

ELEVENTH DAY

St. Paul, Minnesota, Thursday, February 1, 2007

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

CALL OF THE SENATE

Senator Pogemiller 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. Ralph Baumgartner.

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

Anderson	Fischbach	Larson	Ortman	Sieben
Bakk	Foley	Latz	Pappas	Skoe
Berglin	Frederickson	Limmer	Pariseau	Skogen
Betzold	Gerlach	Lourey	Pogemiller	Sparks
Bonoff	Gimse	Lynch	Prettner Solon	Tomassoni
Carlson	Hann	Marty	Rest	Torres Ray
Chaudhary	Higgins	Metzen	Robling	Vandever
Clark	Ingebrigtsen	Michel	Rosen	Vickerman
Cohen	Johnson	Moua	Rummel	Wergin
Day	Jungbauer	Murphy	Saltzman	Wiger
Dibble	Koch	Neuville	Saxhaug	
Dille	Koering	Olseen	Scheid	
Doll	Kubly	Olson, G.	Senjem	
Erickson Ropes	Langseth	Olson, M.	Sheran	

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.

January 24, 2007

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as

required by law:

HOUSING FINANCE AGENCY

Lee J. Himle, 516 Hillcrest Dr., Spring Valley, in the county of Fillmore, effective January 29, 2007, for a term that expires on January 3, 2011.

Marina Munoz Lyon, 1738 Hague Ave., Saint Paul, in the county of Ramsey, effective January 29, 2007, for a term that expires on January 3, 2011.

(Referred to the Committee on Health, Housing and Family Security.)

Sincerely,
Tim Pawlenty, Governor

January 30, 2007

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2007 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 2007	Date Filed 2007
	8	1	2:40 p.m. January 30	January 30

Sincerely,
Mark Ritchie
Secretary of State

REPORTS OF COMMITTEES

Senator Pogemiller moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

Senator Marty from the Committee on Health, Housing and Family Security, to which was referred

S.F. No. 34: A bill for an act relating to human services; modifying group residential housing rates; amending Minnesota Statutes 2006, sections 256I.04, subdivision 3; 256I.05, by adding a subdivision.

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

Page 3, line 12, delete "\$700" and insert "\$740"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Senator Marty from the Committee on Health, Housing and Family Security, to which was referred

S.F. No. 26: A bill for an act relating to health occupations; extending the expiration dates for the Board of Medical Practices' advisory councils; amending Minnesota Statutes 2006, sections 147A.27, subdivision 2; 147B.05, subdivision 2; 147C.35, subdivision 2; 147D.25, subdivision 2; 214.32, subdivision 1.

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

Page 1, line 10, strike ", except that the advisory council shall expire on June 30," and delete "2015"

Page 1, line 13, strike ", except that the council does not expire until June"

Page 1, delete line 14 and insert "30, 2007."

Page 1, delete line 17 and insert "under section 15.059. ~~The council expires June 30, 2007.~~"

Page 1, delete line 20 and insert "under section 15.059. ~~The council expires June 30, 2007.~~"

Page 2, line 32, strike the old language and delete the new language

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government Operations and Oversight. Amendments adopted. Report adopted.

Senator Marty from the Committee on Health, Housing and Family Security, to which was referred

S.F. No. 164: A bill for an act relating to human services; waiving the moratorium regarding beds and expanding group residential housing supplemental rates; amending Minnesota Statutes 2006, section 256I.05, by adding subdivisions.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Marty from the Committee on Health, Housing and Family Security, to which was referred

S.F. No. 154: A bill for an act relating to human services; modifying several MFIP and child care provisions; amending Minnesota Statutes 2006, sections 119B.09, subdivision 1; 119B.12, by adding a subdivision; 256J.24, subdivision 5; 256J.425, subdivisions 3, 4; 256J.49, subdivision 13; 256J.53, subdivision 2; repealing Minnesota Statutes 2006, sections 256B.0631; 256J.24, subdivision 6; 256J.37, subdivisions 3a, 3b.

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

Page 1, line 14, delete the new language and strike the old language

Page 1, line 15, delete the new language and strike the old language

Page 1, line 16, strike "employment and training services under chapter 256J or 256K"

Page 1, line 19, before the period, insert "75 percent of the state median income"

Page 2, after line 2, insert:

"Sec. 2. Minnesota Statutes 2006, section 119B.12, subdivision 2, is amended to read:

Subd. 2. **Parent fee.** A family must be assessed a parent fee for each service period according to the schedule under subdivision 3. ~~A family's parent fee must be a fixed percentage of its annual gross income.~~ Parent fees must apply to families eligible for child care assistance under sections 119B.03 and 119B.05. Income must be as defined in section 119B.011, subdivision 15. The fixed percent is based on the relationship of the family's annual gross income to ~~100 percent of the annual federal poverty guidelines.~~ Parent fees must begin at 75 percent of the poverty level. The minimum the state median income, however, for incomes below 100 percent of the poverty level, there are no fees for incomes at 74 percent of the poverty level and below, and the parent fees for families between 75 percent and 100 percent of poverty level must be \$10 \$5 per month. Parent fees must provide for graduated movement to full payment for incomes above 100 percent of the poverty level must be assessed according to the schedule under subdivision 3. Payment of part or all of a family's parent fee directly to the family's child care provider on behalf of the family by a source other than the family shall not affect the family's eligibility for child care assistance, and the amount paid shall be excluded from the family's income. Child care providers who accept third-party payments must maintain family specific documentation of payment source, amount, and time period covered by the payment."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Senator Rest from the Committee on State and Local Government Operations and Oversight, to which was re-referred

S.F. No. 38: A bill for an act relating to waters; enacting the Great Lakes – St. Lawrence River Basin Water Resources Compact; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Senator Rest from the Committee on State and Local Government Operations and Oversight, to which was referred

S.F. No. 123: A bill for an act relating to elections; requiring preelection reports of certain

contributions to political committees, political funds, and party units; changing preelection reporting requirements for contributions to candidates; increasing contribution limits for candidates for secretary of state or state auditor; amending Minnesota Statutes 2006, sections 10A.20, subdivision 5; 10A.27, subdivision 1.

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 2006, section 10A.14, subdivision 1, is amended to read:

Subdivision 1. **First registration.** The treasurer of a political committee, political fund, principal campaign committee, or party unit must register with the board by filing a statement of organization no later than 14 days after the committee, fund, or party unit has made a contribution, received contributions, or made expenditures in excess of \$100, or within 24 hours after it has received a loan or contribution that must be reported under section 10A.20, subdivision 5, whichever is earlier.

Sec. 2. Minnesota Statutes 2006, section 10A.20, subdivision 5, is amended to read:

Subd. 5. **Preelection reports.** Any loan, contribution, or contributions to a political committee, political fund, or party unit from any one source totaling \$800 or more, or in a statewide election any loan, contribution, or contributions to a candidate from any one source totaling \$2,000 \$800 or more, or to a candidate in any judicial district or legislative election totaling more than \$400, received between the last day covered in the last report before an election and the election must be reported to the board in one of the following ways:

- (1) in person within ~~48~~ 24 hours after its receipt; or
- (2) ~~by telegram or mailgram within 48 hours after its receipt;~~
- (3) ~~by certified mail sent within 48 hours after its receipt; or~~
- (4) by electronic means sent within ~~48~~ 24 hours after its receipt.

These loans and contributions must also be reported in the next required report.

The ~~48-hour~~ 24-hour notice requirement does not apply with respect to a primary in which the statewide or legislative candidate is unopposed.

The board must post the report on its Web site within 24 hours after it is received.

Sec. 3. Minnesota Statutes 2006, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. **Contribution limits.** (a) Except as provided in subdivision 2, a candidate must not permit the candidate's principal campaign committee to accept aggregate contributions made or delivered by any individual, political committee, or political fund in excess of the following:

(1) to candidates for governor and lieutenant governor running together, \$2,000 in an election year for the office sought and \$500 in other years;

(2) to a candidate for attorney general, secretary of state, or state auditor, \$1,000 in an election year for the office sought and \$200 in other years;

(3) ~~to a candidate for the office of secretary of state or state auditor, \$500 in an election year for~~

~~the office sought and \$100 in other years;~~

(4) to a candidate for state senator, \$500 in an election year for the office sought and \$100 in other years; and

~~(5)~~ (4) to a candidate for state representative, \$500 in an election year for the office sought and \$100 in the other year.

(b) The following deliveries are not subject to the bundling limitation in this subdivision:

(1) delivery of contributions collected by a member of the candidate's principal campaign committee, such as a block worker or a volunteer who hosts a fund-raising event, to the committee's treasurer; and

(2) a delivery made by an individual on behalf of the individual's spouse.

(c) A lobbyist, political committee, political party unit, or political fund must not make a contribution a candidate is prohibited from accepting.

Sec. 4. Minnesota Statutes 2006, section 10A.323, is amended to read:

10A.323 AFFIDAVIT OF CONTRIBUTIONS.

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must file an affidavit with the board stating that during that calendar year the candidate has accumulated contributions from persons eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor:

(1) candidates for governor and lieutenant governor running together, \$35,000;

(2) candidates for attorney general, \$15,000;

(3) candidates for secretary of state and state auditor, separately, \$6,000;

(4) candidates for the senate, \$3,000; and

(5) candidates for the house of representatives, \$1,500.

The affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state, disregarding the portion of any contribution in excess of \$50.

The candidate or the candidate's treasurer must submit the affidavit required by this section to the board in writing by September 1 of the general election year the deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4.

A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must submit the affidavit required by this section to the board within five days after filing the affidavit of candidacy.

Sec. 5. **EFFECTIVE DATE.**

This act is effective July 1, 2007, and applies to contributions made on or after that date."

Delete the title and insert:

"A bill for an act relating to elections; requiring preelection reports of certain contributions to political committees, political funds, and party units; changing preelection reporting requirements for contributions to candidates; increasing contribution limits for candidates for secretary of state or state auditor; advancing deadline to file affidavit of contributions; amending Minnesota Statutes 2006, sections 10A.14, subdivision 1; 10A.20, subdivision 5; 10A.27, subdivision 1; 10A.323."

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

Senator Bakk from the Committee on Taxes, to which was referred

S.F. No. 58: A bill for an act relating to the city of Duluth; authorizing the city of Duluth to increase the rate of tax on sales of food and beverages; authorizing use of the proceeds of the tax for certain improvements; amending Laws 1980, chapter 511, section 1, subdivision 2, as amended.

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

Page 2, line 1, delete "of" and insert "up to"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Senator Bakk from the Committee on Taxes, to which was re-referred

S.F. No. 60: A bill for an act relating to local government; authorizing the city of Duluth to establish accounts to pay for postemployment benefits owed to retired employees and to generate revenue dedicated to meet certain city obligations; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 11A and 353.

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

Page 2, line 2, delete "establish an irrevocable fund for" and insert "administer an irrevocable trust fund established by"

Page 2, line 5, after the period, insert "The city of Duluth investment committee shall serve as trustee of the irrevocable trust."

Page 2, line 11, delete everything after "(a) "

Page 2, line 12, delete everything before "The"

Page 2, line 24, delete "executive director" and insert "city" and after "that" insert "the investment and management of the assets complies with the prudent investor rule in section 501B.151 and that"

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Senator Wiger from the Committee on Education, to which were referred the following appointments:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Peter Adolphson
Penny Johnson
Roberta Jones
Sonja Peterson
Alex Plechash
Howard Wilson

BOARD OF SCHOOL ADMINISTRATORS

Jim Rhodes
Ramraj Singh
Louise Sundin

BOARD OF TEACHING

Charlene Delaney
Asad Zaman

Reports the same back with the recommendation that the appointments be confirmed.

Senator Pogemiller moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Moua from the Committee on Judiciary, to which were referred the following appointments:

**DEPARTMENT OF CORRECTIONS
COMMISSIONER
Joan Fabian**

**DEPARTMENT OF HUMAN RIGHTS
COMMISSIONER
Velma Korb**

Reports the same back with the recommendation that the appointments be confirmed.

Senator Pogemiller moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 38 and 123 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Larson moved that the name of Senator Lynch be added as a co-author to S.F. No. 182. The motion prevailed.

Senator Limmer moved that his name be stricken as a co-author to S.F. No. 197. The motion prevailed.

Senator Sheran moved that her name be stricken as a co-author to S.F. No. 270. The motion prevailed.

Senator Stumpf moved that the names of Senators Bakk and Skoe be added as co-authors to S.F. No. 297. The motion prevailed.

Senator Neuville moved that the name of Senator Rest be added as a co-author to S.F. No. 324. The motion prevailed.

Senator Vickerman moved that the name of Senator Koering be added as a co-author to S.F. No. 328. The motion prevailed.

Senator Pogemiller moved that the name of Senator Higgins be added as a co-author to S.F. No. 385. The motion prevailed.

Senator Sparks introduced –

Senate Resolution No. 29: A Senate resolution honoring David Mullenbach.

Referred to the Committee on Rules and Administration.

Senator Vandever introduced –

Senate Resolution No. 30: A Senate resolution congratulating Brett Stolberg of Forest Lake, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Moua introduced –

Senate Resolution No. 31: A Senate resolution commemorating the life of PaKoua Vang.

Referred to the Committee on Rules and Administration.

Senators Pogemiller and Senjem introduced –

Senate Resolution No. 32: 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 85th Legislature shall read as follows:

PERMANENT RULES OF THE SENATE

85TH LEGISLATURE (2007 - 2008)

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 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 and Oversight, must be referred before passage to the Committee on State and Local Government Operations and Oversight.

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 Oversight 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~~ Judiciary.

4.8 All resolutions required to follow the same procedure as bills must be referred before passage to the Committee on Rules and Administration.

4.84.9 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.

4.94.10 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 early childhood education appropriations bill;~~
- (~~3~~) the K-12 E-12 education appropriations bill;
- (4) (~~3~~) the higher education appropriations bill;
- (~~5~~) ~~the environment, agriculture, and economic development appropriations bill;~~
- (~~6~~) (4) the health and human services appropriations bill;

- (5) the environment, energy, and natural resources appropriations bill;
- (6) the agriculture and veterans appropriations bill;
- (7) the economic development appropriations bill;
- (8) the public safety appropriations bill;
- ~~(8)~~ (9) the judiciary appropriations bill;
- (10) the state government appropriations bill;
- ~~(9)~~ (11) the transportation appropriations bill; and
- ~~(10)~~ (12) the omnibus capital investment bill.

A major appropriation or tax bill may not be divided.

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~~ 60 legislative days 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. Confirmation of the appointment requires the affirmative vote of a majority of the whole Senate.

9. STANDING COMMITTEES

The standing committees of the Senate are as follows:

Agriculture and Veterans

Business, Industry and Jobs

Capital Investment

Commerce and Consumer Protection

Education

Energy, Utilities, Technology and Communications

Environment and Natural Resources

Finance

Health, Housing and Family Security

Higher Education

Judiciary

Rules and Administration

State and Local Government Operations and Oversight

Taxes

Transportation

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~~ 14 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~~ a standing committee ~~committee or division~~.

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 at least five members, ~~one of whom must be a member~~ including members of the minority group substantially in proportion to their number in the Senate.

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. The Senate Chamber may not be used for any commercial purpose.

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.

15.10 When a member-elect is sworn in, the member-elect may request that one guest be admitted until the member-elect has been sworn in.

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, Minnesota Public Radio, and Minnesota News Network. 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~~ may be taken up in the order in which they are numbered ~~unless~~, as ordered by the Chair of the Committee on Rules and Administration, or as 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.

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.

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.

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 no Senate companion bill, the House bill must be referred to the appropriate standing committee, unless there is objection under Rule 4.9.

(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.

46. CONFERENCE COMMITTEES

46.1 The Committee on Rules and Administration may constitute a standing Subcommittee on Conference 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 three members, one of whom must be a member of the minority group.

46.2 The Subcommittee on Conference 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 Conference 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, or table, other than a bill laid on the table after being vetoed by the governor or after its conference committee has been discharged under Joint Rule 3.02, 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 before adjournment sine die in the last year of a senate term or during a special session held after that time 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.

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.

58.2 A lobbyist shall not knowingly, either directly or through a third party, 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.

58.3 The Subcommittee on Ethical Conduct shall investigate a complaint by a member of the Senate in writing under oath received before adjournment sine die in the last year of a Senate term or during a special session held after that time that a lobbyist has violated Rule 58.1 or 58.2. 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 or 58.2 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 Limmer moved to amend Senate Resolution No. 32 as follows:

Page 7, line 10, strike "and advice from" and insert "with and the approval of"

The motion prevailed. So the amendment was adopted.

Senator Pogemiller moved the adoption of the foregoing resolution, as amended.

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

The roll was called, and there were yeas 60 and nays 2, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Kubly	Olson, G.	Scheid
Bakk	Fischbach	Langseth	Olson, M.	Senjem
Berglin	Foley	Larson	Ortman	Sheran
Betzold	Frederickson	Limmer	Pappas	Sieben
Bonoff	Gimse	Lourey	Pogemiller	Skoe
Carlson	Hann	Lynch	Prettner Solon	Skogen
Chaudhary	Higgins	Marty	Rest	Sparks
Clark	Ingebrigtsen	Metzen	Robling	Tomassoni
Cohen	Johnson	Michel	Rosen	Torres Ray
Day	Jungbauer	Moua	Rummel	Vickerman
Dibble	Koch	Neuville	Saltzman	Wergin
Dille	Koering	Olseen	Saxhaug	Wiger

Those who voted in the negative were:

Gerlach Vandever

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Tomassoni moved that S.F. No. 382 be withdrawn from the Committee on Finance and

re-referred to the Committee on State and Local Government Operations and Oversight. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Wiger introduced—

S.F. No. 387: A bill for an act relating to education; extending rulemaking authority of the Board of School Administrators; amending Laws 2005, First Special Session chapter 5, article 2, section 81, as amended.

Referred to the Committee on Education.

Senator Skoe introduced—

S.F. No. 388: A bill for an act relating to education finance; allowing Independent School District No. 2311, Clearbrook-Gonvick, to use health and safety revenue to demolish a building.

Referred to the Committee on Finance.

Senators Wergin and Saxhaug introduced—

S.F. No. 389: A bill for an act relating to education finance; modifying the tax base used to calculate debt service levies; amending Minnesota Statutes 2006, sections 123B.53, subdivision 5; 126C.01, by adding a subdivision; 127A.48, by adding a subdivision; 273.11, subdivision 1a.

Referred to the Committee on Finance.

Senators Moua, Pappas, Cohen and Anderson introduced—

S.F. No. 390: A bill for an act relating to liquor; authorizing an intoxicating liquor license in St. Paul.

Referred to the Committee on Commerce and Consumer Protection.

Senator Metzen introduced—

S.F. No. 391: A bill for an act relating to highways; authorizing sale of trunk highway bonds for interchange at highway 55 and Yankee Doodle Road; appropriating money.

Referred to the Committee on Finance.

Senator Bakk introduced—

S.F. No. 392: A bill for an act relating to local government; authorizing the town of Crane Lake in St. Louis County to issue certificates of indebtedness.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Senjem, Rosen and Lynch introduced—

S.F. No. 393: A bill for an act relating to taxation; providing for a regional investment credit; amending Minnesota Statutes 2006, section 290.06, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Senjem, Metzen, Saxhaug and Clark introduced—

S.F. No. 394: A bill for an act relating to economic development; appropriating money to the Mississippi River Parkway Commission.

Referred to the Committee on Finance.

Senators Bakk, Saxhaug, Chaudhary and Pariseau introduced—

S.F. No. 395: A bill for an act relating to natural resources; appropriating money for the Minnesota Conservation Corps.

Referred to the Committee on Finance.

Senators Rosen and Sparks introduced—

S.F. No. 396: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to light youth softball fields in the city of Ceylon.

Referred to the Committee on Finance.

Senator Rosen introduced—

S.F. No. 397: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to construct a sports complex in the city of Fairmont.

Referred to the Committee on Finance.

Senators Rosen, Sheran and Wergin introduced—

S.F. No. 398: A bill for an act relating to education; providing for funding for voluntary all-day kindergarten; amending Minnesota Statutes 2006, section 126C.05, subdivision 1.

Referred to the Committee on Finance.

Senators Erickson Ropes, Sparks and Senjem introduced—

S.F. No. 399: A bill for an act relating to game and fish; imposing a surcharge on deer licenses for deer management and for reimbursing the cost of processing deer donated for charitable purposes; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2006, sections 97A.055, subdivision 4; 97A.065, by adding a subdivision; 97A.475, by adding a

subdivision; 97A.485, subdivision 7.

Referred to the Committee on Environment and Natural Resources.

Senator Murphy introduced–

S.F. No. 400: A bill for an act relating to transportation; removing length limit for middle vehicle in recreational vehicle combination; amending Minnesota Statutes 2006, section 169.81, subdivision 3c.

Referred to the Committee on Transportation.

Senators Larson, Metzen, Sparks, Rest and Limmer introduced–

S.F. No. 401: A bill for an act relating to state government; restricting limitations on political activities of state employees; amending Minnesota Statutes 2006, section 43A.32, subdivision 1.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Chaudhary, Betzold, Langseth, Foley and Jungbauer introduced–

S.F. No. 402: A bill for an act relating to capital improvements; appropriating money to redevelop the Springbrook Nature Center in the city of Fridley; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senators Bonoff, Torres Ray, Michel, Hann and Olson, G. introduced–

S.F. No. 403: A bill for an act relating to education; providing cost-of-living revenue; requiring a study to examine the operating cost differential of school districts in the state; appropriating money; amending Minnesota Statutes 2006, section 126C.10, subdivisions 1, 24, by adding a subdivision.

Referred to the Committee on Finance.

Senators Bonoff, Scheid, Michel, Hann and Rest introduced–

S.F. No. 404: A bill for an act relating to taxation; property; changing the residential homestead market value credit; amending Minnesota Statutes 2006, section 273.1384, subdivision 1, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Bonoff; Olson, G. and Rest introduced–

S.F. No. 405: A bill for an act relating to municipal licensing; providing that a tobacco licensee or employee of a licensee criminally charged with selling tobacco to a minor is not subject to an administrative penalty; amending Minnesota Statutes 2006, section 461.12, subdivision 3.

Referred to the Committee on Health, Housing and Family Security.

Senators Stumpf, Bonoff, Scheid, Koch and Olson, G. introduced—

S.F. No. 406: A bill for an act relating to education finance; updating appropriations for adult basic education; appropriating money; amending Laws 2005, First Special Session chapter 5, article 9, section 4, subdivision 2.

Referred to the Committee on Finance.

Senators Bakk and Chaudhary introduced—

S.F. No. 407: A bill for an act relating to natural resources; appropriating money for building renovations at the International Wolf Center.

Referred to the Committee on Finance.

Senators Erickson Ropes, Vickerman, Kubly and Murphy introduced—

S.F. No. 408: A bill for an act relating to veterans; providing tuition assistance for military veterans and their surviving spouses and children at public colleges and universities; providing for tuition and fee reimbursement for military veterans and their surviving spouses and children at public colleges and universities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Finance.

Senators Erickson Ropes, Vickerman, Kubly and Murphy introduced—

S.F. No. 409: A bill for an act relating to consumer protection; regulating certain contracts entered into by military service personnel; authorizing cancellations; requiring utilities to establish payment arrangements for military service personnel; proposing coding for new law in Minnesota Statutes, chapters 325E; 325G.

Referred to the Committee on Agriculture and Veterans.

Senators Anderson, Torres Ray, Pariseau, Chaudhary and Metzen introduced—

S.F. No. 410: A bill for an act relating to appropriations; appropriating money for the operation and maintenance of the Metropolitan Regional Parks System.

Referred to the Committee on Finance.

Senator Day introduced—

S.F. No. 411: A bill for an act relating to the city of Faribault; authorizing the expenditure of tax increment revenues.

Referred to the Committee on Taxes.

Senators Scheid and Foley introduced–

S.F. No. 412: A bill for an act relating to highways; authorizing trunk highway bonds to finance completion of highway 610; appropriating money.

Referred to the Committee on Finance.

Senators Scheid and Foley introduced–

S.F. No. 413: A bill for an act relating to highways; authorizing state bonds for constructing interchange at intersection of marked Trunk Highway 169, Hennepin County State-Aid Highway 81, and 85th Avenue North; appropriating money.

Referred to the Committee on Finance.

Senators Tomassoni, Rosen, Sparks, Senjem and Kubly introduced–

S.F. No. 414: A bill for an act relating to employment and economic development; establishing the small business growth acceleration program; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116O.

Referred to the Committee on Business, Industry and Jobs.

Senator Bakk introduced–

S.F. No. 415: A bill for an act relating to taxation; requiring expanded information reporting; appropriating money; amending Minnesota Statutes 2006, section 289A.12, subdivision 4.

Referred to the Committee on Taxes.

Senator Rest introduced–

S.F. No. 416: A bill for an act relating to state government; requiring the state to maintain a Web site with a searchable database on state contracts and grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16C.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Higgins, Latz, Moua, Saxhaug and Ingebrigtsen introduced–

S.F. No. 417: A bill for an act relating to public safety; appropriating money for reimbursements to counties for costs associated with housing short-term offenders.

Referred to the Committee on Finance.

Senators Bonoff, Scheid, Clark and Rest introduced–

S.F. No. 418: A bill for an act relating to education; incorporating a financial literacy curriculum into the economics course required for high school graduation; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2006, section 120B.024.

Referred to the Committee on Education.

Senators Saxhaug, Scheid and Metzen introduced—

S.F. No. 419: A bill for an act relating to education finance; authorizing a grant to the McGregor school district to compensate the district for declining enrollment beyond the district's control; appropriating money.

Referred to the Committee on Finance.

Senators Saxhaug, Dibble, Sieben and Olson, G. introduced—

S.F. No. 420: A bill for an act relating to natural resources; providing for forest pest control measures; amending Minnesota Statutes 2006, section 89.55.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug, Rummel, Scheid, Bonoff and Olson, G. introduced—

S.F. No. 421: A bill for an act relating to education; requiring state payment of certain excessive special education costs; increasing the program growth factor; amending Minnesota Statutes 2006, sections 125A.75, by adding a subdivision; 125A.76, subdivision 1.

Referred to the Committee on Finance.

Senators Carlson, Rummel and Olson, G. introduced—

S.F. No. 422: A bill for an act relating to education finance; authorizing intermediate school districts to engage in certain short-term borrowing; amending Minnesota Statutes 2006, sections 126C.50; 126C.52, by adding a subdivision.

Referred to the Committee on Finance.

Senator Betzold introduced—

S.F. No. 423: A bill for an act relating to retirement; correctional state employees retirement plan; including additional Department of Human Services employees in plan coverage; amending Minnesota Statutes 2006, section 352.91, subdivisions 3e, 3f.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 424: A bill for an act relating to retirement; references to former retirement plans; correcting obsolete references; amending Minnesota Statutes 2006, sections 13.632, subdivision 1; 126C.41, subdivision 4; 353.01, subdivision 2b; 354A.12, subdivision 3b; 354B.21, subdivision 3; 355.01, subdivision 3h; 423A.02, subdivisions 3, 5.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 425: A bill for an act relating to retirement; volunteer firefighter relief associations; state supplemental aid; clarification of aid eligibility qualifications; amending Minnesota Statutes 2006, section 424A.10, subdivision 3.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 426: A bill for an act relating to retirement; first class city teacher retirement fund associations; making various conforming changes to the Teachers Retirement Association provision in the extended leave of absence program; amending Minnesota Statutes 2006, section 354A.091, subdivisions 1, 2, 3, 4, 5, 6; repealing Minnesota Statutes 2006, section 354A.091, subdivisions 1a, 1b.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 427: A bill for an act relating to retirement; various statewide and major local retirement plans; revising the process for the submission and review of proposed public pension plan administrative legislation; amending Minnesota Statutes 2006, section 356B.05.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 428: A bill for an act relating to retirement; first-class city teacher retirement fund associations; updating the sabbatical leave service credit provision based on recent Teachers Retirement Association amendments; amending Minnesota Statutes 2006, sections 354A.011, subdivision 23; 354A.092.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 429: A bill for an act relating to retirement; retirement plans covered by the combined service annuity provision; updating and making more consistent the definitions of "salary" and "average salary"; amending Minnesota Statutes 2006, sections 352.01, subdivisions 13, 14a, by adding a subdivision; 352B.01, subdivision 11, by adding subdivisions; 353.01, subdivisions 10, 17a, by adding a subdivision; 354.05, subdivisions 13a, 35, 35a; 354A.011, subdivisions 7a, 24, by adding a subdivision; 422A.01, subdivisions 4a, 13a, by adding a subdivision; 422A.15, subdivision 1; 490.121, subdivision 21, by adding subdivisions.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 430: A bill for an act relating to retirement; correcting errors and omissions in 2006

omnibus retirement and other legislation; amending Minnesota Statutes 2006, sections 3A.05; 354.44, subdivision 6; 354A.12, subdivisions 3c, 3d; 356A.06, subdivision 6; Laws 2006, chapter 271, article 2, sections 12, subdivision 1; 13, subdivision 3; article 14, section 2, subdivision 3.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 431: A bill for an act relating to retirement; Minneapolis Firefighters Relief Association; updating statutory references to the relief association.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Dibble introduced—

S.F. No. 432: A bill for an act relating to the state; appointing a poet laureate; appropriating gift or grant money received; proposing coding for new law in Minnesota Statutes, chapter 138.

Referred to the Committee on Finance.

Senator Vickerman introduced—

S.F. No. 433: A bill for an act relating to economic development; creating a grant for an agricultural-based bioscience training and testing center; appropriating money.

Referred to the Committee on Finance.

Senators Bonoff, Clark, Robling, Saltzman and Berglin introduced—

S.F. No. 434: A bill for an act relating to health; establishing a newborn home visiting program and a home visiting program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145A.

Referred to the Committee on Health, Housing and Family Security.

Senators Pappas, Bonoff, Saxhaug and Koering introduced—

S.F. No. 435: A bill for an act relating to education finance; increasing the state aid for school readiness programs; appropriating money; amending Minnesota Statutes 2006, section 124D.16, subdivision 2.

Referred to the Committee on Finance.

Senators Saxhaug and Olson, G. introduced—

S.F. No. 436: A bill for an act relating to education finance; providing state funding for all charter school qualifying special education costs; appropriating money; amending Minnesota Statutes 2006, sections 124D.11, subdivision 5; 125A.11, subdivision 1; 127A.47, subdivisions 7, 8.

Referred to the Committee on Finance.

Senators Olseen, Rummel and Olson, G. introduced–

S.F. No. 437: A bill for an act relating to education finance; authorizing school districts to delay the implementation of special education tuition billing for an additional two years; amending Laws 2006, chapter 263, article 3, section 15.

Referred to the Committee on Finance.

Senators Saxhaug, Bakk, Dibble and Koering introduced–

S.F. No. 438: A bill for an act relating to natural resources; modifying sales authority; creating an account; modifying decorative boughs provisions; removing expiration of sustainable forest resources provisions; appropriating money; amending Minnesota Statutes 2006, sections 84.025, subdivision 9; 84.026, subdivision 1; 84.0855, subdivisions 1, 2; 88.642, subdivision 1; 88.6435, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 89; repealing Minnesota Statutes 2006, section 89A.11.

Referred to the Committee on Environment and Natural Resources.

Senators Marty, Torres Ray, Anderson, Erickson Ropes and Lourey introduced–

S.F. No. 439: A bill for an act relating to health; requiring disclosure of employers of applicants for publicly funded health programs; proposing coding for new law in Minnesota Statutes, chapter 62J.

Referred to the Committee on Health, Housing and Family Security.

Senators Tomassoni, Marty, Higgins, Larson and Dibble introduced–

S.F. No. 440: A bill for an act relating to transportation; requiring commissioner of transportation, before entering into privatization transportation contract, to compare cost of state employee performance with cost of privatization contract; requiring commissioner to determine that cost of privatization contract will be ten percent less than cost of state employee performance for contract of \$25,000 or more; requiring commissioner to file annual report of privatization transportation contracts; proposing coding for new law in Minnesota Statutes, chapter 161.

Referred to the Committee on Transportation.

Senator Olseen introduced–

S.F. No. 441: A bill for an act relating to capital improvements; appropriating money for construction of bridge on marked Trunk Highway 95; authorizing sale and issuance of state trunk highway bonds.

Referred to the Committee on Finance.

Senators Cohen, Anderson, Marty and Skoe introduced–

S.F. No. 442: A bill for an act relating to housing; adjusting deed tax percentage; providing rental housing assistance; establishing a housing account for leverage opportunity; appropriating

money; amending Minnesota Statutes 2006, sections 287.21, subdivision 1; 462A.201, by adding a subdivision; 462A.33, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

Referred to the Committee on Health, Housing and Family Security.

Senators Higgins, Rosen, Rummel, Ingebrigtsen and Anderson introduced—

S.F. No. 443: A bill for an act relating to public safety; expanding an existing law enforcement tool regarding record keeping of purchases by scrap metal dealers; requiring registration; providing penalties; appropriating money; amending Minnesota Statutes 2006, section 325E.21.

Referred to the Committee on Business, Industry and Jobs.

Senators Dibble, Tomassoni and Higgins introduced—

S.F. No. 444: A bill for an act relating to employment; appropriating money for the Minnesota Youth Program.

Referred to the Committee on Finance.

Senators Fischbach, Metzen and Clark introduced—

S.F. No. 445: A bill for an act relating to occupations and professions; modifying provisions for individuals operating x-ray equipment; amending Minnesota Statutes 2006, section 144.121, subdivision 5, by adding subdivisions.

Referred to the Committee on Health, Housing and Family Security.

Senators Pariseau, Ingebrigtsen, Limmer, Wergin and Jungbauer introduced—

S.F. No. 446: A bill for an act relating to public safety; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law duty to retreat in cases of self defense outside the home; expanding the boundaries of dwelling; creating a presumption in the case of a person entering a dwelling or occupied vehicle by force; extending the rights available to a person in his or her dwelling to a person defending against entry of his or her occupied vehicle; amending Minnesota Statutes 2006, section 609.065.

Referred to the Committee on Judiciary.

Senators Olseen, Larson, Sieben and Olson, G. introduced—

S.F. No. 447: A bill for an act relating to traffic regulations; imposing petty misdemeanor penalty for certain motor vehicle hit-and-run offenses; amending Minnesota Statutes 2006, section 169.09, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Sieben and Metzen introduced–

S.F. No. 448: A bill for an act relating to education; providing for an elementary and middle school years international baccalaureate pilot program; appropriating money.

Referred to the Committee on Finance.

Senators Lourey, Prettner Solon, Olseen, Bakk and Tomassoni introduced–

S.F. No. 449: A bill for an act relating to transportation; requiring that commissioner of transportation reopen Culkin rest area.

Referred to the Committee on Transportation.

Senators Anderson, Chaudhary, Vickerman, Frederickson and Pariseau introduced–

S.F. No. 450: A bill for an act relating to state government; appropriating money for environment and natural resources; modifying meeting requirements of the Legislative-Citizen Commission on Minnesota Resources; amending Minnesota Statutes 2006, section 116P.08, subdivision 5.

Referred to the Committee on Finance.

Senators Sheran, Rosen, Pappas, Vickerman and Langseth introduced–

S.F. No. 451: A bill for an act relating to capital improvement; appropriating money for Minnesota State University, Mankato, Trafton Hall phase 2, authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Saxhaug introduced–

S.F. No. 452: A bill for an act relating to capital improvements; appropriating money for removal and replacement of diseased shade trees; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Saxhaug introduced–

S.F. No. 453: A bill for an act relating to natural resources; appropriating money for removal and replacement of diseased shade trees.

Referred to the Committee on Finance.

Senators Murphy, Olseen and Erickson Ropes introduced–

S.F. No. 454: A bill for an act relating to taxes; the military; clarifying that the tax deduction for out-of-state active military duty includes active duty performed by members of the Minnesota National Guard as well as that performed by other military reservists; amending Minnesota Statutes 2006, section 290.01, subdivision 19b.

Referred to the Committee on Taxes.

Senator Murphy introduced—

S.F. No. 455: A bill for an act relating to taxation; property; expanding the class 4c property classification to certain nonprofit community service oriented organizations; amending Minnesota Statutes 2006, section 273.13, subdivision 25.

Referred to the Committee on Taxes.

Senator Day introduced—

S.F. No. 456: A bill for an act relating to higher education; establishing tuition increase limits on public postsecondary institutions; proposing coding for new law in Minnesota Statutes, chapters 136F; 137.

Referred to the Committee on Higher Education.

Senator Larson introduced—

S.F. No. 457: A bill for an act relating to elections; providing for establishment of single-member school board election districts in Independent School District No. 271, Bloomington.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Carlson, Rest, Marty, Higgins and Jungbauer introduced—

S.F. No. 458: A bill for an act relating to elections; conforming disclaimer requirements for campaign material to constitutional requirements; amending Minnesota Statutes 2006, section 211B.04.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Prettner Solon, Erickson Ropes, Bonoff, Clark and Michel introduced—

S.F. No. 459: A bill for an act relating to health; establishing the Freedom to Breathe Act of 2007; establishing public policy to protect employees and the general public from the known hazards of secondhand smoke; requiring persons to refrain from smoking in certain areas; amending Minnesota Statutes 2006, sections 144.412; 144.413, subdivisions 2, 4, by adding subdivisions; 144.414; 144.416; 144.417; proposing coding for new law in Minnesota Statutes, chapter 144; repealing Minnesota Statutes 2006, section 144.415.

Referred to the Committee on Health, Housing and Family Security.

Senators Foley, Marty, Erickson Ropes and Lourey introduced—

S.F. No. 460: A bill for an act relating to health; establishing the Minnesota Universal Health Board; creating the Minnesota universal health program; establishing the Minnesota health care trust fund; establishing statewide and regional health care budgets; eliminating requirement to

establish public health goals; appropriating money; amending Minnesota Statutes 2006, section 145A.12, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 62J; proposing coding for new law as Minnesota Statutes, chapter 62K; repealing Minnesota Statutes 2006, section 62J.212.

Referred to the Committee on Health, Housing and Family Security.

Senators Berglin, Higgins, Marty and Koering introduced—

S.F. No. 461: A bill for an act relating to human services; modifying food stamp requirements; amending Minnesota Statutes 2006, section 256J.77; proposing coding for new law in Minnesota Statutes, chapter 256D.

Referred to the Committee on Health, Housing and Family Security.

Senators Lourey, Berglin, Erickson Ropes, Lynch and Koering introduced—

S.F. No. 462: A resolution urging support for and reauthorization of the State Children's Health Insurance Program.

Referred to the Committee on Health, Housing and Family Security.

Senators Betzold, Olseen, Foley, Jungbauer and Rummel introduced—

S.F. No. 463: A bill for an act relating to notaries public; increasing maximum fees; amending Minnesota Statutes 2006, section 357.17.

Referred to the Committee on Judiciary.

Senators Scheid, Carlson and Robling introduced—

S.F. No. 464: A bill for an act relating to education finance; increasing the funding for the adults with disabilities program; appropriating money; amending Minnesota Statutes 2006, section 124D.56.

Referred to the Committee on Finance.

Senators Michel and Wiger introduced—

S.F. No. 465: A bill for an act relating to education finance; increasing the length of the school year; repealing the Labor Day start; amending Minnesota Statutes 2006, section 120A.41; repealing Minnesota Statutes 2006, section 120A.40.

Referred to the Committee on Education.

Senators Saxhaug, Tomassoni, Prettner Solon, Koering and Olson, M. introduced—

S.F. No. 466: A bill for an act relating to economic development; appropriating money for the Children's Discovery Museum in Grand Rapids.

Referred to the Committee on Finance.

Senators Lynch, Senjem and Langseth introduced—

S.F. No. 467: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to design improvements to the Mayo Civic Center Complex in Rochester.

Referred to the Committee on Finance.

Senators Torres Ray, Rummel, Bonoff, Scheid and Olseen introduced—

S.F. No. 468: A bill for an act relating to education; increasing extended time revenue; amending Minnesota Statutes 2006, section 126C.10, subdivision 2a.

Referred to the Committee on Finance.

Senators Betzold, Rummel, Foley, Chaudhary and Johnson introduced—

S.F. No. 469: A bill for an act relating to Anoka County; modifying a provision governing bonding for county libraries; amending Minnesota Statutes 2006, section 383E.20.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Saxhaug, Tomassoni, Prettner Solon and Murphy introduced—

S.F. No. 470: A bill for an act relating to motor vehicles; changing effective date authorizing permit for special paper products vehicle; amending Laws 2005, First Special Session chapter 1, article 4, section 39.

Referred to the Committee on Transportation.

Senators Pappas, Skogen, Rest, Bakk and Tomassoni introduced—

S.F. No. 471: A bill for an act relating to state government; requiring state agencies to certify that no state employees on recall lists are able to perform specified services before seeking approval of certain contracts; amending Minnesota Statutes 2006, section 16C.08, subdivision 2.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Tomassoni, Metzen and Vickerman introduced—

S.F. No. 472: A bill for an act relating to public employment; forbidding the judicial branch from imposing restrictions on certain political activities of represented employees unless provided for by contract; amending Minnesota Statutes 2006, section 179A.103, by adding a subdivision.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Tomassoni and Sparks introduced—

S.F. No. 473: A bill for an act relating to human services; allowing certain people to provide independent living skills services; regulating Centers for Independent Living; amending Minnesota Statutes 2006, section 256B.49, subdivision 16, by adding a subdivision.

Referred to the Committee on Health, Housing and Family Security.

Senators Olseen, Prettner Solon, Doll, Carlson and Rosen introduced—

S.F. No. 474: A bill for an act relating to energy; funding a study of potential for the use of geothermal heat pumps in Minnesota.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senators Berglin, Fischbach, Higgins, Prettner Solon and Koering introduced—

S.F. No. 475: A bill for an act relating to health; changing the expiration date for radiation therapy facility construction limitations; amending Minnesota Statutes 2006, section 144.5509.

Referred to the Committee on Health, Housing and Family Security.

Senators Saxhaug, Chaudhary, Skogen and Pariseau introduced—

S.F. No. 476: A bill for an act relating to natural resources; modifying the off-highway vehicle damage account; amending Minnesota Statutes 2006, section 84.780.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug, Metzen, Anderson, Sparks and Pariseau introduced—

S.F. No. 477: A bill for an act relating to energy; appropriating money for feasibility study for plasma torch gasification facility.

Referred to the Committee on Energy, Utilities, Technology and Communications.

Senators Skogen, Stumpf, Wergin, Hann and Bonoff introduced—

S.F. No. 478: A bill for an act relating to education; appropriating money for regional library telecommunications aid and equity in telecommunications/Internet access.

Referred to the Committee on Finance.

Senators Torres Ray, Erickson Ropes, Anderson, Sieben and Koering introduced—

S.F. No. 479: A bill for an act relating to veterans homes; expanding uses of certain appropriations; amending Laws 2005, chapter 20, article 1, section 21, subdivision 2.

Referred to the Committee on Finance.

Senators Kubly, Vickerman, Chaudhary and Prettner Solon introduced—

S.F. No. 480: A bill for an act relating to agriculture; bioenergy development; establishing a bioenergy producer payment program for cellulosic biofuel production; establishing a bioenergy production incentive program; establishing a bioenergy working lands conservation program; authorizing rulemaking; authorizing general obligation bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 17; 41A; 103F.

Referred to the Committee on Agriculture and Veterans.

Senators Marty, Carlson, Skogen, Doll and Rummel introduced—

S.F. No. 481: A bill for an act relating to global warming and the environment; requiring adoption of California standards regarding low emission vehicles; providing for updates to the standards as necessary to comply with the federal Clean Air Act; amending Minnesota Statutes 2006, section 116.07, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senators Doll, Carlson, Larson, Metzen and Gerlach introduced—

S.F. No. 482: A bill for an act relating to the Metropolitan Airports Commission; adding mayors to the commission membership; amending Minnesota Statutes 2006, sections 473.604, subdivision 1; 473.605, subdivision 2; 473.622; repealing Minnesota Statutes 2006, section 473.601, subdivisions 3, 6.

Referred to the Committee on State and Local Government Operations and Oversight.

Senators Doll, Rest, Carlson, Skogen and Gimse introduced—

S.F. No. 483: A bill for an act relating to elections; eliminating ten percent requirement for major political party nomination; amending Minnesota Statutes 2006, section 204D.10, subdivision 1; repealing Minnesota Statutes 2006, section 204D.10, subdivision 2.

Referred to the Committee on State and Local Government Operations and Oversight.

Senator Betzold introduced—

S.F. No. 484: A bill for an act relating to state government; providing that certain appropriations continue in effect; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Finance.

Senators Olson, M.; Erickson Ropes; Torres Ray; Koering and Berglin introduced—

S.F. No. 485: A bill for an act relating to health care; creating a study group to make recommendations on the creation and operation of a voluntary, statewide health plan purchasing pool.

Referred to the Committee on Health, Housing and Family Security.

Senators Fischbach, Olseen and Koch introduced–

S.F. No. 486: A bill for an act relating to local government aids; increasing the city aid base for certain cities; amending Minnesota Statutes 2006, section 477A.011, subdivision 36.

Referred to the Committee on Taxes.

Senators Prettner Solon, Erickson Ropes, Betzold, Vickerman and Skoe introduced–

S.F. No. 487: A bill for an act relating to the military; providing reimbursement grants or pay for certain honor guard members; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 192; 197.

Referred to the Committee on Finance.

Senator Pogemiller introduced–

S.F. No. 488: A bill for an act relating to finance; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts to a special fund to be appropriated by law.

Referred to the Committee on Finance.

MEMBERS EXCUSED

Senator Stumpf was excused from the Session of today. Senators Latz and Pariseau were excused from the Session of today from 11:00 to 11:30 a.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Monday, February 5, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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