

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-THIRD LEGISLATURE

SEVENTIETH DAY

St. Paul, Minnesota, Thursday, March 4, 2004

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Albert Gallmon, Jr.

The roll was called, and the following Senators answered to their names:

| | | | | |
|--------------|---------------|----------|------------|-----------|
| Anderson | Gaither | Langseth | Olson | Scheid |
| Bachmann | Hann | Larson | Ortman | Senjem |
| Bakk | Higgins | LeClair | Ourada | Skoe |
| Belanger | Hottinger | Limmer | Pappas | Skoglund |
| Berglin | Johnson, D.E. | Lourey | Pariseau | Solon |
| Betzold | Johnson, D.J. | Marko | Pogemiller | Sparks |
| Chaudhary | Jungbauer | Marty | Ranum | Stumpf |
| Cohen | Kelley | McGinn | Reiter | Tomassoni |
| Day | Kierlin | Metzen | Rest | Vickerman |
| Dibble | Kiscaden | Michel | Robling | Wergin |
| Dille | Kleis | Moua | Rosen | Wiger |
| Fischbach | Knutson | Murphy | Ruud | |
| Foley | Koering | Neuville | Sams | |
| Frederickson | Kubly | Nienow | Saxhaug | |

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

February 26, 2004

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2004 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| S.F. No. | H.F. No. | Session Laws Chapter No. | Time and Date Approved 2004 | Date Filed 2004 |
|-------------|-------------|-----------------------------|-----------------------------------|--------------------|
| 1015 | | 135 | 12:25 p.m. February 26 | February 26 |

Sincerely,
Mary Kiffmeyer
Secretary of State

March 4, 2004

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

Pursuant to Senate Rule 8.2, the following appointment has been withdrawn from the following committee and placed on the Confirmation Calendar:

From the Committee on Crime Prevention and Public Safety, to which was referred the following appointment as reported in the Journal for March 3, 2003:

DEPARTMENT OF PUBLIC SAFETY
COMMISSIONER

Richard Stanek

Sincerely,
Patrick E. Flahaven
Secretary of the Senate

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 2052.

Edward A. Burdick, Chief Clerk, House of Representatives

Transmitted March 1, 2004

FIRST READING OF HOUSE BILLS

The following bill was read the first time and referred as indicated.

H.F. No. 2052: A bill for an act relating to human services; extending the sunset date for the supportive housing and managed care pilot project; amending Minnesota Statutes 2002, section 256K.25, subdivision 7.

Referred to the Committee on Health and Family Security.

REPORTS OF COMMITTEES

Senator Johnson, D.E. moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Wiger from the Committee on Elections, to which was re-referred

S.F. No. 917: A bill for an act relating to campaign finance; prohibiting party units from accepting contributions indirectly they could not accept directly; amending Minnesota Statutes 2002, section 10A.27, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Wiger from the Committee on Elections, to which was re-referred

H.F. No. 1006: A bill for an act relating to elections; providing for conformity with the federal Help America Vote Act; creating a complaint process; requiring a report; imposing a penalty; appropriating money; amending Minnesota Statutes 2002, sections 201.021; 201.022; 201.061, subdivisions 1, 3, by adding subdivisions; 201.071, subdivisions 1, 3, by adding subdivisions; 201.091, subdivisions 1, 4, 5, by adding a subdivision; 201.121, subdivision 1; 201.13, subdivision 1; 201.15; 201.155; 201.161; 201.171; 201.221, subdivisions 2, 3; 203B.06, subdivision 4; 203B.08, subdivision 3; 203B.12, subdivision 2; 203B.16, by adding a subdivision; 203B.17; 203B.19; 203B.24, subdivision 2; 203B.26; 204B.47; 204C.10; 206.57, by adding subdivisions; 206.81; proposing coding for new law in Minnesota Statutes, chapters 5; 200; 201; 204C.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2002, section 201.021, is amended to read:

201.021 [PERMANENT REGISTRATION SYSTEM.]

A permanent system of voter registration by county is established, with the county systems linked together by a centralized statewide system a single, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state, and assigns a unique identifier to each legally registered voter in the state. The interactive computerized statewide voter registration list constitutes the official list of every legally registered voter in the state. The county auditor shall be chief registrar of voters and the chief custodian of the official registration records in each county. The secretary of state is responsible for defining, maintaining, and administering the centralized system.

Sec. 2. Minnesota Statutes 2002, section 201.022, is amended to read:

201.022 [STATEWIDE REGISTRATION SYSTEM.]

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

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

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

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

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

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

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

- (7) coordinate with other agency databases within the state;
- (8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;
- (9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;
- (10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;
- (11) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes; and
- (12) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16.

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

Subd. 2. [RULES.] The secretary of state shall make permanent rules necessary to administer the system required in subdivision 1. ~~The rules must at least:~~

- ~~(1) provide for voters to submit their registration to any county auditor, the secretary of state, or the department of public safety;~~
- ~~(2) provide for the establishment and maintenance of a central database for all voter registration information;~~
- ~~(3) provide procedures for entering data into the statewide registration system;~~
- ~~(4) provide for interaction with the computerized driver's license records of the department of public safety;~~
- ~~(5) allow the offices of all county auditors and the secretary of state to add, modify, and delete information from the system to provide for accurate and up-to-date records;~~
- ~~(6) allow the offices of all county auditors and the secretary of state's office to have access to the statewide registration system for review and search capabilities;~~
- ~~(7) provide security and protection of all information in the statewide registration system and to ensure that unauthorized entry is not allowed;~~
- ~~(8) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes; and~~
- ~~(9) prescribe a procedure for the return of completed voter registration forms from the department of public safety to the secretary of state or the county auditor.~~

Sec. 3. Minnesota Statutes 2002, section 201.061, subdivision 1, is amended to read:

Subdivision 1. [PRIOR TO ELECTION DAY.] At any time except during the 20 days immediately preceding any election, an eligible voter or any individual who will be an eligible voter at the time of the next election may register to vote in the precinct in which the voter maintains residence by completing a voter registration eard application as described in section 201.071, subdivision 1, and submitting it in person or by mail to the county auditor of that county or to the secretary of state's office. A registration that is received no later than 5:00 p.m. on the 21st day preceding any election shall be accepted. An improperly addressed or delivered registration eard application shall be forwarded within two working days after receipt to the county auditor of the county where the voter maintains residence. A state or local agency or an individual that accepts completed voter registration eards applications from a voter must submit the completed eards applications to the secretary of state or the appropriate county auditor within ten days after the eards applications are dated by the voter.

An individual who registers to vote by mail must include with the completed voter registration application a copy of:

- (1) a current and valid photo identification that includes the individual's name and photo; or
- (2) a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.

For purposes of this subdivision, mail registration is defined as a voter registration application postmarked and delivered to the secretary of state, county auditor, or municipal clerk by the United States Postal Service.

Sec. 4. Minnesota Statutes 2002, section 201.061, is amended by adding a subdivision to read:

Subd. 1a. [DEFICIENT REGISTRATION BY MAIL.] If the county auditor determines that a voter who has submitted a voter registration application by mail has not previously voted in this state for a federal office and has also not presented a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter to the auditor, then the county auditor must notify the voter that the registration is deficient and to complete registration by using one of the following methods:

- (1) presenting to the auditor more than 20 days before the election a copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter;
- (2) registering in person before or on election day;
- (3) if voting by mail, including a copy of a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or
- (4) providing proof of residence by any of the methods authorized for election day registration in section 201.061, subdivision 3.

Sec. 5. Minnesota Statutes 2002, section 201.061, subdivision 3, is amended to read:

Subd. 3. [ELECTION DAY REGISTRATION.] An individual who is eligible to vote may register on election day by appearing in person at the polling place for the precinct in which the individual maintains residence, by completing a registration card application, making an oath in the form prescribed by the secretary of state and providing proof of residence. An individual may prove residence for purposes of registering by:

- (1) ~~showing~~ presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;
- (2) ~~showing~~ presenting any document approved by the secretary of state as proper identification;
- (3) ~~showing~~ presenting one of the following:
 - (i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or
 - (ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card;
- (4) presenting a notice of deficient registration that shows the individual's name and address and was delivered by the county auditor to the individual by nonforwardable mail; or

(5) having a voter who is registered to vote in the precinct sign an oath in the presence of the election judge vouching that the voter personally knows that the individual is a resident of the

precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day; ~~or.~~

(5) For tribal band members living on an Indian reservation, an individual may prove residence for purposes of registering by ~~showing~~ presenting an identification card issued by the tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the name, street address, signature, and picture of the individual. The county auditor of each county having territory within the reservation shall maintain a record of the number of election day registrations accepted under this section.

A county, school district, or municipality may require that an election judge responsible for election day registration initial each completed registration ~~card~~ application.

Sec. 6. Minnesota Statutes 2002, section 201.071, subdivision 1, is amended to read:

Subdivision 1. [FORM.] A voter registration card application must be of suitable size and weight for mailing and contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's social security number; and voter's signature. The card application must also contain a certification of voter eligibility. The application must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration ~~card~~ application and the certification of voter eligibility must be as provided in the rules of the secretary of state. Voter registration forms authorized by the National Voter Registration Act may also be accepted as valid.

Sec. 7. Minnesota Statutes 2002, section 201.071, subdivision 2, is amended to read:

Subd. 2. [INSTRUCTIONS.] A registration ~~card~~ application shall be accompanied by instructions specifying the manner and method of registration, the qualifications for voting, the penalties for false registration, and the availability of registration and voting assistance for elderly and handicapped individuals and residents of health care facilities and hospitals. The instructions must indicate that if the voter does not have a valid Minnesota driver's license or identification card, the last four digits of the voter's social security number must be provided, unless the voter does not have a social security number. If, prior to election day, a person requests the instructions in Braille, on cassette tape, or in a version printed in 16-point bold type with heavy leading, the county auditor shall provide them in the form requested. The secretary of state shall prepare Braille and cassette copies and make them available.

Sec. 8. Minnesota Statutes 2002, section 201.071, subdivision 3, is amended to read:

Subd. 3. [DEFICIENT REGISTRATION.] Except as provided in subdivision 4a, no voter registration application is deficient if it contains the voter's name, address, date of birth, current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification number, the last four digits of the voter's social security number, prior registration, if any, and signature. The absence of a zip code number does not cause the registration to be deficient. The election judges shall request an individual to correct a voter registration card application if it is deficient or illegible or if the name or number of the voter's school district is missing or obviously incorrect.

No eligible voter may be prevented from voting unless the voter's registration card application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

A voter registration card application accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a voter registration card application accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient.

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid driver's license or Minnesota state identification number or last four digits of a social security number.

Sec. 9. Minnesota Statutes 2002, section 201.071, is amended by adding a subdivision to read:

Subd. 4a. [DEFICIENT IDENTIFICATION OR RESIDENCE INFORMATION.] A voter who receives a notice of deficient registration from the county auditor may either provide the information required to correct the deficiency at least 21 days before the next election or at the polling place on election day.

Sec. 10. Minnesota Statutes 2002, section 201.091, subdivision 4, is amended to read:

Subd. 4. [PUBLIC INFORMATION LISTS.] The county auditor shall make available for inspection a public information list which must contain the name, address, year of birth, and voting history of each registered voter in the county. The telephone number must be included on the list if provided by the voter. The public information list may also include information on voting districts. The county auditor may adopt reasonable rules governing access to the list. No individual inspecting the public information list shall tamper with or alter it in any manner. No individual who inspects the public information list or who acquires a list of registered voters prepared from the public information list may use any information contained in the list for purposes unrelated to elections, political activities, or law enforcement. The secretary of state may provide copies of the public information lists and other information from the statewide registration system for uses related to elections, political activities, or in response to a law enforcement inquiry from a public official concerning a failure to comply with any criminal statute or any state or local tax statute.

Before inspecting the public information list or obtaining a list of voters or other information from the list, the individual shall provide identification to the public official having custody of the public information list and shall state in writing that any information obtained from the list will not be used for purposes unrelated to elections, political activities, or law enforcement. Requests to examine or obtain information from the public information lists or the statewide registration system must be made and processed in the manner provided in the rules of the secretary of state.

Upon receipt of a written request and a copy of the court order, the secretary of state ~~may~~ must withhold from the public information list the name of any registered voter placed under court-ordered protection.

Sec. 11. Minnesota Statutes 2002, section 201.091, subdivision 5, is amended to read:

Subd. 5. [COPY OF LIST TO REGISTERED VOTER.] The county auditors and the secretary of state shall provide ~~paper~~ copies of the public information lists ~~and may provide the lists in some other form~~ in electronic or other media to any voter registered in Minnesota within ten days of receiving a written request accompanied by payment of the cost of reproduction. The county auditors and the secretary of state shall make a copy of the list available for public inspection without cost. An individual who inspects or acquires a copy of a public information list may not use any information contained in it for purposes unrelated to elections, political activities, or law enforcement. ~~No list made available for public inspection or purchase may include the date of birth of a registered voter.~~

Sec. 12. Minnesota Statutes 2002, section 201.091, is amended by adding a subdivision to read:

Subd. 9. [RESTRICTED DATA.] A list provided for public inspection or purchase must not include a voter's date of birth or any part of a voter's social security number, driver's license number, or identification card number.

Sec. 13. Minnesota Statutes 2002, section 201.121, subdivision 1, is amended to read:

Subdivision 1. [ENTRY OF REGISTRATION INFORMATION.] Upon receiving ~~At the time a voter registration card application is properly completed and submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter in the information contained on it into the statewide registration system the information contained on it on an expedited basis, but no later than 42 days after receipt, unless the county auditor notifies the secretary of state before the 42-day deadline has expired that the deadline will not be met. Voter registration cards applications completed before election day must be entered into the statewide registration system within ten days after they have been submitted to the county auditor.~~

Upon receiving a completed voter registration card or form application, the secretary of state may electronically transmit the information on the card or form application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide registration system. The secretary of state may mail the voter registration card or form application to the county auditor.

Sec. 14. Minnesota Statutes 2002, section 201.13, subdivision 1, is amended to read:

Subdivision 1. [COMMISSIONER OF HEALTH, REPORTS OF DECEASED RESIDENTS.] Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the commissioner of health shall report monthly by electronic means to the secretary of state the name, address, date of birth, and county of residence of each individual 18 years of age or older who has died while maintaining residence in Minnesota since the last previous report. The secretary of state shall determine if any of the persons listed in the report are registered to vote and shall prepare a list of those registrants for each county auditor. Within 60 days after receiving the list from the secretary of state, the county auditor shall change the status of those registrants to "deceased" in the statewide registration system.

Sec. 15. Minnesota Statutes 2002, section 201.15, as amended by Laws 2003, chapter 12, article 2, section 3, is amended to read:

201.15 [DISTRICT JUDGE, REPORT GUARDIANSHIPS AND COMMITMENTS.]

Subdivision 1. [GUARDIANSHIPS AND INCOMPETENTS.] Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report monthly by electronic means to the secretary of state the name, address, and date of birth of each individual 18 years of age or over, who during the month preceding the date of the report:

(a) was placed under a guardianship of the person in which the court order provides that the ward does not retain the right to vote; or

(b) was adjudged legally incompetent.

The court administrator shall also report the same information for each individual transferred to the jurisdiction of the court who meets a condition specified in clause (a) or (b). The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the county auditor. The county auditor shall change the status on the record in the statewide registration system of any individual named in the report to indicate that the individual is not eligible to reregister or vote.

Subd. 2. [RESTORATION TO CAPACITY.] Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report monthly by electronic means to the secretary of state the name, address, and date of birth of each individual transferred from guardianship to conservatorship or who is restored to capacity by the court after being ineligible to vote for any of the reasons specified in subdivision 1. The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for the

county auditor. The county auditor shall change the status on the voter's record in the statewide registration system to "active."

Sec. 16. Minnesota Statutes 2002, section 201.155, is amended to read:

201.155 [REPORT ON FELONY CONVICTIONS.]

Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the state court administrator shall report monthly by electronic means to the secretary of state the name, address, date of birth, date of sentence, effective date of the sentence, and county in which the conviction occurred of each person who has been convicted of a felony. The state court administrator shall also report the name, address, and date of birth of each person previously convicted of a felony whose civil rights have been restored. The secretary of state shall determine if any of the persons in the report is registered to vote and shall prepare a list of those registrants for each county auditor. The county auditor shall change the status of those registrants in the appropriate manner in the statewide registration system.

Sec. 17. Minnesota Statutes 2002, section 201.161, is amended to read:

201.161 [DRIVER'S LICENSE AND IDENTIFICATION CARD APPLICATIONS.]

The department of public safety shall change its applications for an original, duplicate, or change of address driver's license or identification card so that the forms may also serve as voter registration cards applications. The forms must contain spaces for the information required in section 201.071, subdivision 1, and applicable rules of the secretary of state. Applicants for driver's licenses or identification cards must be asked if they want to register to vote at the same time and that information must be transmitted at least weekly by electronic means to the secretary of state. ~~A copy of each application containing a completed voter registration must be sent to the county auditor of the county in which the voter maintains residence or to the secretary of state as soon as possible.~~ Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record ~~information relating to~~ containing the voter's name, address, date of birth, driver's license number or state identification number, county, town, and city must be made available for access by the secretary of state and interaction with the statewide voter registration system.

Sec. 18. [201.1615] [INFORMATION SHARING; USE OF SOCIAL SECURITY NUMBER.]

The secretary of state shall enter into an agreement with the commissioner of public safety to match information in the statewide voter registration system with information in the Department of Public Safety database to verify the accuracy of the information provided on applications for voter registrations.

The commissioner of public safety shall enter into an agreement with the commissioner of the United States Social Security Administration under section 205(r)(8) of the Social Security Act to allow the use of the last four digits of the social security number to be used to verify voter registration information, to ensure the maintenance of the confidentiality of any applicable information disclosed, and to establish procedures to permit the department to use the information for purposes of maintaining its records.

Sec. 19. Minnesota Statutes 2002, section 201.171, is amended to read:

201.171 [POSTING VOTING HISTORY; FAILURE TO VOTE; REGISTRATION REMOVED.]

Within six weeks after every election, the county auditor shall post the voting history for every person who voted in the election. After the close of the calendar year, the secretary of state shall determine if any registrants have not voted during the preceding four years ~~and~~. The secretary of state shall change perform list maintenance by changing the status of those registrants to "inactive" in the statewide registration system. The list maintenance performed must be conducted in a manner that ensures that the name of each registered voter appears in the official list of eligible voters in the statewide registration system. A voter must not be removed from the official list of

eligible voters unless the voter is not eligible or is not registered to vote. List maintenance must include procedures for eliminating duplicate names from the official list of eligible voters.

The secretary of state shall also prepare a report to the county auditor containing the names of all registrants whose status was changed to "inactive."

Although not counted in an election, a late absentee ballot must be considered a vote for the purpose of continuing registration.

Sec. 20. Minnesota Statutes 2002, section 201.221, subdivision 2, is amended to read:

Subd. 2. [UNIFORM PROCEDURES FOR COUNTIES.] The secretary of state shall assist local election officers by devising uniform forms and procedures. The secretary of state shall provide uniform rules for maintaining voter registration records on the statewide registration system. The secretary of state shall supervise the development and use of the statewide registration system to insure that it conforms to applicable federal and state laws and rules.

Sec. 21. Minnesota Statutes 2002, section 201.221, subdivision 3, is amended to read:

Subd. 3. [PROCEDURES FOR POLLING PLACE ROSTERS.] The secretary of state shall prescribe the form of polling place rosters that include the voter's name, address, date of birth, school district number, and space for the voter's signature. The polling place roster must be used to indicate whether the voter has voted in a given election. The secretary of state shall prescribe procedures for transporting the polling place rosters to the election judges for use on election day. The secretary of state shall prescribe the form for a county or municipality to request the date of birth from currently registered voters. The county or municipality shall not request the date of birth from currently registered voters by any communication other than the prescribed form and the form must clearly indicate that a currently registered voter does not lose registration status by failing to provide the date of birth. In accordance with section 204B.40, the county auditor shall retain the prescribed polling place rosters used on the date of election for ~~one-year~~ 22 months following the election.

Sec. 22. Minnesota Statutes 2002, section 203B.06, subdivision 4, is amended to read:

Subd. 4. [REGISTRATION CHECK.] Upon receipt of an application for ballots, the county auditor, municipal clerk, or election judge acting pursuant to section 203B.11, who receives the application shall determine whether the applicant is a registered voter. If the applicant is not registered to vote, the county auditor, municipal clerk or election judge shall include a voter registration ~~card~~ application among the election materials provided to the applicant.

Sec. 23. Minnesota Statutes 2002, section 203B.08, subdivision 3, is amended to read:

Subd. 3. [PROCEDURES ON RECEIPT OF BALLOTS.] When absentee ballots are returned to a county auditor or municipal clerk, that official shall stamp and date the return envelope with an official seal of the office and place it in a secure location with other return envelopes received by that office. The county auditor or municipal clerk shall deliver ~~them~~ to the appropriate election judges on election day all ballots received before or with the last mail delivery by the United States Postal Service on election day. A town clerk may request the United States Postal Service to deliver absentee ballots to the polling place on election day instead of to the official address of the town clerk.

Sec. 24. Minnesota Statutes 2002, section 203B.12, subdivision 2, is amended to read:

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

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

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

(2) the voter's signature on the return envelope is the genuine signature of the individual who made the application for ballots and the certificate has been completed as prescribed in the directions for casting an absentee ballot;

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

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

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

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

Sec. 25. Minnesota Statutes 2002, section 203B.16, is amended by adding a subdivision to read:

Subd. 4. [DUTIES OF SECRETARY OF STATE.] The secretary of state shall provide information regarding voter registration and absentee balloting procedures to be used by absent uniformed services voters, their spouses and dependents, and overseas voters.

Sec. 26. Minnesota Statutes 2002, section 203B.17, is amended to read:

203B.17 [APPLICATION FOR BALLOT.]

Subdivision 1. [SUBMISSION OF APPLICATION.] (a) An application for absentee ballots for a voter described in section 203B.16 may be submitted in writing or by electronic facsimile device, or by electronic mail upon determination by the secretary of state that security concerns have been adequately addressed. An application for absentee ballots for a voter described in section 203B.16 may be submitted by that voter or by that voter's parent, spouse, sister, brother, or child over the age of 18 years. For purposes of an application under this subdivision, a person's social security number, no matter how it is designated, qualifies as the person's military identification number if the person is in the military.

(b) An application for a voter described in section 203B.16, subdivision 1, shall be submitted to the county auditor of the county where the voter maintains residence.

(c) An application for a voter described in section 203B.16, subdivision 2, shall be submitted to the county auditor of the county where the voter last maintained residence in Minnesota.

(d) ~~An application for absentee ballots for a primary shall also constitute an application for absentee ballots for any ensuing~~ be valid for any primary, special primary, general election, or special election conducted during the same calendar year in which from the time the application is received through the next two regularly scheduled general elections for federal office held after the date on which the application is received.

(e) There shall be no limitation of time for filing and receiving applications for ballots under sections 203B.16 to 203B.27.

Subd. 2. [REQUIRED INFORMATION.] An application shall be accepted if it contains the following information stated under oath:

(a) The voter's name, birthdate, and present address of residence in Minnesota, or former address of residence in Minnesota if the voter is living permanently outside the United States;

(b) A statement indicating that the voter is in the military, or is the spouse or dependent of an individual serving in the military, or is temporarily outside the territorial limits of the United

States, or is living permanently outside the territorial limits of the United States and voting under federal law;

(c) A statement that the voter expects to be absent from the precinct at the time of the election;

(d) The address to which absentee ballots are to be mailed;

(e) The voter's signature or the signature and relationship of the individual authorized to apply on the voter's behalf; and

(f) The voter's military identification card number, passport number, or, if the voter does not have a valid passport or identification card, the signed statement of an individual authorized to administer oaths or a commissioned or noncommissioned officer of the military not below the rank of sergeant or its equivalent, certifying that the voter or other individual requesting absentee ballots has attested to the truthfulness of the contents of the application under oath.

The oath taken must be the standard oath prescribed by section 101(b)(7) of the Uniformed and Overseas Citizens Absentee Voting Act.

A form for providing this information shall be prepared by each county auditor and shall be furnished to individuals who request it pursuant to this section.

Sec. 27. Minnesota Statutes 2002, section 203B.19, is amended to read:

203B.19 [RECORDING APPLICATIONS.]

Upon accepting an application, the county auditor shall record in the statewide registration system the voter's name, address of present or former residence in Minnesota, mailing address, school district number, and the category under section 203B.16, to which the voter belongs whether the voter is in the military or the spouse or dependent of an individual serving in the military, is a voter temporarily outside the territorial limits of the United States, or is living permanently outside the territorial limits of the United States and voting under federal law. The county auditor shall retain the record for ~~four~~ six years. A voter whose name is recorded as provided in this section shall not be required to register under any other provision of law in order to vote under sections 203B.16 to 203B.27. Persons from whom applications are not accepted must be notified by the county auditor and provided with the reasons for the rejection.

No later than 60 days after the general election, the county auditor shall report to the secretary of state the combined number of absentee ballots transmitted to absent voters described in section 203B.16. No later than 60 days after the general election, the county auditor shall report to the secretary of state the combined number of absentee ballots returned and cast by absent voters described in section 203B.16. The secretary of state may require the information be reported by category under section 203B.16 or by precinct.

No later than 90 days after the general election, the secretary of state shall report to the federal Election Assistance Commission the number of absentee ballots transmitted to voters under section 203B.16.

Sec. 28. Minnesota Statutes 2002, section 203B.24, subdivision 2, is amended to read:

Subd. 2. [VOTING MORE THAN ONCE.] The election judges shall compare the voter's name with the names appearing on their copy of the application records to insure that the voter has not already returned a ballot in the election. The election judges must indicate on the record whether an absentee ballot was accepted for each applicant whose name appears on the record. If a voter whose application has been recorded under section 203B.19 casts a ballot in person on election day, no absentee ballot shall be counted for that voter. If more than one return envelope is received from a voter whose application has been recorded under section 203B.19, the ballots in the return envelope bearing the latest date shall be counted and the uncounted ballots shall be returned by the election judges with the rejected ballots. The election judges must preserve the record and return it to the county auditor or municipal clerk with the election day materials.

Sec. 29. Minnesota Statutes 2002, section 203B.26, is amended to read:

203B.26 [SEPARATE RECORD.]

A separate record of the ballots of absent voters cast under sections 203B.16 to 203B.27 shall must be kept in each precinct. The content of the record must be in a form prescribed by the secretary of state.

Sec. 30. Minnesota Statutes 2002, section 204C.10, is amended to read:

204C.10 [PERMANENT REGISTRATION; VERIFICATION OF REGISTRATION.]

An individual seeking to vote shall sign a polling place roster which states that the individual is at least 18 years of age, a citizen of the United States, has resided in Minnesota for 20 days immediately preceding the election, certifies residence at the address shown, is not under guardianship of the person in which the court order provides that the ward does not retain the right to vote, has not been found by a court of law to be legally incompetent to vote or convicted of a felony without having civil rights restored, is registered and has not already voted in the election. A judge may, before the applicant signs the roster, confirm the applicant's name, address, and date of birth. After the applicant signs the roster, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

Sec. 31. Minnesota Statutes 2002, section 206.57, is amended by adding a subdivision to read:

Subd. 5. [VOTING SYSTEM FOR DISABLED VOTERS.] After December 31, 2005, the voting method used in each polling place must include a voting system that is accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired in a manner that provides the same opportunity for access and participation, including privacy and independence, as for other voters.

Sec. 32. Minnesota Statutes 2002, section 206.57, is amended by adding a subdivision to read:

Subd. 6. [REQUIRED CERTIFICATION.] In addition to the requirements in subdivision 1, a voting system must be certified by an independent testing authority approved by the secretary of state and conform to current standards for voting equipment issued by the Federal Election Commission or its successor, the Election Assistance Commission.

Sec. 33. Minnesota Statutes 2002, section 206.81, is amended to read:

206.81 [ELECTRONIC VOTING SYSTEMS; EXPERIMENTAL USE.]

(a) The secretary of state may license approve an electronic voting system for experimental use at an election prior to its approval for general use.

(b) The secretary of state must license approve one or more touch-sensitive direct recording electronic voting systems for experimental use at an election before their approval for general use and may impose restrictions on their use. At least one voting system licensed approved under this paragraph must permit sighted persons to vote and at least one system must permit a blind or visually impaired voter to cast a ballot independently and privately.

(c) Experimental use must be observed by the secretary of state or the secretary's designee and the results observed must be considered at any subsequent proceedings for approval for general use.

(d) The secretary of state may adopt rules consistent with sections 206.55 to 206.90 relating to experimental use. The extent of experimental use must be determined by the secretary of state.

Sec. 34. [AGREEMENTS.]

Subdivision 1. [COMMISSIONER OF HEALTH.] The secretary of state and the commissioner

of health shall determine by mutual agreement the means to electronically transfer death records between agency systems. The secretary of state shall make the records of deceased registered voters in the county available to the county auditor by July 1, 2004.

Subd. 2. [STATE COURT ADMINISTRATOR.] By May 1, 2004, the secretary of state and the state court administrator shall determine by mutual agreement the means to electronically transfer to the secretary of state the names of registered voters who have been convicted of a felony, placed under guardianship of the person, declared legally incompetent, or have had their civil rights restored. The secretary of state shall make the records of affected voters in the county available to the county auditor by July 1, 2004.

Subd. 3. [COMMISSIONER OF PUBLIC SAFETY.] The commissioner of public safety and the secretary of state shall determine by mutual agreement the means to electronically transfer driver's license records between agency systems. The secretary of state shall make the records of those eligible voters in the county who have indicated their intent to register to vote available to the county auditor by July 1, 2004.

Sec. 35. [EFFECTIVE DATE.]

This act is effective retroactively from January 1, 2004."

Delete the title and insert:

"A bill for an act relating to elections; providing for conformity with the federal Help America Vote Act; amending Minnesota Statutes 2002, sections 201.021; 201.022; 201.061, subdivisions 1, 3, by adding a subdivision; 201.071, subdivisions 1, 2, 3, by adding a subdivision; 201.091, subdivisions 4, 5, by adding a subdivision; 201.121, subdivision 1; 201.13, subdivision 1; 201.15, as amended; 201.155; 201.161; 201.171; 201.221, subdivisions 2, 3; 203B.06, subdivision 4; 203B.08, subdivision 3; 203B.12, subdivision 2; 203B.16, by adding a subdivision; 203B.17; 203B.19; 203B.24, subdivision 2; 203B.26; 204C.10; 206.57, by adding subdivisions; 206.81; proposing coding for new law in Minnesota Statutes, chapter 201."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Wiger from the Committee on Elections, to which was re-referred

S.F. No. 1373: A bill for an act relating to elections; requiring disclosures by certain persons conducting polls; proposing coding for new law in Minnesota Statutes, chapter 211B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [211B.22] [POLLING; REQUIRED DISCLOSURES.]

A person who conducts a poll by telephone or any other method in which the polling is intended to influence the person being polled to support or oppose a candidate must disclose to the person being polled:

- (1) who the person represents in conducting the poll;
- (2) the name of the candidate, principal campaign committee, or political party unit, if any, that has authorized the poll; and
- (3) the name, telephone number, and address of a contact person where the person being polled can get more information about the polling effort."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Wiger from the Committee on Elections, to which was referred

S.F. No. 2292: A bill for an act relating to elections; conforming disclaimer requirements for campaign material to constitutional limitations; amending Minnesota Statutes 2002, sections 211B.01, subdivision 2; 211B.04.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, delete lines 6 and 7 and insert "any literature, publication, or material ~~tending to influence~~ that is disseminated for the purpose of influencing voting at a primary or"

Page 3, line 7, delete "\$1,000" and insert "\$500"

Page 3, delete lines 8 and 9 and insert "distribute campaign material that is distributed at least ~~14~~ seven days before the election to which the campaign material relates."

And when so amended the bill do pass. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 917, 1373 and 2292 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1006 was read the second time.

MOTIONS AND RESOLUTIONS

Senator Marty moved that the name of Senator Murphy be added as a co-author to S.F. No. 1665. The motion prevailed.

Senator Limmer moved that the name of Senator Bachmann be added as a co-author to S.F. No. 2133. The motion prevailed.

Senator Metzen moved that the name of Senator Koering be added as a co-author to S.F. No. 2366. The motion prevailed.

Senator Murphy moved that the name of Senator Sparks be added as a co-author to S.F. No. 2482. The motion prevailed.

Senator Stumpf moved that the name of Senator Scheid be added as a co-author to S.F. No. 2491. The motion prevailed.

Senator Anderson moved that the name of Senator Frederickson be added as a co-author to S.F. No. 2492. The motion prevailed.

Senator Skoglund moved that the name of Senator LeClair be added as a co-author to S.F. No. 2499. The motion prevailed.

Senator Johnson, D.E., for Senator Sams, moved that S.F. No. 2224 be withdrawn from the Committee on Environment and Natural Resources and re-referred to the Committee on Finance. The motion prevailed.

Senator Johnson, D.E. moved that S.F. No. 2389 be withdrawn from the Committee on Finance and returned to its author. The motion prevailed.

Senator Betzold moved that H.F. No. 1425 be withdrawn from the Committee on Finance and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Johnson, D.E., for Senator Stumpf, moved that S.F. No. 2491 be withdrawn from the Committee on Education and re-referred to the Committee on Commerce. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Senator Johnson, D.E. moved that the Senate take up the Consent Calendar. The motion prevailed.

CONSENT CALENDAR

H.F. No. 1794: A bill for an act relating to transportation; decreasing minimum required local contribution to federally funded airport projects; amending Minnesota Statutes 2002, section 360.305, subdivision 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------|------------|-----------|
| Anderson | Hann | Larson | Ortman | Senjem |
| Bachmann | Higgins | LeClair | Ourada | Skoe |
| Bakk | Hottinger | Limmer | Pappas | Skoglund |
| Belanger | Johnson, D.E. | Lourey | Pariseau | Solon |
| Berglin | Johnson, D.J. | Marko | Pogemiller | Sparks |
| Betzold | Jungbauer | Marty | Ranum | Stumpf |
| Chaudhary | Kelley | McGinn | Reiter | Tomassoni |
| Cohen | Kierlin | Metzen | Rest | Vickerman |
| Dibble | Kiscaden | Michel | Robling | Wergin |
| Dille | Kleis | Moua | Rosen | Wiger |
| Fischbach | Knutson | Murphy | Ruud | |
| Foley | Koering | Neuville | Sams | |
| Frederickson | Kubly | Nienow | Saxhaug | |
| Gaither | Langseth | Olson | Scheid | |

So the bill passed and its title was agreed to.

S.F. No. 2137: A bill for an act relating to public cemeteries; increasing the per acre ceiling amount for the perpetual care fund from \$25,000 to \$35,000; amending Minnesota Statutes 2002, section 306.41.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------|------------|-----------|
| Anderson | Hann | Larson | Olson | Skoe |
| Bachmann | Higgins | LeClair | Ourada | Skoglund |
| Bakk | Johnson, D.E. | Limmer | Pariseau | Solon |
| Belanger | Johnson, D.J. | Lourey | Pogemiller | Sparks |
| Berglin | Jungbauer | Marko | Ranum | Stumpf |
| Betzold | Kelley | Marty | Reiter | Tomassoni |
| Chaudhary | Kierlin | McGinn | Rest | Vickerman |
| Dibble | Kiscaden | Metzen | Robling | Wergin |
| Dille | Kleis | Michel | Rosen | Wiger |
| Fischbach | Knutson | Moua | Ruud | |
| Foley | Koering | Murphy | Sams | |
| Frederickson | Kubly | Neuville | Scheid | |
| Gaither | Langseth | Nienow | Senjem | |

So the bill passed and its title was agreed to.

S.F. No. 1697: A bill for an act relating to local government; increasing the threshold amount for annual audits in certain towns and statutory cities; amending Minnesota Statutes 2002, sections 412.02, subdivision 3; 412.591, subdivision 2; Minnesota Statutes 2003 Supplement, section 367.36, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------|------------|-----------|
| Anderson | Gaither | Langseth | Nienow | Sams |
| Bachmann | Higgins | Larson | Olson | Saxhaug |
| Bakk | Hottinger | LeClair | Ortman | Scheid |
| Belanger | Johnson, D.E. | Limmer | Ourada | Senjem |
| Berglin | Johnson, D.J. | Lourey | Pappas | Skoe |
| Betzold | Jungbauer | Marko | Pariseau | Skoglund |
| Chaudhary | Kelley | Marty | Pogemiller | Solon |
| Cohen | Kierlin | McGinn | Ranum | Sparks |
| Dibble | Kiscaden | Metzen | Reiter | Stumpf |
| Dille | Kleis | Michel | Rest | Tomassoni |
| Fischbach | Knutson | Moua | Robling | Vickerman |
| Foley | Koering | Murphy | Rosen | Wergin |
| Frederickson | Kubly | Neuville | Ruud | Wiger |

So the bill passed and its title was agreed to.

S.F. No. 1799: A bill for an act relating to local government; clarifying conflict of interest for watershed district and soil and water conservation district officers; amending Minnesota Statutes 2002, section 471.88, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------|------------|-----------|
| Anderson | Gaither | Kubly | Neuville | Ruud |
| Bachmann | Hann | Langseth | Nienow | Sams |
| Bakk | Higgins | Larson | Olson | Saxhaug |
| Belanger | Hottinger | LeClair | Ortman | Scheid |
| Berglin | Johnson, D.E. | Limmer | Ourada | Senjem |
| Betzold | Johnson, D.J. | Lourey | Pappas | Skoe |
| Chaudhary | Jungbauer | Marko | Pariseau | Skoglund |
| Cohen | Kelley | Marty | Pogemiller | Solon |
| Dibble | Kierlin | McGinn | Ranum | Sparks |
| Dille | Kiscaden | Metzen | Reiter | Stumpf |
| Fischbach | Kleis | Michel | Rest | Vickerman |
| Foley | Knutson | Moua | Robling | Wergin |
| Frederickson | Koering | Murphy | Rosen | Wiger |

So the bill passed and its title was agreed to.

S.F. No. 2182: A bill for an act relating to utilities; repealing sunset of performance-based gas utility regulation; regulating performance-based regulation plans; amending Minnesota Statutes 2002, section 216B.1675, subdivisions 1, 3, 13; Laws 1997, chapter 25, section 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

| | | | | |
|----------|-----------|-----------|--------------|---------------|
| Anderson | Berglin | Day | Foley | Higgins |
| Bachmann | Betzold | Dibble | Frederickson | Hottinger |
| Bakk | Chaudhary | Dille | Gaither | Johnson, D.E. |
| Belanger | Cohen | Fischbach | Hann | Johnson, D.J. |

| | | | | |
|-----------|---------|----------|------------|-----------|
| Jungbauer | Larson | Moua | Pogemiller | Skoe |
| Kelley | LeClair | Murphy | Ranum | Skoglund |
| Kierlin | Limmer | Neuville | Rest | Solon |
| Kiscaden | Lourey | Nienow | Robling | Sparks |
| Kleis | Marko | Olson | Rosen | Stumpf |
| Knutson | Marty | Ortman | Ruud | Vickerman |
| Koering | McGinn | Ourada | Sams | Wergin |
| Kubly | Metzen | Pappas | Saxhaug | Wiger |
| Langseth | Michel | Pariseau | Scheid | |

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Johnson, D.E. moved that Senate Resolution No. 59 be taken from the table. The motion prevailed.

Senate Resolution No. 59: A Senate resolution adopting Permanent Rules of the Senate.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Permanent Rules of the Senate for the 83rd Legislature shall read as follows:

1. PARLIAMENTARY REFERENCE

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure govern the Senate in all cases in which they are applicable, and in which they are not inconsistent with these rules and orders of the Senate and the joint rules and orders of the Senate and House of Representatives.

2. REPORTING OF BILLS

Every bill, memorial, order, resolution or vote requiring the approval of the Governor must be reported to the Senate on three different days before its passage.

(a) The first report, called the first reading, is made when it has been received for introduction.

(b) The second report, called the second reading, is made when it has been considered by all the necessary standing committees and is ready for debate.

(c) The third report, called the third reading, is made when it is ready for final passage.

3. BILL INTRODUCTION

3.1 Bills, memorials, and concurrent or joint resolutions may be introduced by a member or by a standing committee.

3.2 The name of the author, authors, or committee must be written on the bill, memorial or resolution. The number of authors may not exceed five.

3.3 An original and ~~three~~ two copies are required for introduction.

3.4 A member or a committee desiring to introduce a bill, memorial or concurrent or joint resolution shall deliver it to the office of the Secretary, and the Secretary shall promptly deliver all the bills, memorials or concurrent or joint resolutions to the President who shall present them to the Senate.

3.5 During the period between the last day of the session in any odd-numbered year and the

first day of the session in the following year, a bill filed with the Secretary for introduction must be given a file number and may be unofficially referred by the President, with the approval of the Chair of the Committee on Rules and Administration, to an appropriate standing committee of the Senate. All bills filed for introduction during this period must be presented to the Senate when it reconvenes and must be referred to the standing committees previously indicated by the President, subject to objection to the referral under Rule 4.9.

4. BILL REFERRAL

4.1 The President shall refer each bill without motion to the proper standing committee unless otherwise referred by the Senate.

4.2 A bill or resolution may not be referred to committee or amended until it has been given its first reading.

4.3 A member may not object to a bill or resolution on its introduction.

4.4 All bills appropriating money, or obligating the state to pay or expend money, or establishing a policy which to be effective will require expenditure of money, when referred to and reported by any other than the committee on Finance, must be referred before passage to the committee on Finance.

4.5 All bills delegating rulemaking to a department or agency of state government and all bills exempting a department or agency of state government from rulemaking, when referred to and reported by any other than the Committee on State and Local Government Operations, must be referred before passage to the Committee on State and Local Government Operations.

4.6 All bills creating a new commission, council, task force, board, or other body to which a member of the legislature will be appointed must be referred before passage both to the Committee on State and Local Government Operations and to the Committee on Rules and Administration.

4.7 All bills authorizing or increasing a sentence of imprisonment to a state correctional institution must be referred before passage to the Committee on Crime Prevention.

4.8 A bill introduced by a committee need not be referred to a standing committee unless a question arises. It must lie over one day before being given its second reading.

4.9 A member may question the reference of a bill during the order of business of first reading on the day of introduction. When a member questions the reference of a bill, the bill must be referred without debate to the Committee on Rules and Administration to report the proper reference. Upon adoption of the report of the Committee on Rules and Administration, the bill must be referred accordingly.

5. RECALL FROM COMMITTEE

5.1 With the concurrence of the chief author of the bill, before the deadline for committee action on a bill, a majority of the whole Senate may recall the bill from a committee and re-refer it to any other committee or place it on General Orders. After the committee deadline for action on a bill, 41 affirmative votes of the whole Senate may recall the bill from any committee and re-refer it to any other committee or place it on General Orders.

5.2 By a report of the Committee on Rules and Administration adopted by the Senate, the Committee on Rules and Administration, on request of the chief author, may remove a bill from committee and re-refer it to any other committee or place it on General Orders.

6. RESOLUTIONS

6.1 Memorial resolutions addressed to the President or the Congress of the United States, or a house or member of Congress, or a department or officer of the United States, or a state or foreign government, joint resolutions, and resolutions requiring the signature of the Governor must follow the same procedure as bills before being adopted.

6.2 A resolution may not be changed to a bill, and a bill may not be changed to a resolution.

6.3 When a member gives notice of intent to debate a resolution not required to follow the same procedure as bills and not offered by the Committee on Rules and Administration, the resolution must lie over one calendar day without debate or other action.

6.4 Upon the request of a member, the resolution must be referred to the proper committee. If a question arises concerning the proper reference the procedure provided by Rule 4.9 applies.

7. BUDGET RESOLUTION

7.1 The Committees on Taxes and on Finance must hold hearings as necessary to determine state revenues and appropriations for the fiscal biennium.

7.2 Within 30 days after the last state general fund revenue and expenditure forecast for the next fiscal biennium becomes available during the regular session in the odd-numbered year, and after receiving from the Committee on Taxes a resolution containing its recommendation on the maximum limit on revenues and an amount to be set aside as a budget reserve and a cash flow account, the Committee on Finance must adopt and report to the Senate a budget resolution, in the form of a Senate resolution. The budget resolution must set: (1) the maximum limit on revenues and net appropriations for the next fiscal biennium for the general fund; and (2) an amount or amounts to be set aside as a budget reserve and a cash flow account. The budget resolution must not specify, limit, or prescribe revenues or appropriations by any category other than those specified in clauses (1) and (2). If the Committee on Finance recommends a maximum limit on revenues or an amount for the budget reserve or cash flow account that differs from the amount recommended by the Committee on Taxes, the recommendation of the Committee on Finance must be referred to the Committee on Rules and Administration before it may be considered by the Senate.

7.3 After the Senate adopts the budget resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the Senate, acting upon a subsequent report of the Committee on Taxes as to revenues or of the Committee on Finance as to appropriations, adopts a different limit or limits for the same fiscal biennium. During the regular session in the even-numbered year, before the Committee on Finance reports a bill containing net appropriations in excess of the general fund appropriations in the current fiscal biennium estimated by the most recent state budget forecast, the Committee must adopt a budget resolution that accounts for the net appropriations. After the Committee adopts the budget resolution, it is effective during the regular session that year, unless the Committee adopts a different or amended resolution.

7.4 Within 14 days after the Senate or the Committee on Finance adopts a budget resolution, the Committee must adopt, by resolution, limits for each major appropriation bill identified in this Rule. After the Committee adopts the resolution, the limits in the resolution are effective during the regular session in the year in which the resolution is adopted, unless the Committee subsequently adopts different or amended limits for the same fiscal biennium. If the Committee on Finance or the Senate combines two or more major appropriation bills into one bill, the limits in the Committee resolution pertaining to those bills are also combined, and the sum of the combined limits applies to the combined bill.

7.5 The major tax and appropriation bills are:

- (1) the omnibus tax bill;
- (2) the E-12 education appropriations bill;
- (3) the higher education appropriation bill;
- (4) the environment ~~and~~, agriculture, and economic development appropriations bill;
- (5) the health, human services and corrections appropriations bill;
- (6) the state government, ~~economic development and the judiciary~~ appropriations bill;
- (7) the transportation ~~and public safety~~ appropriations bill; and
- (8) the omnibus capital investment bill.

7.6 After the adoption of a resolution by the Senate or by the Committee on Finance, the Committee on Finance and the Committee on Taxes must reconcile each bill recommended by the committee with the resolution or resolutions. When reporting a bill, the committee must certify to the Senate that the committee has reconciled the fiscal effect of the bill with the resolution or resolutions and that the bill, as reported by the committee, together with other bills reported and expected to be reported by the committee, does not and will not exceed the limits specified in either resolution.

7.7 After the adoption of a resolution by the Senate or the Committee on Finance, an amendment to a bill is out of order if it would cause any of the limits specified in either resolution to be exceeded. Whether an amendment is out of order under this Rule is a question to be decided in the Senate by the President and in committee by the committee chair. In making the determination, the presiding officer may consider:

- (1) the limits in a resolution;
- (2) the effect of existing laws on revenues and appropriations;
- (3) the effect of amendments previously adopted to the bill under consideration;
- (4) the effect of bills previously recommended by a committee or bills previously passed in the legislative session by the Senate or by the Legislature;
- (5) whether appropriation increases or revenue decreases that would result from the amendment are offset by decreases in other appropriations or increases in other revenue specified by the amendment; and
- (6) other information reasonably related to appropriation and revenue amounts.

8. CONFIRMATIONS

8.1 Every gubernatorial appointment requiring the advice and consent of the Senate must be referred by the President to the appropriate committee. If a question arises as to the proper committee, the appointment must be referred without debate to the Committee on Rules and Administration for a report making the proper reference.

8.2 An appointment referred to committee and not reported to the Senate within one year after it was referred is withdrawn from committee and placed on the confirmation calendar for consideration by the Senate before adjournment of the regular session.

8.3 The final question on the appointment is, "Will the Senate, having given its advice, now consent to this appointment?" The question must not be put the same day the appointment is received or on the day it is reported by committee except by unanimous consent.

9. STANDING COMMITTEES

The standing committees of the Senate are as follows:

Agriculture, General Legislation and Veterans Affairs

Capital Investment

Commerce and Utilities

Crime Prevention and Public Safety

Education

Environment and Natural Resources

Finance

Health and Family Security

Jobs, Housing and Community Development

Judiciary

Rules and Administration

State and Local Government Operations

Taxes

10. APPOINTMENTS TO STANDING COMMITTEES

10.1 The majority and minority groups must each be represented on all standing committees of the Senate substantially in proportion to their numbers in the Senate. The majority group shall assign the number of positions the minority group will hold on each committee. The minority group must be given adequate notice of its positions before the session begins.

10.2 Both the majority and minority groups shall appoint their own members to fill the number of positions each group will hold on each committee and budget division. The minority group shall transmit notice of its assignments to the majority group within ten calendar days after receipt of the notice of positions available. The minority group may designate a ranking member for each committee. Nothing prohibits a member of the minority group from serving as chair or vice chair of a committee, subcommittee, division, or commission. If the minority group for any reason fails to make its appointments pursuant to this rule, the majority group may make all the committee and budget division assignments.

10.3 The majority and minority committee assignments are subject to the uniform criteria governing committee assignments applicable to both the majority and minority groups. The uniform criteria must be promulgated by the majority group and transmitted to the minority group together with notification of committee and budget division positions available to the minority.

10.4 The Senate resolution establishing representation on all Senate standing committees must set forth committee assignments as made by the majority and minority groups.

10.5 A member may not serve as the chair of the same standing committee or the same division of a standing committee, or a committee or division with substantially the same jurisdiction, for more than three consecutive Senate terms. This limit does not apply to the Committee on Rules and Administration. This limit applies to time served as a chair in the seventy-eighth legislature and thereafter.

10.6 After the organization of the Senate and after consultation and advice from the minority leader, the Chair of the Committee on Rules and Administration may add members to or delete members from the standing committees.

11. APPOINTMENTS BY SUBCOMMITTEE ON COMMITTEES

11.1 The Committee on Rules and Administration may constitute a standing Subcommittee on Committees, the report of which within its jurisdiction has the effect of a report of the Committee on Rules and Administration. The subcommittee consists of five members, one of whom must be a member of the minority group.

11.2 Unless otherwise provided, the Subcommittee on Committees shall appoint all members of commissions or other bodies authorized to be appointed by the Senate and report the appointments to the Senate.

12. COMMITTEE MEETINGS

12.1 All meetings of the Senate, its committees, committee divisions, and subcommittees are open to the public. A meeting of a caucus of the members of any of those bodies from the same political party need not be open to the public. A caucus of the Hennepin county, Ramsey county, or St. Louis county delegation is open to the public. For purposes of this rule, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the body.

12.2 Any person may submit to the Chair of the Committee on Rules and Administration a complaint that members have violated the open meeting requirements of Minnesota Statutes, section 3.055. A member of the Senate may submit the complaint either orally or in writing; others must submit the complaint in writing. Whether the complaint was written or oral, the Chair of the Committee on Rules and Administration shall immediately forward it in writing to the Subcommittee on Ethical Conduct without disclosing the identity of the complainant. The complaint must not be further disclosed without the consent of the complainant, except to the members against whom the complaint was made, unless the complaint was made by a member of the Senate in writing under oath, in which case the investigatory procedures of Rule 55 apply.

12.3 To the extent practical, a committee, subcommittee, or division shall announce each meeting to the public at least three calendar days before convening. The notice must state the name of the committee, subcommittee, or division, the bill or bills to be considered, and the place and time of meeting. The notice must be posted on the Senate's Web site and on all Senate bulletin boards in the Capitol and the State Office Building. A notice must be sent to the House of Representatives for posting as it deems necessary. If the three-day notice requirement cannot be met, the committee, subcommittee, or division shall give simultaneous notice to all of the known proponents and opponents of the bill as soon as practicable.

12.4 A Senate committee, subcommittee, or division shall adjourn no later than 10:00 p.m. each day, unless two-thirds of the members present vote to suspend this requirement.

12.5 Committees, subcommittees, and divisions may not meet while the Senate is in session without permission of the Senate. The names of the members excused shall be printed in the Journal.

12.6 A majority of its members constitutes a quorum of a committee, subcommittee, or division.

12.7 Each standing committee of the Senate, including a subcommittee or division of the committee, may at any time sit and act, investigate and take testimony on any matter within its jurisdiction, report hearings held by it, and make expenditures as authorized by the Committee on Rules and Administration.

12.8 A standing committee, but not a subcommittee or division, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of correspondence, books, papers, and documents, in the manner provided by Minnesota Statutes, section 3.153.

12.9 Upon the request of a member of a committee, subcommittee, or division to which a bill

has been referred, or upon the request of the chief author of the bill, a record must be made of the vote on the bill or any amendment in the committee, subcommittee, or division.

12.10 Upon request of three members of the committee before the vote is taken, the record of a roll call vote in a standing committee must accompany the committee report and be printed in the Journal.

12.11 A committee report may only be based on action taken at a regular or special meeting of the committee. A report in violation of this rule is out of order.

13. HOUR OF CONVENING

If the Senate adjourns without setting a time to reconvene, the Senate shall convene on the next legislative day at 10:00 a.m.

14. PRESIDENT

14.1 The President shall take the chair at the time to which the Senate adjourned. The President shall immediately call the members to order and, on the appearance of a quorum, shall proceed with the regular order of business.

14.2 The President may call a member to preside. In the absence of the President, the President Pro Tem, the Chair of the Committee on Rules and Administration, or the Chair's designee, shall preside over the Senate. In the absence of the President and the Chair, the Senate may select a member to perform the duties of the President. Substitutions do not extend beyond adjournment.

14.3 The President shall preserve order and decorum, may speak on points of order in preference to members, and shall also decide all questions of order, subject to an appeal to the Senate by a member.

14.4 An appeal is decided by a majority vote of those present and voting. Upon an appeal from the decision of the President, the question is, "Shall the decision of the President be the judgment of the Senate?"

14.5 The President shall sign all acts, memorials, addresses and resolutions. All writs, warrants, and subpoenas issued by the Senate must be signed by the President and attested by the Secretary.

14.6 Upon a finding by the Committee on Rules and Administration that the President refuses or is unable to sign any of the documents described in this rule, the Chair of the Committee on Rules and Administration, or some other member selected by the committee, shall assume the duties of the President under this rule until the President is able to sign the documents described or until the Senate elects a new President, whichever occurs first.

15. ADMISSION TO SENATE CHAMBER

15.1 The Senate Chamber is reserved for Senate use.

15.2 A person may not be admitted to the Senate Chamber except as provided in these rules. A member, an officer, the constitutional officers, ex-Governors of the State of Minnesota, members of the House, judges of the trial and appellate courts and members of Congress may be admitted.

15.3 Past members of Congress or of the state Legislature who are not interested in any claim or directly in a bill pending before the Legislature may be personally admitted by a member of the Senate.

15.4 An employee of either house may be admitted at the request of a member or an officer of the Senate.

15.5 The head of a department of state government may be admitted by the President.

15.6 A member of another state, provincial, or national legislative body may be admitted to the floor by any member of the Senate. A member of another legislative body who is admitted to the floor may be introduced to the Senate by the President.

15.7 When the Senate is not meeting, a person who is not a member may be admitted to the floor at the request of a member or an officer.

15.8 Public hearings may not be held in the Senate Chamber.

15.9 The Retiring Room of the Senate is reserved for the exclusive use of the members of the Senate at all times. The Sergeant at Arms shall strictly enforce this rule.

16. PRIVILEGE OF REPORTERS

16.1 The Secretary shall provide space for news reporters on the Senate floor in limited numbers, and in the Senate gallery. Because of limited space on the floor, permanent space is limited to those news agencies that regularly cover the legislature, namely: The Associated Press, St. Paul Pioneer Press, St. Paul Legal Ledger, Star Tribune, Duluth News-Tribune, The Forum, Rochester Post-Bulletin, St. Cloud Times, WCCO radio, KSTP radio, and Minnesota Public Radio. The Secretary shall provide an additional two spaces to other reporters if space is available. One person from each named agency and one person from the Senate Publications Office may be present at the press table on the Senate floor at any time. Other news media personnel may occupy seats provided in the Senate gallery.

16.2 The Secretary shall compile and distribute to the public a directory of reporters accredited to report from the Senate floor. The directory must include each reporter's picture and news organization and a brief biography.

16.3 The Secretary must issue each accredited reporter an identification badge showing the reporter's name and news organization. The reporter must wear the badge when in the Senate Chamber.

17. DECORUM

17.1 In case of a disturbance or disorderly conduct in the lobbies or galleries, the President may order them cleared.

17.2 A member may not introduce a visitor or visitors in the galleries from the floor or rostrum of the Senate.

17.3 Smoking is not permitted in the Senate Chamber or galleries, the Retiring Room, hearing rooms, offices, or other spaces under the control of the Senate.

17.4 During floor proceedings, picture taking by persons other than accredited news or legislative photographers, picture taking with floodlights or flash units, and visual or audible disruptions are prohibited. At all times, demonstrations and food or beverages are prohibited in the Senate Chamber and in the galleries.

17.5 Television recording or broadcasting on the Senate floor is under the direction of the Secretary.

18. ORDER OF BUSINESS

18.1 The order of business is as follows:

1. Petitions, letters, remonstrances.

2. Executive and official communications.
3. Messages from the House of Representatives.
4. First reading of House bills.
5. Reports of committees.
 - (a) From standing committees.
 - (b) From select committees.
6. Second reading of Senate bills.
7. Second reading of House bills.
8. Motions and Resolutions.
9. Calendar.
10. Consent Calendar.
11. General Orders.
12. Introduction and first reading of Senate bills.
13. Announcements of Senate interest.

18.2 Under the order of business of Motions and Resolutions, the Senate may by a majority vote of the whole Senate temporarily revert or proceed to any other order of business.

19. PETITIONS AND OTHER COMMUNICATIONS

19.1 In presenting a petition, memorial, remonstrance or other communication addressed to the Senate, a member shall only state the general purpose of it.

19.2 Every petition, memorial, remonstrance, resolution, bill and report of committee, must have an appropriate title, and the name of the member presenting it written on it.

19.3 Every written communication distributed to members in the Senate Chamber must have the name of the member or officer distributing it displayed on it.

20. MESSAGES FROM THE HOUSE

A message from the House of Representatives that a Senate bill has been amended, and the amendment, must be printed and placed on the members' desks before a member may move to concur in the House amendment. If the amendment has been printed in the House Journal for a preceding day and is available to the members, the Journal copy may serve as the printed copy.

21. OBJECTIONS TO COMMITTEE REFERRALS

A member may question the proper reference of a bill at the time the bill is reported by a standing committee to which it was previously referred. When a member questions the reference of a bill, the bill must be referred without debate to the Committee on Rules and Administration to report the proper reference. Upon adoption of the report of the Committee on Rules and Administration, the bill must be referred accordingly.

22. GENERAL ORDERS

22.1 The Secretary shall make a list of all bills, resolutions, reports of committees, and other proceedings of the Senate that are referred to the Committee of the Whole and number them. The lists are called the "General Orders".

22.2 Items on General Orders must be taken up in the order in which they are numbered unless otherwise ordered by a majority of the committee.

22.3 General Orders, together with all bills required to be included on it, must be electronically available or printed at least one calendar day before being considered in Committee of the Whole.

22.4 With the concurrence of the chief author of the bill, a majority of the whole Senate may at any time take a bill from the table and place it on General Orders.

23. COMMITTEE OF THE WHOLE

23.1 All bills, memorials, orders, resolutions and votes requiring the approval of the Governor must, after a second reading, be considered in Committee of the Whole before they are finally acted upon by the Senate, unless considered on the Consent Calendar or as a Special Order.

23.2 The President may call a member to the Chair when the Senate resolves itself into the Committee of the Whole.

23.3 The rules observed in the Senate govern, as far as practicable, the proceedings of the Committee of the Whole, and the Chair of the Committee of the Whole has the powers of the President, as appropriate. However, a member may speak more than twice on the same subject and a call for the previous question may not be made.

23.4 Three members may request a roll call vote. The vote must be recorded in the Journal along with the amendment.

23.5 The recommendations of the Committee of the Whole must be reported to the Senate. The question is on the adoption or rejection of the report, and no other question may be admitted. The question may be divided to permit separate Senate action on the report as to any bill.

23.6 On adoption of the report of the Committee of the Whole, all bills recommended to pass must be placed on the Calendar.

24. CALENDAR

24.1 The Secretary shall make a Calendar of all bills, resolutions and other matters approved by the Committee of the Whole for final action. The Secretary shall place them on the Calendar in the order in which they have been acted upon in Committee of the Whole.

24.2 The Calendar must be electronically available or printed at least one calendar day before the matters on it are considered.

25. CONSENT CALENDAR

25.1 If a committee determines that a bill it recommends to pass is not likely to be opposed, the committee may recommend that the bill be placed on the Consent Calendar. If the committee report is adopted, the bill must be electronically available or printed and placed on the Consent Calendar after its second reading. On the question of adoption of the report, the question of accepting the recommendation that the bill be placed on the Consent Calendar may be divided from the question of adopting the report in other respects.

25.2 A majority of the whole Senate, or the Chair of the Committee on Rules and Administration, may order a bill on General Orders placed on the Consent Calendar.

25.3 The Consent Calendar must be electronically available or printed at least one calendar day before the matters on it are considered.

25.4 If a member objects to consideration of a bill on the Consent Calendar at any time during its consideration in the Senate before the question on final passage is put, and that objection is supported by at least two other members, the bill is referred to the Committee of the Whole, and the Secretary shall place it at the bottom of General Orders subject to Rule 22.2, except that it need not lie over one calendar day before consideration in the Committee of the Whole.

26. SPECIAL ORDERS

26.1 The Chair of the Committee on Rules and Administration, or the Chair's designee, may designate a special order for a bill that has been given its second reading.

26.2 A special order may provide that the bill be considered immediately, at a time certain, or after specific other business is completed.

26.3 During consideration of a special order, Rule 36.5 is suspended.

26.4 As nearly as applicable, debate on the bill and all proceedings including amendments and substitutions must be conducted as in the Committee of the Whole.

26.5 On any question, a member may request a roll call vote, which must be entered in the Journal.

26.6 Unless it is otherwise disposed of, after consideration a bill on Special Orders must immediately proceed to its third reading and final passage.

26.7 A bill may not be made a special order if the chief author has declined on three previous occasions to take the bill up after it was designated a special order.

27. MOTIONS

27.1 A motion or amendment must be written if a member requests. It must identify the member or committee offering it.

27.2 When a motion is made, it must be stated by the President. If it is in writing, it must be handed to the Secretary and read to the members.

27.3 After a motion is stated by the President, or read by the Secretary, it is in possession of the Senate, but may be withdrawn by the author at any time before decision or amendment.

28. PRECEDENCE OF MOTIONS

28.1 When a question is under debate no motion may be made, except:

1. To adjourn.
2. To recess.
3. To reconsider.
4. To lay on the table.
5. For the previous question.
6. To refer.
7. To postpone to a day certain.
8. To amend.
9. To postpone indefinitely.

28.2 Motions numbered 1, 2, 4 and 5 above are not debatable.

28.3 These motions have precedence in the foregoing order; but when a motion for the previous question has been made, or the main question ordered, a motion to lay on the table is not in order.

28.4 A motion to postpone to a day certain, to refer, to postpone indefinitely, or to amend, having been decided, may not again be put on the same day, nor at the same stage of the bill or proposition.

29. MOTION TO ADJOURN

A motion to adjourn or a motion to adjourn to a time certain is always in order. The latter motion is debatable solely as to the time. When either motion is rejected, it may not be renewed until further business has been transacted.

30. MOTION TO RECONSIDER

30.1 When a motion or question has been decided, a member who voted with the prevailing side may move for reconsideration on the same day on which the vote was taken or within the next two calendar days or, if later, the first day the Senate meets after the vote was taken. The motion takes precedence over all other questions except a motion to adjourn or recess. When a motion to adjourn is adopted before the disposition of the motion for reconsideration, a motion for reconsideration must lie over until the next succeeding day the Senate meets except as provided in this rule.

30.2 When notice of intent to move reconsideration of the final action of the Senate on a question is given by a member, the Secretary shall retain the subject of the notice until after the expiration of the time during which the motion can be made.

30.3 A notice of intent to move for reconsideration is not in order after the Tuesday before the third Saturday in May, but a motion to reconsider may be made.

30.4 A motion for reconsideration having been once voted on may not be made again nor reconsidered.

31. MOTION FOR THE PREVIOUS QUESTION

31.1 Unless a motion for the previous question is made specifically applicable to a subsidiary motion, it must be in this form: "Shall the main question now be put?" If the motion for the previous question is supported by a majority of the members present, its effect is to put an end to all debate and bring the Senate to a direct vote upon all pending amendments in their order and then upon the main question.

31.2 On a motion for the previous question, a call of the Senate is in order before the President submits the question to the Senate.

31.3 On a motion for the previous question there is no debate. All incidental questions of order, arising after a motion is made for the previous question, and pending the motion, must be decided, whether on appeal or otherwise, without debate.

32. MOTION TO REFER

A bill or resolution may be referred to committee at any time before its passage. If an amendment is reported on the referral to any committee other than the Committee of the Whole, it must again be read the second time, considered in Committee of the Whole, read the third time and placed on final passage. If the referral is to the Committee of the Whole it must be placed at the head of General Orders, except when the referral is from the Consent Calendar under Rule 25.4.

33. MOTION TO AMEND BILL OR RESOLUTION

33.1 A motion to amend must be written if a member requests. It must identify the member offering it.

33.2 In drawing an amendment to a bill or resolution, reference must be made, first to the number of the bill, then to the page, and then to the line or lines where language is to be stricken or inserted.

33.3 In filling blanks, the largest sum, the longest time and the greatest distance must be first taken.

33.4 The title to a bill may be amended by the Secretary at any time the bill is amended by the Senate.

33.5 An amendment is not in order to a bill on the Calendar or after third reading without the unanimous consent of the Senate unless it fills a blank, amends the title, is proposed to the chief author of the bill by the Revisor of Statutes to correct technical defects found by the Revisor while engrossing earlier amendments to the bill, or is proposed to a bill on the Consent Calendar before the bill is given its third reading.

34. MOTION TO SUSPEND RULES

34.1 A rule may be suspended by a vote of at least two-thirds of the whole Senate.

34.2 A motion to suspend the rules for the purpose of advancing a bill may be made only under the order of business, "Motions and Resolutions".

35. GERMANENESS

35.1 An amendment proposed to the Senate or to the Committee of the Whole that is not germane is out of order.

35.2 A non-germane amendment includes one that relates to a substantially different subject, or is intended to accomplish a substantially different purpose, than that of the original bill to which it is proposed.

35.3 An amendment to insert a constitutional amendment is not germane to a bill that does not already include a constitutional amendment.

35.4 Whether an amendment is germane is to be decided by the President, who may put the question to the body if the President chooses.

35.5 A motion to remove an amendment placed on a House bill under Rule 45.1 is out of order if removal of the amendment would make a portion of the House bill not germane to the Senate companion for which it was substituted.

36. DEBATE

36.1 When a member is about to speak to the Senate, the member shall rise and respectfully address "Mr. (or Madam) President." The member may not proceed to speak further until recognized by the President.

36.2 The member shall speak only to the question under debate and avoid personality.

36.3 The member may inform the Senate of the Governor's position on a bill and on its status in the House of Representatives.

36.4 In discussing a resolution, each member is limited to ten minutes.

36.5 A member may not speak more than twice on the same question on the same day without permission of the Senate.

36.6 When a member is speaking, no one may stand between the member speaking and the President.

36.7 A member may not speak without using a microphone.

36.8 All remarks during debate shall be addressed to the President; ~~however, a member may turn toward other members when speaking, rather than facing the President.~~

36.9 When the President puts a question, or addresses the Senate, no one may walk out of or cross the Chamber.

36.10 When a member is called to order, the member shall be silent until it is determined whether or not the member is in order. If a member is called to order for words spoken in debate, the words excepted to must be taken down in writing by the Secretary immediately.

37. ABSENCE OF MEMBERS

A member or officer of the Senate may not be absent from a session of the Senate unless excused by the Senate. The name of a member excused must be printed in the Journal.

38. CALL OF THE SENATE

38.1 A member may impose a call of the Senate requiring the attendance of all members before any further proceedings occur except a motion to adjourn.

38.2 Upon the imposition of a call, a member may request a record of those present and the Sergeant at Arms shall bring in the absent members.

38.3 When the Senate has been placed under call, a member may demand that the doors be closed and that no member be permitted to leave the Chamber until the matter or question, if any, under consideration at the time of the call is disposed of, or until the call is lifted by a majority of the whole Senate, or until the Senate adjourns.

38.4 A majority of the whole Senate may excuse members not answering the call.

38.5 A call may not be imposed after voting has commenced.

39. DIVISION OF QUESTION

39.1 A member may call for a division of the question when the division is possible. A motion to strike and insert is indivisible.

39.2 The defeat of a motion to strike does not preclude an amendment nor a motion to strike and insert.

40. VOTING

40.1 The President shall distinctly state the question before taking the vote. The President shall declare the result of the vote. If a member questions the result of a vote, the President shall order a division.

40.2 A member may vote on a question or be counted on a division only at the member's own seat in the Senate Chamber.

40.3 At any time before the start of voting on a question, a member may request a roll call vote, which must be entered in the Journal.

40.4 Unless otherwise ordered, a roll call vote, except upon elections, may be taken by means of the electrical voting system under the control of the President.

40.5 A roll call vote may not be interrupted except to close the roll as provided in Rule 41.3.

40.6 A member or other person may not proceed to or remain by the Secretary's desk while a roll call or division is being taken.

41. MEMBERS TO VOTE UNLESS EXCUSED

41.1 Every member who is in the Senate Chamber during a roll call shall vote upon the request of another member unless excused by the Senate.

41.2 A motion by a member to be excused from voting must be made before the question is put. A member wishing to be excused from voting may make a brief statement of the reason for making the request. The question on the motion to excuse must be taken without further debate.

41.3 When members have had an opportunity to vote and fail to do so, a majority of the whole Senate may, by motion, direct the President to close the roll.

41.4 The vote on a motion to close the roll must be taken without debate. No member is required to vote on the motion.

42. FINAL PASSAGE

The final question on a bill or other matter requiring action by both Houses after its first and second reading, and after the consideration in Committee of the Whole, is on its final passage.

43. TRANSMITTING BILLS TO THE HOUSE

43.1 Except when a motion to reconsider has been made as provided in Rule 30, immediately after the passage of a bill or other matter in which the concurrence of the House of Representatives is requested, the Secretary shall transmit it to the House.

43.2 On the concurrence of a bill or other matter of the House by the Senate, or on the concurrence or disagreement in a vote of the House, the Secretary shall notify the House.

44. ENGROSSING AND ENROLLING OF BILLS

44.1 The Secretary and the Engrossing Secretary shall ensure that every bill, memorial, or resolution originating in the Senate is carefully engrossed before it is transmitted to the House of Representatives for concurrence.

All engrossing and enrolling of bills shall be done at the direction and under authority of the Senate.

44.2 The Secretary shall ensure that every bill, memorial, or resolution originating in the Senate is carefully enrolled by the Revisor of Statutes before it is presented to the Governor or filed with the Secretary of State.

45. COMPARISON AND SUBSTITUTION OF BILLS

45.1 A House bill, after its first reading, must be referred as follows, unless there is a motion by the Chair of the Committee on Rules and Administration or a designee of the Chair:

(a) If there is not a Senate companion bill on the Calendar or the Consent Calendar, the House bill must be placed on a list of House files that have been given their first reading and are awaiting comparison, called the Comparison Calendar. The Secretary shall list House bills in numerical order. The Chair of the Committee on Rules and Administration, or a designee of the Chair, may move that a House bill on the Comparison Calendar be referred to committee.

(b) The House bill must be given its second reading after its Senate companion bill has been given its second reading, but not on the same day the House bill was given its first reading unless an urgency is declared.

(c) When the Senate companion of a House bill on the Comparison Calendar is placed on the Calendar or the Consent Calendar, or if the Senate companion bill is already on the Calendar or the Consent Calendar when the House bill is given its first reading, the House bill must be referred to the Committee on Rules and Administration, which shall report whether the House bill is identical to the Senate companion bill. If the bills are identical, the report must recommend that the House bill be substituted for the Senate companion bill and the Senate companion bill be indefinitely postponed. If the House bill is not identical to the Senate companion bill, the report of the committee must recommend an amendment to the House bill that when adopted will render the House bill identical to the Senate bill. Upon adoption of a committee report containing the proposed amendment, the House bill as amended must be substituted for the Senate companion bill and the Senate companion bill must be indefinitely postponed.

(d) If a Senate bill is considered as a special order and its House companion bill is on the Comparison Calendar, before final passage the Senate bill must be indefinitely postponed and its House companion bill taken from the Comparison Calendar and substituted for the Senate bill. If the bills are not identical, the Secretary shall recommend an amendment to the House bill that when adopted will render the House bill identical to the Senate bill.

45.2 The Secretary shall prepare and submit reports under this rule on behalf of the Committee on Rules and Administration.

~~45.3 A House bill placed on the Calendar by substitution must not be given its third reading on the same day as the substitution.~~

46. CONFERENCE COMMITTEES

The Subcommittee on Committees shall appoint all conference committees of the Senate and report the appointments to the Senate. In the appointment of members of conference committees between the two houses, the Subcommittee on Committees shall appoint those who are in accord with the position of the Senate. Whenever practical, the subcommittee shall give preference to authors of bills in dispute and to members of standing committees in which the bills were considered.

47. DISPOSITION OF BILLS ON ADJOURNMENT

Adjournment of the regular session in an odd-numbered year to a date certain in the following year is equivalent to daily adjournment, except that a bill on the Calendar, Consent Calendar, or General Orders must be returned to the standing committee other than the Committee on Rules and Administration from which it was last reported to the Senate, unless otherwise provided for by motion before adjournment. Bills returned to committee under this rule must, upon request of the chief author, be given priority for consideration by the committee in the even-numbered year ahead of all other bills in the order in which they appeared on the Calendar, Consent Calendar, or General Orders.

48. PRINTING AND DISTRIBUTION OF BILLS

48.1 Unless otherwise ordered by the Senate, all Senate bills that have been reported upon favorably or without recommendation by a committee must be electronically available or printed before consideration by the Senate or the Committee of the Whole.

48.2 A House bill amended by the Senate must be unofficially engrossed and electronically available or printed when placed on General Orders.

48.3 A bill may be electronically available or printed by order of the Secretary when amended after second reading.

48.4 A bill must be electronically available or printed when ordered by the Senate.

48.5 Action by the Senate on a bill that has not been printed is a waiver of the printing requirement.

48.6 To the extent practical, the Secretary shall provide a copy of any bill to the public and may charge a reasonable fee.

49. JOURNAL AND INDEX

49.1 The Secretary shall keep a correct Journal of the proceedings of the Senate and shall perform other duties assigned to the Secretary.

49.2 The Secretary shall not permit Journal records, accounts or papers to be taken out of the Secretary's custody, other than in the regular mode of business. If a document in the Secretary's charge is missing, the Secretary shall report the fact to the President, so that inquiry may be made.

49.3 The Secretary shall supervise the recording of proceedings in the Journal, the engrossing, transcribing and copying of bills and resolutions, and generally perform the duties of Secretary, under direction of the Committee on Rules and Administration.

49.4 The Journal of each day's proceedings is open for correction at any time during the session of the next day the Senate meets. Unless corrected on that day, the Journal stands approved.

49.5 The Secretary shall keep a record of all Senate and House bills showing the status of each bill pending, until its final passage.

50. ELECTRONIC RECORDINGS

50.1 The Secretary shall cause to be recorded on electronic media the proceedings of the Senate, the Committee of the Whole, and each standing committee, subcommittee, and division. Each electronic record must be clearly labeled to show the name of the body whose proceedings are recorded and the dates the proceedings occurred. Each electronic record of the proceedings of the Senate and the Committee of the Whole must be accompanied by a log showing the number of each bill considered and the places on the record where consideration of the bill occurred.

50.2 Within two working days after each Senate session, the Secretary shall make a copy of the electronic record and corresponding log of proceedings of the Senate and the Committee of the Whole available to the Legislative Reference Library.

50.3 Within one week after each meeting of a standing committee, subcommittee, or division, the Secretary shall make the electronic record of the meeting available to the Legislative Reference Library, together with an agenda showing bills considered and any action taken on them.

50.4 Upon completion and approval of the minutes of the meeting, the Secretary shall promptly deliver a copy of the minutes to the Legislative Reference Library.

50.5 The Secretary shall keep a record of each session of the Senate and the Committee of the Whole, each meeting of a Senate standing committee, subcommittee, or division and the date on which the electronic record of the session or meeting was made available to the Legislative Reference Library. The Library shall keep a similar record of all electronic records to which it has been given access.

50.6 The Library shall provide committee staff with reasonable access to Senate electronic records and shall provide the public with convenient facilities to listen to them.

50.7 The Secretary shall make copies of Senate electronic records available to the public for a fee determined by the Secretary to be adequate to cover the cost of preparing the copies. A copy must be provided free to a member of the Senate upon request for use in legislative business.

50.8 The Secretary shall keep the original electronic record and log of each session of the Senate and the Committee of the Whole until the end of the period for which the members of the existing House of Representatives have been elected, at which time the electronic record may be preserved or disposed of as the Secretary sees fit. The Legislative Reference Library shall keep electronic records, logs, and minutes forwarded to it until two years after the end of the period for which the members of the existing Senate have been elected, at which time they may be preserved or disposed of as the Library sees fit.

50.9 The Senate intends that testimony and discussion preserved under this rule not be admissible in any court or administrative proceeding on an issue of legislative intent.

51. OTHER DUTIES OF SECRETARY

51.1 The Secretary shall not issue a certificate authorizing the payment of money by virtue of a motion or resolution, unless the motion or resolution is voted for by a majority of the whole Senate on a roll call vote.

51.2 The Secretary and the Engrossing Secretary shall correct all mistakes in numbering the sections and reference to them, whether the errors occur in the original bill or are caused by amendments to it.

51.3 The Secretary is the agent of the Senate for the purchase of supplies and services. The Secretary's records on purchase of supplies and services are open for inspection.

51.4 The Secretary shall adopt administrative controls to ensure that each member is accountable for the member's own long distance telephone calls and that Senate telephones are used only for Senate business.

51.5 By the 15th day of April, July, October, and January of each year, the Secretary shall submit a detailed report of Senate expenditures during the previous quarter to the Committee on Rules and Administration.

51.6 The Secretary's public records may be inspected during normal business hours.

52. SERGEANT AT ARMS

The Sergeant at Arms shall execute all orders of the President and perform all assigned duties connected with the police and good order of the Senate Chamber; exercise supervision over the entry and exit of all persons to and from the Chamber; see that messages are promptly delivered; see that the hall is properly ventilated and the temperature is properly regulated, and that the Chamber is open for the use of members of the Senate at least one-half hour before the start of a session; and perform all other services pertaining to the office of Sergeant.

53. BUDGET AND EXPENDITURES

53.1 The Committee on Rules and Administration shall adopt an operating budget for the Senate.

53.2 All propositions for the appointment and payment of employees of the Senate or for expenditures of the Legislature, other than those provided by law, must be referred without debate to the Committee on Rules and Administration.

54. EMPLOYEES

54.1 The Committee on Rules and Administration shall establish positions, set compensation, appoint employees, and authorize expense reimbursement for employees as it deems necessary to carry out the work of the Senate. At the request of any committee member, an action of the committee must be submitted as a Senate resolution for adoption by the Senate.

54.2 The Secretary shall keep a roster of all employees of the Senate, including positions and compensation, which must be open for inspection by the public.

54.3 The Secretary shall post, in a public place in the Capitol, a notice of every vacant position on the permanent staff of the Senate. The notice must remain posted for at least two weeks, and no vacancy may be filled until the period of posting has elapsed.

54.4 Except as otherwise provided in these rules, the Committee on Rules and Administration has full and exclusive authority over, and charge of all employees of the Senate both elected and appointed. The committee has the sole and exclusive power and authority to assign them to duties other than for which they were elected or appointed as the committee may provide.

54.5 The committee may make employment rules and regulations. In case of violation of an order of the committee by an employee, or in case of a violation of a rule or regulation made by the committee, or in case of misconduct or omission by an employee, the Committee on Rules and Administration may hear complaints and discharge the employee or impose discipline, a fine, or other punishment upon the employee.

54.6 The Secretary shall supervise the employees under the direction of the Committee on Rules and Administration.

55. SUBCOMMITTEE ON ETHICAL CONDUCT

55.1 The Subcommittee on Committees shall appoint a Subcommittee on Ethical Conduct of the Committee on Rules and Administration consisting of four members, two from the majority group and two from the minority group.

55.2 The subcommittee shall serve in an advisory capacity to a member or employee upon written request and shall issue recommendations to the member or employee. A member may request the subcommittee to provide its advice on a potential conflict of interest to the member in private. If so requested, the subcommittee shall conduct its proceedings on the advisory opinion in private. The request, proceedings on the request, and any advice given by the subcommittee in response to the request must remain private. The member may not use an advisory opinion from the subcommittee as a defense to a complaint under this rule unless the opinion has been adopted by the subcommittee at a public meeting.

55.3 The subcommittee shall investigate a complaint by a member of the Senate in writing under oath received ~~during a legislative session~~ before adjournment sine die in the last year of a senate term regarding improper conduct by a member or employee of the Senate. The subcommittee has the powers of a standing committee to issue subpoenas under Minnesota Statutes, section 3.153.

55.4 Within 30 days after receiving a complaint, the subcommittee must meet and either make a finding of no probable cause, vote to defer action until a certain time, or proceed with its investigation.

55.5 In order to determine whether there is probable cause to believe that improper conduct has occurred, the subcommittee may, by a vote of three of its members, conduct a preliminary inquiry in executive session to which the open meeting requirements of Rules 12.1 to 12.3 do not apply. The executive session may be ordered by a vote of three of its members whenever the subcommittee determines that matters relating to probable cause are likely to be discussed. The executive session must be limited to matters relating to probable cause. Upon a finding of probable cause, further proceedings on the complaint are open to the public.

55.6 The subcommittee may appoint special counsel to provide expert advice on how to conduct its proceedings. The subcommittee may appoint a suitable person to conduct the investigation and report findings of fact and recommendations for action to the subcommittee.

55.7 If, after investigation, the subcommittee finds the complaint substantiated by the evidence, it shall recommend to the Committee on Rules and Administration appropriate disciplinary action.

55.8 To minimize disruption of its public proceedings, the subcommittee may require that television coverage be pooled or be provided by Senate media services.

55.9 If criminal proceedings relating to the same conduct have begun, the subcommittee may defer its proceedings until the criminal proceedings have been completed.

55.10 The Senate intends that proceedings of the Subcommittee on Ethical Conduct not be admissible in any criminal proceeding.

56. STANDARDS OF ETHICAL CONDUCT

56.1 Members shall adhere to the highest standard of ethical conduct as embodied in the Minnesota Constitution, state law, and these rules. This standard applies until the legislature has adjourned sine die in the last year of a senate term.

56.2 A member shall not publish or distribute written material if the member knows or has reason to know that the material includes any statement that is false or clearly misleading, concerning a public policy issue or concerning the member's or another member's voting record or position on a public policy issue.

56.3 Improper conduct includes conduct that violates a rule or administrative policy of the Senate, that violates accepted norms of Senate behavior, that betrays the public trust, or that tends to bring the Senate into dishonor or disrepute.

57. CONFLICTS OF INTEREST

A member who in the discharge of senatorial duties would be required to take an action or make a decision that would substantially affect the member's financial interests or those of an associated business, unless the effect on the member is no greater than on others in the member's business classification, profession, or occupation, shall disclose the potential conflict of interest by following the procedure set forth in Minnesota Statutes, section 10A.07.

58. LOBBYISTS

58.1 A lobbyist shall not appear before a Senate committee pursuant to the lobbyist's employment unless the lobbyist is in compliance with the law requiring lobbyist registration, Minnesota Statutes, sections 10A.03 to 10A.06. A lobbyist, when appearing before a committee, shall disclose to the committee on whose behalf the lobbyist speaks and the purpose of the

lobbyist's appearance. A lobbyist shall not knowingly furnish false or misleading information or make a false or misleading statement that is relevant and material to a matter before the Senate or any of its committees when the lobbyist knows or should know it will influence the judgment or action of the Senate or any of its committees, subcommittees, or divisions.

58.2 The Subcommittee on Ethical Conduct shall investigate a complaint by a member of the Senate in writing under oath received during a legislative session that a lobbyist has violated Rule 58.1. The investigatory procedures of Rule 55 apply, except as provided in this rule. The complaint and proceedings on the complaint are private until the subcommittee has found probable cause to believe that a violation of Rule 58.1 has occurred, unless they are made public by the lobbyist whose conduct is the subject of the complaint or by the vote of at least three members of the subcommittee.

59. AMENDMENTS TO RULES

Every proposition to amend a rule of the Senate must be referred to the Committee on Rules and Administration. The proposition may not be acted upon until the report of the committee is received by the Senate.

Senator Rest moved the adoption of the foregoing resolution.

CALL OF THE SENATE

Senator Rest imposed a call of the Senate for the balance of the proceedings on Senate Resolution No. 59. The Sergeant at Arms was instructed to bring in the absent members.

Senator Rest moved to amend Senate Resolution No. 59 as follows:

Page 7, delete Rule 9 and insert:

"9. STANDING COMMITTEES

The standing committees of the Senate are as follows:

Agriculture, Veterans and Gaming
 Capital Investment
 Commerce
 Crime Prevention and Public Safety
 Education
 Elections
 Environment and Natural Resources
 Finance
 Health and Family Security
 Jobs, Energy and Community Development
 Judiciary
 Rules and Administration
 State and Local Government Operations
 Taxes"

Pages 24 and 25, delete Rule 45 and insert:

"45. COMPARISON AND SUBSTITUTION OF BILLS

45.1 A House bill, after its first reading, must be referred as follows, unless there is a motion by the Chair of the Committee on Rules and Administration or a designee of the Chair or objection under Rule 4.9:

(a) If there is no Senate companion bill, the House bill must be referred to the appropriate standing committee.

(b) If there is a Senate companion bill, the House bill must be referred to the standing committee possessing the Senate companion.

(c) If the Senate companion bill has been reported to the Senate, the House bill must be referred to the Committee on Rules and Administration, which shall report whether the House bill is identical to the Senate companion bill. If the bills are identical, the report must recommend that the House bill be given its second reading and substituted for the Senate companion bill and the Senate companion bill be indefinitely postponed. If the House bill is not identical to the Senate companion bill, the report of the committee must recommend an amendment to the House bill that when adopted will render the House bill identical to the Senate bill. Upon adoption of a committee report containing the proposed amendment, the House bill as amended must be given its second reading and substituted for the Senate companion bill and the Senate companion bill must be indefinitely postponed.

45.2 The Secretary shall prepare and submit reports under this rule on behalf of the Committee on Rules and Administration.

45.3 A House bill placed on the Calendar by substitution must not be given its third reading on the same day as the substitution."

Senator Kleis moved to amend the Rest amendment to Senate Resolution No. 59 as follows:

Page 1, line 25, strike "or objection under Rule 4.9"

Page 1, line 27, before the period, insert ", unless there is objection under Rule 4.9"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Rest amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Rest moved to amend Senate Resolution No. 59 as follows:

Page 21 after line 3, insert:

"35.6 If a House amendment to a Senate bill is not germane to the Senate bill, a motion to concur in the House amendment is out of order."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 36 and nays 30, as follows:

Those who voted in the affirmative were:

| | | | | |
|-----------|---------------|------------|----------|-----------|
| Anderson | Foley | Marko | Rest | Stumpf |
| Bakk | Higgins | Marty | Sams | Tomassoni |
| Belanger | Hottinger | Metzen | Saxhaug | Vickerman |
| Berglin | Johnson, D.E. | Moua | Scheid | Wiger |
| Betzold | Kelley | Murphy | Skoe | |
| Chaudhary | Kubly | Pappas | Skoglund | |
| Cohen | Langseth | Pogemiller | Solon | |
| Dibble | Lourey | Ranum | Sparks | |

Those who voted in the negative were:

| | | | | |
|----------|--------------|---------------|----------|---------|
| Bachmann | Fischbach | Hann | Kierlin | Knutson |
| Day | Frederickson | Johnson, D.J. | Kiscaden | Koering |
| Dille | Gaither | Jungbauer | Kleis | Larson |

LeClair
Limmer
McGinn

Michel
Neuville
Nienow

Olson
Ortman
Ourada

Pariseau
Reiter
Rosen

Ruud
Senjem
Wergin

The motion prevailed. So the amendment was adopted.

Senator Betzold moved to amend Senate Resolution No. 59 as follows:

Page 7, line 15, after the period, insert "Confirmation of the appointment requires the affirmative vote of a majority of the whole Senate."

The motion prevailed. So the amendment was adopted.

Senator Dille moved to amend Senate Resolution No. 59 as follows:

Page 21, lines 22 and 23, reinstate the stricken language

The motion did not prevail. So the amendment was not adopted.

Senator Neuville moved to amend Senate Resolution No. 59 as follows:

Page 11, after line 3, insert:

"12.12 Beginning in 2004, in each year of a regular session, the majority and minority groups may each designate five bills as priority bills. The designation must be made within two weeks after the Senate convenes in either year of a biennial session, or within one week after the Senate adopts permanent rules for the biennial session, whichever is later. A caucus may withdraw the designation of a priority bill but may not substitute a new one. A bill that appropriates money or increases or decreases a tax may not be designated a priority bill. Each committee to which a priority bill has been referred must schedule it for hearing ahead of any bills that have not been designated a priority, unless the chief author of the priority bill agrees otherwise. A committee may recommend amendments to a priority bill only with the consent of its chief author. The committee must act on the bill and report its recommendation to the Senate. If the recommendation is that the bill do not pass, upon adoption of the committee report the bill must be given its second reading and placed on General Orders. If a motion is made in Committee of the Whole that a priority bill do pass and the motion is defeated, the priority bill loses its status as a priority bill."

Senator Neuville then moved to amend the Neuville amendment to Senate Resolution No. 59 as follows:

Page 1, line 4, delete "2004" and insert "2005"

The motion prevailed. So the amendment to the amendment was adopted.

Senator Neuville then moved to amend the first Neuville amendment to Senate Resolution No. 59 as follows:

Page 1, line 6, delete "five" and insert "three"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the first Neuville amendment, as amended. The motion did not prevail. So the amendment, as amended, was not adopted.

Senator Rest moved the adoption of Senate Resolution No. 59, as amended.

The question was taken on the adoption of the resolution, as amended.

The roll was called, and there were yeas 36 and nays 29, as follows:

Those who voted in the affirmative were:

Anderson

Bakk

Belanger

Berglin

Betzold

| | | | | |
|-----------|---------------|------------|----------|-----------|
| Chaudhary | Johnson, D.E. | Moua | Saxhaug | Tomassoni |
| Cohen | Kelley | Murphy | Scheid | Vickerman |
| Dibble | Kubly | Pappas | Skoe | Wiger |
| Dille | Langseth | Pogemiller | Skoglund | |
| Foley | Lourey | Ranum | Solon | |
| Higgins | Marty | Rest | Sparks | |
| Hottinger | Metzen | Sams | Stumpf | |

Those who voted in the negative were:

| | | | | |
|--------------|---------------|---------|----------|--------|
| Bachmann | Johnson, D.J. | Koering | Neuville | Reiter |
| Day | Jungbauer | Larson | Nienow | Rosen |
| Fischbach | Kierlin | LeClair | Olson | Ruud |
| Frederickson | Kiscaden | Limmer | Ortman | Senjem |
| Gaither | Kleis | McGinn | Ourada | Wergin |
| Hann | Knutson | Michel | Pariseau | |

The motion prevailed. So the resolution, as amended, was adopted.

RECONSIDERATION

Having voted on the prevailing side, Senator Rest moved that the vote whereby Senate Resolution No. 59 was passed by the Senate on March 4, 2004, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 30 and nays 36, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|---------|----------|----------|
| Bachmann | Hann | Knutson | Michel | Pariseau |
| Day | Johnson, D.J. | Koering | Neuville | Reiter |
| Dille | Jungbauer | Larson | Nienow | Rosen |
| Fischbach | Kierlin | LeClair | Olson | Ruud |
| Frederickson | Kiscaden | Limmer | Ortman | Senjem |
| Gaither | Kleis | McGinn | Ourada | Wergin |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|------------|----------|-----------|
| Anderson | Foley | Marko | Rest | Stumpf |
| Bakk | Higgins | Marty | Sams | Tomassoni |
| Belanger | Hottinger | Metzen | Saxhaug | Vickerman |
| Berglin | Johnson, D.E. | Moua | Scheid | Wiger |
| Betzold | Kelley | Murphy | Skoe | |
| Chaudhary | Kubly | Pappas | Skoglund | |
| Cohen | Langseth | Pogemiller | Solon | |
| Dibble | Lourey | Ranum | Sparks | |

The motion did not prevail. So the vote was not reconsidered.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 5.1, Senator Kleis, chief author, moved that S.F. No. 2190 be withdrawn from the Committee on Agriculture, Veterans and Gaming, given a second reading, and placed on General Orders.

CALL OF THE SENATE

Senator Betzold imposed a call of the Senate for the balance of the proceedings on S.F. No. 2190. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Kleis motion.

The roll was called, and there were yeas 31 and nays 35, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|---------------|----------|----------|--------|
| Bachmann | Hann | Koering | Nienow | Ruud |
| Belanger | Johnson, D.J. | Larson | Olson | Senjem |
| Day | Jungbauer | LeClair | Ortman | Wergin |
| Dille | Kierlin | Limmer | Ourada | |
| Fischbach | Kiscaden | McGinn | Pariseau | |
| Frederickson | Kleis | Michel | Reiter | |
| Gaither | Knutson | Neuville | Rosen | |

Those who voted in the negative were:

| | | | | |
|-----------|---------------|--------|------------|-----------|
| Anderson | Foley | Lourey | Pogemiller | Skoglund |
| Bakk | Higgins | Marko | Ranum | Solon |
| Berglin | Hottinger | Marty | Rest | Sparks |
| Betzold | Johnson, D.E. | Metzen | Sams | Stumpf |
| Chaudhary | Kelley | Moua | Saxhaug | Tomassoni |
| Cohen | Kubly | Murphy | Scheid | Vickerman |
| Dibble | Langseth | Pappas | Skoe | Wiger |

The motion did not prevail.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Ortman moved that S.F. No. 2287 be withdrawn from the Committee on Crime Prevention and Public Safety and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Skoe moved that S.F. No. 2145 be withdrawn from the Committee on Finance and re-referred to the Committee on Agriculture, Veterans and Gaming. The motion prevailed.

Senator Hottinger moved that the name of Senator Johnson, D.E. be added as a co-author to Senate Resolution No. 59. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time and referred to the committees indicated.

Senator Skoglund introduced--

S.F. No. 2505: A bill for an act relating to children; imposing certain duties on the Department of Human Services; providing certain rights to foster care providers and prospective adoptive parents; proposing coding for new law in Minnesota Statutes, chapter 260C.

Referred to the Committee on Health and Family Security.

Senator Johnson, D.E. introduced--

S.F. No. 2506: A bill for an act relating to capital improvements; appropriating money to establish a veterans nursing home on the Willmar Regional Treatment Center campus; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senator Pogemiller introduced--

S.F. No. 2507: A bill for an act relating to retirement; extending certain service credit purchase payment determination procedures until 2009; amending Minnesota Statutes 2003 Supplement, section 356.55, subdivision 7; Laws 1999, chapter 222, article 16, section 16, as amended; Laws

2000, chapter 461, article 4, section 4, as amended; Laws 2000, chapter 461, article 12, section 20, as amended; Laws 2001, First Special Session chapter 10, article 6, section 21, as amended.

Referred to the Committee on State and Local Government Operations.

Senators Ranum, Chaudhary, Moua, Neuville and Foley introduced--

S.F. No. 2508: A bill for an act relating to crime prevention and public safety; increasing the statutory maximum sentences for sex and sex-related offenses; creating the crime of criminal sexual conduct in the sixth degree; modifying the patterned and predatory offender sentencing law; amending Minnesota Statutes 2002, sections 609.108, subdivisions 1, 3; 609.109, subdivision 7; 609.341, by adding a subdivision; 609.342, subdivision 2; 609.343, subdivision 2; 609.344, subdivision 2; 609.345, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609; repealing Minnesota Statutes 2002, section 609.108, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Lourey introduced--

S.F. No. 2509: A bill for an act relating to human services; adding sign language interpreter services for medical assistance coverage; amending Minnesota Statutes 2002, section 256B.0625, subdivision 18a.

Referred to the Committee on Health and Family Security.

Senator Koering introduced--

S.F. No. 2510: A bill for an act relating to health; limiting use of family planning grant funds; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Family Security.

Senator Sparks introduced--

S.F. No. 2511: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Blazing Star Trail.

Referred to the Committee on Finance.

Senators Lourey and Higgins introduced--

S.F. No. 2512: A bill for an act relating to health; providing for public health emergencies; amending Minnesota Statutes 2002, sections 144.419, subdivision 1; 144.4195, subdivisions 1, 2, 3, 5; Minnesota Statutes 2003 Supplement, section 13.37, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 12; 144; repealing Laws 2002, chapter 402, section 21.

Referred to the Committee on Health and Family Security.

Senators Koering, Lourey, Dille, Berglin and Sparks introduced--

S.F. No. 2513: A bill for an act relating to human services; modifying the definition of gross income for MinnesotaCare; amending Minnesota Statutes 2002, section 256L.01, subdivision 4.

Referred to the Committee on Health and Family Security.

Senators Ranum, Stumpf, Bachmann, Marko and Michel introduced--

S.F. No. 2514: A bill for an act relating to education; directing the Office of Educational

Accountability to evaluate the educational impact of the federal No Child Left Behind Act and other state and federal laws requiring school districts to administer tests to students.

Referred to the Committee on Education.

Senators Foley, Skoglund, Knutson and McGinn introduced--

S.F. No. 2515: A bill for an act relating to crimes; providing that when a person is arrested for driving while impaired, the arresting officer must invalidate and return the person's driver's license card for use as an identification card during the period of license suspension, revocation, or cancellation; amending Minnesota Statutes 2002, section 169A.52, subdivision 7.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Kiscaden and Berglin introduced--

S.F. No. 2516: A bill for an act relating to human services; providing for collaborative service models; amending Minnesota Statutes 2003 Supplement, section 256B.69, subdivision 6b.

Referred to the Committee on Health and Family Security.

Senators Senjem and Skoglund introduced--

S.F. No. 2517: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for improvements to Historic Fort Snelling.

Referred to the Committee on Finance.

Senators Johnson, D.E. and Langseth introduced--

S.F. No. 2518: A bill for an act relating to capital improvements; authorizing the sale of state bonds; appropriating money for Glacial Lakes Trail and the Lake Koronis Trail.

Referred to the Committee on Finance.

Senators Kelley, Olson and Metzen introduced--

S.F. No. 2519: A bill for an act relating to education; providing for payment of the full cost of school breakfast and lunch special diets based on religious beliefs of students; amending Minnesota Statutes 2002, section 124D.111, subdivision 1; Minnesota Statutes 2003 Supplement, section 124D.1158, subdivision 3.

Referred to the Committee on Finance.

Senator LeClair introduced--

S.F. No. 2520: A bill for an act relating to insurance; making changes related to the Minnesota Comprehensive Health Association; amending Minnesota Statutes 2002, section 62E.141; Minnesota Statutes 2003 Supplement, sections 62E.08, subdivision 1; 62E.091.

Referred to the Committee on Commerce.

Senators Johnson, D.E. and Kubly introduced--

S.F. No. 2521: A bill for an act relating to agriculture; providing funding for research into creating hydrogen from ethanol to be used to produce affordable electricity; appropriating money.

Referred to the Committee on Finance.

Senator Dibble introduced--

S.F. No. 2522: A bill for an act relating to state government; authorizing a pilot project under which the State Board of Investment may make certain additional investments in Minnesota financial institutions rated outstanding under the Federal Community Reinvestment Act.

Referred to the Committee on State and Local Government Operations.

Senators Kelley, Higgins and Knutson introduced--

S.F. No. 2523: A bill for an act relating to local government; removing the sunset for new housing improvement areas; repealing Minnesota Statutes 2002, section 428A.21.

Referred to the Committee on State and Local Government Operations.

Senators Ourada, Olson and Dille introduced--

S.F. No. 2524: A bill for an act relating to education finance; expanding the use of the building lease levy; amending Minnesota Statutes 2003 Supplement, section 126C.40, subdivision 1.

Referred to the Committee on Finance.

Senator Hottinger introduced--

S.F. No. 2525: A bill for an act relating to education finance; restoring the former method of determining class size ratios and allocating class size reduction revenue; amending Minnesota Statutes 2002, section 126C.12, subdivisions 2, 3, 4.

Referred to the Committee on Finance.

Senator Hottinger introduced--

S.F. No. 2526: A bill for an act relating to education finance; authorizing school districts subject to the health and safety management cost cap to recoup the cost of defibrillators under the health and safety revenue program; amending Minnesota Statutes 2003 Supplement, section 123B.57, subdivision 6.

Referred to the Committee on Finance.

Senator Hottinger introduced--

S.F. No. 2527: A bill for an act relating to taxation; providing for the exemption from sales and use taxation of purchases for certain electric generation facilities; amending Minnesota Statutes 2002, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Pogemiller introduced--

S.F. No. 2528: A bill for an act relating to taxation; income; modifying electronic filing requirements; amending Minnesota Statutes 2003 Supplement, section 289A.08, subdivision 16.

Referred to the Committee on Taxes.

Senators Higgins and Pogemiller introduced--

S.F. No. 2529: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for Phase I of the Lowry Avenue corridor in Minneapolis.

Referred to the Committee on Finance.

Senators Knutson and McGinn introduced--

S.F. No. 2530: A bill for an act relating to transportation; requiring conveyance within three months of excess real estate no longer needed for highway purposes; appropriating money; amending Minnesota Statutes 2002, sections 161.23, subdivision 2; 161.44, subdivisions 2, 9.

Referred to the Committee on Finance.

Senator Berglin introduced--

S.F. No. 2531: A bill for an act relating to corrections; requiring that certain offenders receive notice of eligibility to vote; proposing coding for new law in Minnesota Statutes, chapters 244; 609.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Murphy introduced--

S.F. No. 2532: A bill for an act relating to taxation; property; exempting certain property of an electric generation facility; amending Minnesota Statutes 2002, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Dille introduced--

S.F. No. 2533: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for historic preservation grants.

Referred to the Committee on Finance.

Senators Foley and Murphy introduced--

S.F. No. 2534: A bill for an act relating to public safety; providing consistent standards for use of emergency vehicle lights and sirens by law enforcement officers; amending Minnesota Statutes 2002, section 169.20, subdivision 5.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Murphy; Dibble; Johnson, D.E. and Ourada introduced--

S.F. No. 2535: A bill for an act relating to transportation; establishing Road User Fee Task Force.

Referred to the Committee on Finance.

Senators Kelley, Scheid, Wiger and Frederickson introduced--

S.F. No. 2536: A bill for an act relating to state and local government operations; establishing a metropolitan stadium authority; providing for the membership and powers of the authority; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on State and Local Government Operations.

Senators Anderson; Vickerman; Johnson, D.E. and Dille introduced--

S.F. No. 2537: A bill for an act relating to state observances; designating Dr. Norman E. Borlaug World Food Prize Day; proposing coding for new law in Minnesota Statutes, chapter 10.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Knutson introduced--

S.F. No. 2538: A bill for an act relating to crime victims; authorizing providing information to victims of juvenile acts; clarifying the definition of victim; authorizing release of an offender's current city of residence upon request by a victim; reducing the time of the nonliable spouse to file a claim under the Revenue Recapture Act; amending Minnesota Statutes 2002, sections 13.84, by adding a subdivision; 260B.163, subdivision 1; 611A.01; Minnesota Statutes 2003 Supplement, section 260B.171, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 270A.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Anderson, Lourey and Bachmann introduced--

S.F. No. 2539: A bill for an act relating to health; providing for certified stillbirth records; amending Minnesota Statutes 2002, sections 13.3806, subdivision 4; 144.212, subdivisions 4, 9, by adding a subdivision; 144.214, subdivisions 2, 4; 144.225, subdivisions 2a, 7, 8; 144.226, subdivisions 1, 4; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2002, section 144.222, subdivision 1; Minnesota Rules, parts 4601.0100, subpart 12; 4601.2200.

Referred to the Committee on Health and Family Security.

Senators Rest and Belanger introduced--

S.F. No. 2540: A bill for an act relating to taxation; corporate franchise tax; phasing in single sales apportionment; amending Minnesota Statutes 2002, section 290.191, subdivisions 2, 3.

Referred to the Committee on Taxes.

Senators Pappas, Skoglund, Moua and Kleis introduced--

S.F. No. 2541: A bill for an act relating to crime prevention; public safety; criminalizing certain acts related to the unlawful trafficking in persons; requiring restitution for victims of these offenses; providing for the forfeiture of certain property of the offender in these cases; imposing criminal penalties; amending Minnesota Statutes 2002, sections 609.531, subdivision 1; 609.5315, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Anderson and Hottinger introduced--

S.F. No. 2542: A bill for an act relating to children; increasing assessment paid to workforce development fund; authorizing the use of a portion of workforce development money for certain early childhood programs; amending Minnesota Statutes 2002, section 268.022, as amended.

Referred to the Committee on Jobs, Energy and Community Development.

Senator Skoglund introduced--

S.F. No. 2543: A bill for an act relating to public safety; funding precommitment detention of persons with sexual psychopathic personalities and sexually dangerous persons; amending Minnesota Statutes 2002, section 253B.185, subdivision 5.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Skoglund introduced--

S.F. No. 2544: A bill for an act relating to public safety; requiring the Bureau of Criminal Apprehension to investigate level III sex offenders who fail to verify their living address; amending Minnesota Statutes 2002, section 243.166, subdivision 4.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Murphy, Saxhaug and Pogemiller introduced--

S.F. No. 2545: A bill for an act relating to taxation; increasing class rates that apply to real and personal property of electric utilities; amending Minnesota Statutes 2002, section 273.13, subdivision 24.

Referred to the Committee on Taxes.

Senators Murphy and Saxhaug introduced--

S.F. No. 2546: A bill for an act relating to taxation; eliminating the property tax exemption for pollution control equipment that is part of an electric utility system; amending Minnesota Statutes 2002, section 272.02, subdivisions 10, 41.

Referred to the Committee on Taxes.

Senators Murphy, Saxhaug, LeClair, Wergin and Ourada introduced--

S.F. No. 2547: A bill for an act relating to taxation; prohibiting amendment of existing rules and adoption of new rules for determination of the value of electric utility property.

Referred to the Committee on Taxes.

Senators Kleis, McGinn, Ruud and Knutson introduced--

S.F. No. 2548: A bill for an act relating to crimes; regulating sex offenders; making technical and clarifying changes; appropriating money; amending Minnesota Statutes 2002, sections 243.166, subdivisions 1, 4, 6, 7a, by adding subdivisions; 243.167; 243.55, subdivision 1; 244.05, subdivision 7; 244.052, subdivision 4; 253B.02, by adding subdivisions; 253B.03, by adding a subdivision; 253B.18, subdivision 9; 253B.185, by adding a subdivision; Minnesota Statutes 2003 Supplement, sections 243.166, subdivisions 3, 4a; 246.15, by adding a subdivision; 609.2231, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 253B.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Hottinger and Saxhaug introduced--

S.F. No. 2549: A bill for an act relating to sewage; changing regulation of individual sewage treatment system programs in counties; creating an account; appropriating money; amending Minnesota Statutes 2002, sections 17.117, subdivision 13; 115.55, by adding subdivisions; 115.56, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senators Murphy, Moua, Langseth, Foley and Marko introduced--

S.F. No. 2550: A bill for an act relating to traffic regulations; making seat belt violation a primary offense; requiring all passengers to wear a seat belt; imposing petty misdemeanor penalty;

dedicating portion of fine revenues to county detoxification services; amending Minnesota Statutes 2002, sections 169.686, subdivisions 1, 3; 171.05, subdivision 2b; 171.055, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Sams introduced--

S.F. No. 2551: A bill for an act relating to transportation; recategorizing certain types of trailers for purposes of dealer bond requirements; providing for an alternative type of bond; amending Minnesota Statutes 2002, section 168.27, subdivision 24.

Referred to the Committee on Finance.

Senator Skoglund introduced--

S.F. No. 2552: A bill for an act relating to domestic abuse; authorizing an additional extension of the domestic fatality review team pilot project in the fourth judicial district; amending Laws 2002, chapter 266, section 1.

Referred to the Committee on Judiciary.

Senator Neuville introduced--

S.F. No. 2553: A bill for an act relating to gambling; stating certain findings and legislative intent; directing the attorney general to bring a legal action under certain circumstances; eliminating the basis in state law for tribal-state compacts governing video games of chance; providing requirement for certain new tribal-state compacts; directing the governor to seek renegotiation of compacts; amending Minnesota Statutes 2002, sections 3.9221, subdivision 4; 299L.07, subdivisions 2, 2a; repealing Minnesota Statutes 2002, section 349.61, subdivision 2; Laws 1989, chapter 149, section 6; Laws 1989, chapter 334, article 6, section 14.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Kleis introduced--

S.F. No. 2554: A bill for an act relating to capital improvements; appropriating money for expansion of the St. Cloud Civic Center; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senator Sams introduced--

S.F. No. 2555: A bill for an act relating to human services; child protection; modifying requirements for a relative search; amending Minnesota Statutes 2002, section 260C.212, subdivision 5.

Referred to the Committee on Health and Family Security.

Senator Murphy introduced--

S.F. No. 2556: A bill for an act relating to transportation; modifying a special retirement coverage provision for transportation department aircraft pilots; amending Minnesota Statutes 2002, section 352.86, subdivision 1.

Referred to the Committee on State and Local Government Operations.

Senator Murphy introduced--

S.F. No. 2557: A bill for an act relating to transportation; modifying provisions regulating highway safety rest areas and travel information centers; appropriating money; making technical and clarifying changes; amending Minnesota Statutes 2002, sections 160.08, subdivision 7; 160.276; 160.277; 160.278; 160.28; 161.23, subdivision 3; 161.433, subdivision 2; 161.434; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Finance.

Senator Cohen introduced--

S.F. No. 2558: A bill for an act relating to state government finance; authorizing principles, criteria, and procedures for consolidating and eliminating certain funds and accounts; requiring reports; amending Minnesota Statutes 2002, section 16A.53, subdivision 1, by adding subdivisions.

Referred to the Committee on Finance.

Senator Berglin introduced--

S.F. No. 2559: A bill for an act relating to human services; providing for discharge plans for offenders with serious and persistent mental illness who are released from county jails or county regional jails; appropriating money; amending Minnesota Statutes 2002, section 244.054; proposing coding for new law in Minnesota Statutes, chapter 641.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Lourey and Marty introduced--

S.F. No. 2560: A bill for an act relating to insurance; extending insurance coverage to include surveillance tests for ovarian cancer for women at risk for ovarian cancer; amending Minnesota Statutes 2002, section 62A.30, subdivision 2, by adding a subdivision.

Referred to the Committee on Commerce.

Senator Betzold introduced--

S.F. No. 2561: A bill for an act relating to government data practices; providing for compliance with law by information management systems; providing for classification of, and access to, CriMNet and other criminal justice agency information systems data; amending Minnesota Statutes 2002, sections 13.02, subdivision 18, by adding subdivisions; 13.82, subdivision 24; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

Senator Anderson introduced--

S.F. No. 2562: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for renovation of the Como Park Zoo in St. Paul.

Referred to the Committee on Finance.

Senators Fischbach, LeClair, Michel, Kleis and Day introduced--

S.F. No. 2563: A bill for an act relating to health care; regulating benefits, practice guidelines, and health care provider actions; amending Minnesota Statutes 2003 Supplement, sections 62J.26, by adding a subdivision; 290.01, subdivision 19; proposing coding for new law in Minnesota Statutes, chapters 62L; 147; 604.

Referred to the Committee on Health and Family Security.

Senator Day introduced--

S.F. No. 2564: A bill for an act relating to taxation; property; providing that certain personal property of an electric generation facility is exempt from property taxation; amending Minnesota Statutes 2002, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Pappas, Belanger, Frederickson, Pogemiller and Tomassoni introduced--

S.F. No. 2565: A bill for an act relating to taxation; providing an income tax credit for expenditures for historic structure rehabilitation; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senator Murphy introduced--

S.F. No. 2566: A bill for an act relating to transportation; defining motorized scooters and regulating their use and operation; amending Minnesota Statutes 2002, section 169.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Finance.

Senators Tomassoni, Belanger, Skoe, Moua and Cohen introduced--

S.F. No. 2567: A bill for an act relating to taxation; income; increasing the charitable contribution subtraction for nonitemizers; amending Minnesota Statutes 2003 Supplement, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

Senator Johnson, D.E. introduced--

S.F. No. 2568: A bill for an act relating to highway traffic regulations; authorizing day activity center buses to operate certain school bus warning equipment under certain circumstances; amending Minnesota Statutes 2002, section 169.448, by adding a subdivision.

Referred to the Committee on Finance.

Senators Lourey, Langseth and Stumpf introduced--

S.F. No. 2569: A bill for an act relating to capital improvements; appropriating money for remodeling and expansion projects at Northland Community and Technical College; authorizing issuance of state bonds.

Referred to the Committee on Finance.

Senators Kelley, Kiscaden and Berglin introduced--

S.F. No. 2570: A bill for an act relating to health; requiring information provided through the Woman's Right to Know Act to be medically and factually accurate; amending Minnesota Statutes 2003 Supplement, sections 145.4241, by adding a subdivision; 145.4242; 145.4243.

Referred to the Committee on Health and Family Security.

Senator Kubly introduced--

S.F. No. 2571: A bill for an act relating to job opportunity building zones; authorizing designation of additional zones for small cities; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Jobs, Energy and Community Development.

Senator Kubly introduced--

S.F. No. 2572: A bill for an act relating to agriculture; establishing a program to develop cooperatively owned livestock processing plants; establishing a culturally specific livestock processing development program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 41B.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Dibble introduced--

S.F. No. 2573: A bill for an act relating to state government; codifying transfer of planning office to Department of Administration; authorizing forward pricing for energy purchases; reinstating Small Business Procurement Advisory Council; amending Minnesota Statutes 2002, sections 4A.03; 4A.04; 4A.05, subdivisions 1, 1a, 2; 4A.06; 4A.07, subdivisions 2, 3, 4, 5; 16B.87, subdivision 1; 16C.17, subdivision 2; 116.182, subdivision 3a; 116C.03, subdivisions 4, 5; 116C.712, subdivisions 3, 5; 124D.23, subdivision 9; 299C.65, subdivision 2; 414.01, subdivisions 1, 16; 414.011, subdivision 11; 414.031, subdivision 4a; 414.12, subdivision 3; 572A.02, subdivisions 2, 5; Minnesota Statutes 2003 Supplement, sections 4.045; 4A.02; 14.3691, subdivision 2; 15A.0815, subdivision 2; 40A.121, subdivision 1; 43A.08, subdivision 1; 103F.211, subdivision 2; 116C.03, subdivision 2; 145.9255, subdivision 1; 145.9266, subdivision 6; 145.951; 245.697, subdivision 2a; 272.67, subdivision 1; 276A.09; 299A.293, subdivision 1; 365.46, subdivision 2; 379.05; 412.021, subdivision 1; 412.091; 469.334, subdivision 1; 473F.13, subdivision 1; 473H.14; 477A.014, subdivision 4; 572A.015, subdivision 2; 572A.02, subdivision 6; 611A.78, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16C; repealing Minnesota Statutes 2002, sections 4A.01; 394.232, subdivisions 1, 3, 4, 5, 6, 7, 8; 414.01, subdivision 7a; 462.3535; 473.1455; 572A.01; 572A.03, subdivision 2; Minnesota Statutes 2003 Supplement, sections 119A.04, subdivision 3; 394.232, subdivision 2; Minnesota Rules, part 4410.0200, subpart 1a.

Referred to the Committee on State and Local Government Operations.

Senator Frederickson introduced--

S.F. No. 2574: A bill for an act relating to education; authorizing fund transfers for Independent School District No. 836, Butterfield.

Referred to the Committee on Finance.

Senators Olson, Gaither, Pariseau and Skoglund introduced--

S.F. No. 2575: A bill for an act relating to natural resources; modifying provisions relating to permits for aquatic plants; amending Minnesota Statutes 2002, section 103G.615, subdivision 3; Minnesota Statutes 2003 Supplement, section 103G.615, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senators Bakk and Ortman introduced--

S.F. No. 2576: A bill for an act relating to taxation; aggregate removal; providing certain

exceptions in the definition of operator; amending Minnesota Statutes 2003 Supplement, section 298.75, subdivision 1.

Referred to the Committee on Taxes.

Senators Foley and Lourey introduced--

S.F. No. 2577: A bill for an act relating to traffic regulations; modifying requirements for using child passenger-restraint systems and seat belts; making clarifying changes; amending Minnesota Statutes 2002, sections 169.685, subdivision 5; 169.686, subdivision 1; Minnesota Statutes 2003 Supplement, section 169.686, subdivision 2.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Jungbauer and Nienow introduced--

S.F. No. 2578: A bill for an act relating to motor vehicles; requiring notice to certain vehicle owners of necessity of obtaining USDOT number before imposition of sanctions; requiring notice to commercial vehicle owners of potential damage caused by state inspection of brakes; amending Minnesota Statutes 2002, sections 168.185; 169.781, by adding a subdivision.

Referred to the Committee on Finance.

Senators Rest, Scheid, Kiscaden, Gaither and LeClair introduced--

S.F. No. 2579: A bill for an act relating to insurance; providing for deemed compliance on the basis of accreditation; permitting required information to be available electronically; establishing a process for consolidation of health maintenance regulation; amending Minnesota Statutes 2002, section 72A.20, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

Senators Anderson, Kubly, Saxhaug and Bakk introduced--

S.F. No. 2580: A bill for an act relating to energy; requiring the development of a state plan for reducing greenhouse gas emissions from electric generation facilities and other sources.

Referred to the Committee on Jobs, Energy and Community Development.

Senator Saxhaug introduced--

S.F. No. 2581: A bill for an act relating to economic development; providing funding for commercial application of e-learning in rural Minnesota; appropriating money.

Referred to the Committee on Finance.

Senators Stumpf and Foley introduced--

S.F. No. 2582: A bill for an act relating to civil liability; clarifying the authority of law enforcement to charge a service fee for processing worthless checks; amending Minnesota Statutes 2002, section 604.113, subdivision 2.

Referred to the Committee on Commerce.

Senator Saxhaug introduced--

S.F. No. 2583: A bill for an act relating to natural resources; modifying the forest resources

Interagency Information Cooperative; modifying the State Timber Act; amending Minnesota Statutes 2002, sections 89A.09, subdivision 1; 90.02; 90.181, subdivision 2; 90.191, subdivision 2, by adding a subdivision; 90.252; Minnesota Statutes 2003 Supplement, sections 90.101, subdivision 1; 90.121; 90.14; 90.151, subdivision 1; repealing Minnesota Statutes 2003 Supplement, section 90.191, subdivisions 3, 4.

Referred to the Committee on Environment and Natural Resources.

Senators Anderson, Kubly, Vickerman and Metzen introduced--

S.F. No. 2584: A bill for an act relating to energy; regulating wind energy development; extending duration of position of reliability administrator; establishing temporary position of renewable energy development director; amending Minnesota Statutes 2002, sections 216B.243, by adding a subdivision; 216C.052, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 216B; 216C.

Referred to the Committee on Jobs, Energy and Community Development.

Senator Berglin introduced--

S.F. No. 2585: A bill for an act relating to human services; providing coverage for optometric services under the MinnesotaCare limited benefit set; amending Minnesota Statutes 2003 Supplement, section 256L.035.

Referred to the Committee on Health and Family Security.

Senator Sparks introduced--

S.F. No. 2586: A bill for an act relating to trade regulations; regulating preneed funeral arrangements; amending Minnesota Statutes 2002, section 149A.97, subdivisions 3a, 5; proposing coding for new law in Minnesota Statutes, chapter 149A.

Referred to the Committee on Commerce.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 11:00 a.m., Monday, March 8, 2004. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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