H. F. No. 1701. The motion prevailed.

Winkler moved that the name of Davnie be added as an author on H. F. No. 1740. The motion prevailed.

Thao moved that the name of Thissen be added as chief author on H. F. No. 1760. The motion prevailed.

Murphy, E., moved that the name of Hayden be added as an author on H. F. No. 1819. The motion prevailed.

Hilstrom moved that the names of Hortman and Abeler be added as authors on H. F. No. 1839. The motion prevailed.

Anderson, S., moved that the name of Urdahl be added as an author on H. F. No. 1884. The motion prevailed.

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

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

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

Bunn moved that the name of Gottwalt be added as an author on H. F. No. 1959. The motion prevailed.

Haws moved that the name of Eastlund be added as an author on H. F. No. 1967. The motion prevailed.

Marquart moved that the name of Slocum be added as an author on H. F. No. 1975. The motion prevailed.

Clark moved that the name of Davnie be added as an author on H. F. No. 1993. The motion prevailed.

Swails moved that the names of Holberg, Morgan and Sterner be added as authors on H. F. No. 2035. The motion prevailed.

Lanning moved that the names of Fritz, Slawik, Abeler and Huntley be added as authors on H. F. No. 2062. The motion prevailed.

Hosch moved that the names of Falk and Davnie be added as authors on H. F. No. 2075. The motion prevailed.

Carlson moved that the name of Slocum be added as an author on H. F. No. 2080. The motion prevailed.

Slawik moved that the name of Slocum be added as an author on H. F. No. 2088. The motion prevailed.

Eken moved that the name of Lanning be added as an author on H. F. No. 2092. The motion prevailed.

Kalin moved that the name of Reinert be added as an author on H. F. No. 2095. The motion prevailed.

Bly moved that the name of Slocum be added as an author on H. F. No. 2105. The motion prevailed.

Bly moved that the name of Slocum be added as an author on H. F. No. 2106. The motion prevailed.

Bly moved that the name of Slocum be added as an author on H. F. No. 2107. The motion prevailed.

Clark moved that the name of Zellers be added as an author on H. F. No. 2114. The motion prevailed.

Emmer moved that H. F. No. 176, now on the General Register, be re-referred to the Committee on Civil Justice. The motion prevailed.

Thissen moved that H. F. No. 384, now on the General Register, be re-referred to the Committee on Finance. The motion prevailed.

Nelson moved that H. F. No. 519, now on the General Register, be re-referred to the Committee on Environment Policy and Oversight. The motion prevailed.

Juhnke moved that H. F. No. 630 be recalled from the Committee on State and Local Government Operations Reform, Technology and Elections and be re-referred to the Committee on Taxes. The motion prevailed.

Swails moved that H. F. No. 1856 be recalled from the Committee on K-12 Education Policy and Oversight and be re-referred to the Transportation and Transit Policy and Oversight Division. The motion prevailed.

Clark moved that H. F. No. 1993 be recalled from the Energy Finance and Policy Division and be re-referred to the Committee on Finance. The motion prevailed.

Newton moved that H. F. No. 2051 be recalled from the Committee on Finance and be re-referred to the Committee on K-12 Education Policy and Oversight. The motion prevailed.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to Rule 1.22, Solberg announced his intention to place H. F. No. 1797 on the Fiscal Calendar for Thursday, March 26, 2009.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 10:30 a.m., Thursday, March 26, 2009. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and Speaker pro tempore Hortman declared the House stands adjourned until 10:30 a.m., Thursday, March 26, 2009.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives