

TWENTIETH DAY

St. Paul, Minnesota, Thursday, February 22, 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, Thomas J. Stillyday, Jr.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

February 20, 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
	110	2	11:55 a.m. February 20	February 20

Sincerely,
Mark Ritchie
Secretary of State

February 20, 2007

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

As the Senate Minority Leader, I am hereby making the following appointment:

Pursuant to Minnesota Statutes 2006

Section 3.303: Legislative Coordinating Commission - Senator David Hann, for a term ending when a successor is named during the next regular session of the Legislature.

Sincerely,
David H. Senjem
Senate Republican Leader

February 20, 2007

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

As the Senate Majority Leader, I hereby make the following appointments:

Pursuant to Minnesota Statutes 2006

3.303: Legislative Coordinating Commission - Senators Clark and Cohen, to serve until a successor is named during a regular session following appointment.

Sincerely,
Lawrence J. Pogemiller
Majority Leader

February 20, 2007

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The Subcommittee on Committees of the Committee on Rules and Administration met on February 20, 2007, and noted that the following are serving by virtue of their position:

Pursuant to Minnesota Statutes 2006

3.303: Legislative Coordinating Commission - Senator Pogemiller, as the Senate Majority Leader; Senator Metzen, as President; and Senator Senjem, as Minority Leader; to serve until a successor is named during a regular session following appointment.

216C.051: Legislative Electric Energy Task Force - Senator Chaudhary, as Chair of the Environment and Natural Resources Committee, and Senator Prettner Solon, as Chair of the Energy, Utilities, Technology and Communications Committee, to serve at the pleasure of the appointing authority.

Sincerely,
Lawrence J. Pogemiller, Chair
Subcommittee on Committees

February 20, 2007

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The Subcommittee on Committees of the Committee on Rules and Administration met on February 20, 2007, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 2006

3.85: Legislative Commission on Pensions and Retirement - Senators Betzold; Larson; Lynch; Olson, M. and Wergin, to serve a two-year term expiring on December 31, 2008.

62J.07: Legislative Commission on Health Care Access - Senator Lourey, to serve at the pleasure of the appointing authority.

216C.051: Legislative Electric Energy Task Force - Senators Anderson, Dille, Kubly, Metzen, Pariseau, Rosen, Senjem and Tomassoni, to serve at the pleasure of the appointing authority.

Sincerely,
Lawrence J. Pogemiller, Chair
Subcommittee on Committees

REPORTS OF COMMITTEES

Senator Pogemiller moved that the Committee Reports at the Desk be now adopted. The motion

prevailed.

Senator Metzen from the Committee on Business, Industry and Jobs, to which was re-referred

S.F. No. 238: A bill for an act relating to health; 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.

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

Page 1, line 13, delete "known"

Page 5, after line 21, insert:

"Subd. 5. **Bars.** Nothing in sections 144.411 to 144.417 prohibits smoking in a bar until after the date specified by this subdivision for installation of a heating, ventilating, and air conditioning (HVAC) system. Smoking is prohibited under sections 144.411 to 144.417 in a bar that fails to install the HVAC system by the applicable date only until the HVAC system is installed. An HVAC ventilation system must be installed as follows:

(1) for bars with alcoholic beverage sales of 40 percent or less of total gross sales, the HVAC ventilation system must be installed by June 1, 2009;

(2) for bars with alcoholic beverage sales of 50 percent or less of total gross sales, the HVAC ventilation system must be installed by June 1, 2010;

(3) for bars with alcoholic beverage sales of 60 percent or less of total gross sales, the HVAC ventilation system must be installed by June 1, 2011;

(4) for bars with alcoholic beverage sales of 70 percent or less of total gross sales, the HVAC ventilation system must be installed by June 1, 2012;

(5) for bars with alcoholic beverage sales of 80 percent or less of total gross sales, the HVAC ventilation system must be installed by June 1, 2013; and

(6) for bars with alcoholic beverage sales of over 80 percent of total gross sales, the HVAC ventilation system must be installed by June 1, 2014.

The HVAC ventilation system that must be installed under this subdivision must, at a minimum:

(1) maintain a nicotine level of under 10 micrograms of nicotine per cubic foot of air; and

(2) maintain negative pressure in the smoking area."

Page 6, line 2, after "a" insert "petty"

Page 6, delete subdivision 4 and insert:

"Subd. 4. **Local government ordinances preempted.** A statutory or home rule charter city or county may not enact or enforce more stringent measures to protect individuals from secondhand

smoke than are contained in sections 144.411 to 144.417."

Page 6, before line 22, insert:

"Sec. 11. CHARITABLE GAMBLING IMPACT STUDY.

The Gambling Control Board, in cooperation with the commissioner of revenue, shall create an advisory task force to study the impact of a statewide smoking ban in public places on lawful gambling. The task force shall provide a summary report with recommendations to the board, the governor, and the appropriate committees of the legislature prior to January 31, 2008. The task force, under the direction of the director of the Gambling Control Board, shall consist of representatives of stakeholders from the lawful gambling industry. No compensation shall be provided to task force members.

Sec. 12. DISLOCATED WORKER PROGRAM; ALLOCATION OF FUNDS.

The jobs skills partnership board must allocate sufficient funds in the biennium ending June 30, 2009, in the dislocated worker program under Minnesota Statutes, section 116L.17, to provide services under that program to employees of bars and restaurants who become unemployed due, in whole or in part, to the provisions of this act."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "known"

Amend the title numbers accordingly

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 Scheid from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 276: A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; amending Minnesota Statutes 2006, sections 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297I.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 1, line 10, delete "and"

Page 1, line 16, delete the period and insert a semicolon

Page 1, after line 16, insert:

"(3) "health plan" means a health plan as defined in section 62A.011; and

(4) "health benefit plan" means self-insured health care coverage that is offered by the Minnesota School Employee Insurance Pool under this section."

Page 2, line 26, after "plans" insert "or health benefit plans"

Page 2, line 34, delete "health plan or plans" and insert "health plans or health benefit plans"

Page 3, line 1, before the period, insert "or health benefit plans"

Page 3, line 8, after "board" insert "and approved by the commissioner of commerce" and delete "The health plans" and insert "Any health plan or health benefit plan offered by the board"

Page 3, line 10, delete "All health plans" and insert "Any health plan or health benefit plan" and after "commerce" insert "prior to being made available to eligible employees of eligible employers"

Page 3, line 14, after "features" insert "as allowed under chapter 60A"

Page 3, line 15, after the period, insert "The Department of Commerce must approve all design elements under this paragraph prior to any health plan or health benefit plan being made available to eligible employees of eligible employers."

Page 3, line 19, delete "The health plans" and insert "Any health plan or health benefit plan"

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 Scheid from the Committee on Commerce and Consumer Protection, to which was re-referred

S.F. No. 2: A bill for an act relating to health care; establishing premium rate restrictions and expenditure limits; requiring an interoperable electronic health records system; requiring a plan to achieve universal health care; expanding the definition of dependent coverage; establishing an electronic health record system revolving account and loan program; modifying hospital information reporting disclosures; regulating federally qualified health centers; establishing health care programs outreach; establishing a primary care access initiative; requiring a medical assistance co-payment for certain emergency room visits; changing eligibility requirements for medical assistance; modifying general assistance medical care eligibility requirements for the homeless; modifying application assistance; allowing MinnesotaCare applicants to use a place of public accommodation as a verified address; exempting workers' compensation settlements from income eligibility; eliminating the modification to the MinnesotaCare application form; increasing reimbursement for critical access dental providers; extending medical assistance coverage to Medicare Part D co-payments; creating grants for nonprofit dental providers with a high proportion of uninsured patients; eliminating co-payments for medical assistance and general assistance medical care; modifying the period of renewal for MinnesotaCare; modifying the definition of employer-subsidized insurance; creating a prescription drug discount program; expanding the benefit set for single adults; increasing the eligibility income limit for single adults; increasing the cap for inpatient hospitalization benefits for adults; modifying the definition of income for self-employed farmers; removing insurance barriers for children in MinnesotaCare; eliminating MinnesotaCare premiums for members of the military and their families; reducing premiums for MinnesotaCare; restoring family planning grants; creating a patient incentive health program; requiring uniform billing forms; establishing a small employer option; affirming that every resident of Minnesota has the right to affordable health care; requiring reports; appropriating money; amending Minnesota Statutes 2006, sections 62A.65, subdivision 3; 62E.02, subdivision 7; 62J.04,

subdivision 3, by adding a subdivision; 62J.041; 62J.07, subdivisions 1, 3; 62J.301, subdivision 3; 62J.38; 62J.495; 62J.82; 62L.02, subdivision 11; 62L.08, subdivision 8; 62Q.165, subdivisions 1, 2; 256.01, subdivision 2b; 256B.056, subdivision 10; 256B.0625, subdivision 30, by adding a subdivision; 256B.69, subdivision 2; 256B.76; 256D.03, subdivisions 3, 4; 256L.01, subdivisions 1, 4; 256L.03, subdivisions 1, 3, 5; 256L.04, subdivisions 1a, 7, 10; 256L.05, subdivisions 1, 1b, 2, 3a, 3c; 256L.07, subdivisions 1, 2, 3, 6; 256L.09, subdivision 4; 256L.15, subdivisions 1, 2, 4; 256L.17, subdivisions 2, 3, 7; Laws 2005, First Special Session chapter 4, article 9, section 3, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62J; 145; 256; 256B; 256L; repealing Minnesota Statutes 2006, sections 62A.301; 256B.0631; 256L.035.

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

Page 2, delete section 1

Pages 4 to 9, delete sections 3 to 5

Pages 9 to 12, delete sections 8 and 9

Page 15, delete section 14

Page 52, line 34, after "256.962" insert a period

Page 53, delete lines 4 to 6

Page 53, line 7, delete "(d)" and insert "(c)"

Page 53, line 10, delete "(e)" and insert "(d)"

Page 53, line 13, delete "(f)" and insert "(e)"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon

Page 1, line 3, delete "limits;"

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

S.F. No. 559: A bill for an act relating to human services; establishing the family stabilization services program; establishing a work participation bonus; appropriating money for supporting work for low-income families; amending Minnesota Statutes 2006, sections 119B.011, by adding a subdivision; 119B.05, subdivision 1; 256J.01, by adding a subdivision; 256J.021; 256J.08, subdivision 65; 256J.20, subdivision 3; 256J.24, subdivision 10; 256J.30, subdivision 5; 256J.521, subdivisions 1, 2; 256J.53, subdivision 2; 256J.55, subdivision 1; 256J.626, subdivisions 1, 2, 3, 4, 5, 6; proposing coding for new law in Minnesota Statutes, chapter 256J; repealing Minnesota

Statutes 2006, sections 256J.29; 256J.626, subdivisions 7, 9.

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

Page 1, line 16, delete "program" and after the second "services" insert ""

Page 1, delete line 17, and insert "means the services under section 256J.575."

Page 2, delete section 4

Page 3, line 25, delete "program"

Page 6, line 21, delete "program"

Page 7, line 17, delete "program"

Page 7, after line 29, insert:

"Sec. 9. Minnesota Statutes 2006, section 256J.521, is amended by adding a subdivision to read:

Subd. 1b. **Required subsequent assessment.** Participants who have not received an updated assessment under subdivision 1 within the last six months and are not meeting the hourly work requirements in unsubsidized employment shall be given an assessment by a qualified professional under section 256J.08, subdivision 73a, to review the participant's mental, physical, and behavioral health, or other circumstances that have prevented the participant from obtaining or retaining employment if the participant:

(1) has been receiving MFIP assistance between 24 to 36 months; or

(2) has been receiving MFIP assistance for 59 to 60 months; however the assessment must be done prior to the county making a determination related to granting an extension."

Page 9, line 12, delete "employment" and insert "education"

Page 9, after line 13, insert:

"(g) For purposes of calculating hours, if a holiday falls on a day during a participant's normal work shift, that holiday counts as a work shift. When determining a monthly average, the week that contains the first of the month is counted in the month in which the following Friday falls."

Page 10, line 33, delete "PROGRAM"

Page 11, line 1, delete "program is"

Page 11, line 2, delete "Minnesota's cash assistance program to"

Page 11, line 5, delete "this program is" and insert "the services is"

Page 11, line 8, delete "This program provides services to" and insert "These services"

Page 11, line 12, delete everything after "services" and insert "" means the services established under"

Page 11, line 14, after "agency" insert "or through the job counseling agency"

Page 11, line 28, delete "program" and insert "services"

Page 11, line 31, delete "program" and insert "services"

Page 12, line 4, delete "and"

Page 12, line 5, delete "six" and insert "12" and delete the period and insert "; and"

Page 12, before line 6, insert:

"(6) a new MFIP participant, for the first 30 days the participant receives assistance or when the participant's employment plan is completed, whichever is sooner."

Page 12, after line 8, insert:

"(c) A participant under paragraph (a), clause (5), must be provided with English as a second language opportunities and skills training for up to 12 months. After 12 months, the case manager and participant must determine whether the participant should continue with English as a second language classes or skills training, or both, or if the participant should become an MFIP participant."

Page 12, line 15, delete "program"

Page 12, line 16, delete "family" and insert "participant"

Page 12, line 18, delete "county-contracted" and insert "county-designated"

Page 12, delete line 19, and insert "services, disability services, or housing services that case manager already assigned may be the case manager for"

Page 12, line 20, delete "this program" and insert "these services"

Page 13, line 8, delete "program" and insert "services"

Page 13, line 32, delete "program"

Page 15, line 23, delete "program"

Page 16, line 6, delete the second "program"

Page 16, lines 9, 20, and 29, delete "program"

Page 17, lines 9 and 30, delete "program"

Page 18, line 17, delete "program"

Page 20, after line 27, insert:

"Sec. 21. Minnesota Statutes 2006, section 256J.95, subdivision 14, is amended to read:

Subd. 14. **Employment plan; DWP benefits.** (a) As soon as possible, but no later than ten working days of being notified that a participant is financially eligible for the diversionary work program, the employment services provider shall provide the participant with an opportunity to meet to develop an initial employment plan. Once the initial employment plan has been developed and signed by the participant and the job counselor, the employment services provider shall notify the county within one working day that the employment plan has been signed. The county shall

issue DWP benefits within one working day after receiving notice that the employment plan has been signed.

(b) For purposes of calculating hours, if a holiday falls on a day during a participant's normal work shift, that holiday counts as a work shift. When determining a monthly average, the week that contains the first of the month is counted in the month in which the following Friday falls.

Sec. 22. NOT ASSESSING TANF PENALTIES AGAINST COUNTIES.

From October 2006 through October 2007, if the state does not meet the federal work participation requirements, and the state is penalized by a reduction in the TANF grant, the state shall not assess penalties against the counties."

Page 20, line 33, delete "SUPPORTED WORK" and insert "PAID TRANSITIONAL WORK AND OTHER SUPPORTED EMPLOYMENT"

Page 21, line 2, delete "Supported work" and insert "Paid transitional work experience and other supported employment"

Page 21, delete line 3, and insert "section provides"

Page 21, line 4, delete "an intensive" and insert "a"

Page 21, line 8, before "A" insert "(a)"

Page 21, after line 15, insert:

"(b) A county may also be eligible for funds in order to contract for supplemental hours of paid work at the participant's child's place of education, child care location, or the physical or mental health treatment facility or office. This grant to counties is specifically for MFIP participants who need to work up to five hours more per week in order to meet the hourly work requirement, and the participant's employer cannot or will not offer more hours to the participant."

Page 21, line 20, before the period, insert "," and for grants to opportunity industrial centers"

Page 21, line 25, delete "\$3,000,000" and insert "\$6,000,000"

Page 21, line 26, delete "for the biennium" and delete "July" and insert "January"

Page 21, line 27, delete "2007" and insert "2008"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "program"

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 referred

S.F. No. 81: A bill for an act relating to metropolitan government; providing for the election of the Metropolitan Council; amending Minnesota Statutes 2006, sections 10A.01, subdivision 10; 10A.09, subdivision 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4a; 204B.09, subdivisions 1, 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 353D.01, subdivision 2; 375.09, subdivision 1; 473.123, subdivisions 1, 4, 7, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; 473; repealing Minnesota Statutes 2006, section 473.123, subdivisions 2a, 3, 3a; Laws 1994, chapter 628, article 1, section 8.

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

Page 12, after line 5, insert:

"Sec. 23. Minnesota Statutes 2006, section 290.06, subdivision 23, is amended to read:

Subd. 23. **Refund of contributions to political parties and candidates.** (a) A taxpayer may claim a refund equal to the amount of the taxpayer's contributions made in the calendar year to candidates and to a political party. The maximum refund for an individual must not exceed \$50 and for a married couple, filing jointly, must not exceed \$100. A refund of a contribution is allowed only if the taxpayer files a form required by the commissioner and attaches to the form a copy of an official refund receipt form issued by the candidate or party and signed by the candidate, the treasurer of the candidate's principal campaign committee, or the chair or treasurer of the party unit, after the contribution was received. The receipt forms must be numbered, and the data on the receipt that are not public must be made available to the campaign finance and public disclosure board upon its request. A claim must be filed with the commissioner no sooner than January 1 of the calendar year in which the contribution was made and no later than April 15 of the calendar year following the calendar year in which the contribution was made. A taxpayer may file only one claim per calendar year. Amounts paid by the commissioner after June 15 of the calendar year following the calendar year in which the contribution was made must include interest at the rate specified in section 270C.405.

(b) No refund is allowed under this subdivision for a contribution to a candidate unless the candidate:

- (1) has signed an agreement to limit campaign expenditures as provided in section 10A.322;
- (2) is seeking an office for which voluntary spending limits are specified in section 10A.25; and
- (3) has designated a principal campaign committee.

This subdivision does not limit the campaign expenditures of a candidate who does not sign an agreement but accepts a contribution for which the contributor improperly claims a refund.

(c) For purposes of this subdivision, "political party" means a major political party as defined in section 200.02, subdivision 7, or a minor political party qualifying for inclusion on the income tax or property tax refund form under section 10A.31, subdivision 3a.

A "major party" or "minor party" includes the aggregate of that party's organization within each house of the legislature, the state party organization, and the party organization within congressional

districts, counties, legislative districts, municipalities, and precincts.

"Candidate" means a candidate as defined in section 10A.01, subdivision 10, except a candidate for judicial office or the Metropolitan Council.

"Contribution" means a gift of money.

(d) The commissioner shall make copies of the form available to the public and candidates upon request.

(e) The following data collected or maintained by the commissioner under this subdivision are private: the identities of individuals claiming a refund, the identities of candidates to whom those individuals have made contributions, and the amount of each contribution.

(f) The commissioner shall report to the campaign finance and public disclosure board by each August 1 a summary showing the total number and aggregate amount of political contribution refunds made on behalf of each candidate and each political party. These data are public.

(g) The amount necessary to pay claims for the refund provided in this section is appropriated from the general fund to the commissioner of revenue.

(h) For a taxpayer who files a claim for refund via the Internet or other electronic means, the commissioner may accept the number on the official receipt as documentation that a contribution was made rather than the actual receipt as required by paragraph (a)."

Page 13, delete section 24

Page 14, line 23, delete "but not to exceed \$12,000 per year"

Page 15, delete section 30 and insert:

"Sec. 30. **INITIAL SALARY.**

Notwithstanding section 27, the salary of members elected to the Metropolitan Council at the general election in 2008 must not exceed \$40,000."

Page 16, delete sections 32 and 33 and insert:

"Sec. 32. **REPEALER.**

(a) Minnesota Statutes 2006, section 473.123, subdivisions 2a, 3, 3a, and 3d, are repealed.

(b) Laws 1994, chapter 628, article 1, section 8, is repealed.

Sec. 33. **EFFECTIVE DATE.**

This act is effective for the state primary in 2008 and thereafter, except that the repeal of Minnesota Statutes 2006, section 473.123, subdivision 3d, is effective for the state primary in 2012 and thereafter."

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 Transportation.

Amendments adopted. Report adopted.

Senator Vickerman from the Committee on Agriculture and Veterans, to which was referred

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.

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

Delete everything after the enacting clause and insert:

"Section 1. **[17.118] CLEAN ENERGY CAPITAL EQUIPMENT LOANS.**

(a) There is established a clean energy revolving loan fund that is eligible to receive appropriations and make loans under this section. The commissioner shall establish a clean energy loan program to make loans for capital equipment to persons participating in the reinvest in Minnesota clean energy program under section 103F.518 and other persons using native, perennial cropping systems for energy or seed production. The commissioner, in consultation with the technical committee established under section 103F.518, subdivision 11, shall establish guidelines for loans made under this section. All repayments of loans granted from this fund, including principal and interest, must be deposited into this fund. Interest earned on money in the fund accrues to the fund, and the money in the fund is appropriated to the commissioner to make clean energy capital equipment loans under this section.

(b) The definitions in section 41A.10, subdivision 2, apply to this section.

Sec. 2. **[41A.10] CELLULOSIC BIOFUEL DEVELOPMENT.**

Subdivision 1. **Appropriation.** A sum sufficient to make the payments required by this section is annually appropriated from the general fund to the commissioner of agriculture and all money so appropriated is available until expended.

Subd. 2. **Definitions.** For the purposes of this section and sections 17.118, 41A.11, and 103F.518, the terms defined in this subdivision have the meanings given them.

(a) "Cellulosic biofuel" means transportation fuel derived from cellulosic materials.

(b) "Cellulosic material" means an agricultural feedstock primarily comprised of cellulose, hemicellulose, or lignin or a combination of those ingredients grown on agricultural lands.

(c) "Agricultural land" means land used for horticultural, row, close grown, pasture, and hayland crops; growing nursery stocks; animal feedlots; farm yards; associated building sites; and public and private drainage systems and field roads located on any of the foregoing.

(d) "Cellulosic biofuel facility" means a facility at which cellulosic biofuel is produced.

(e) "Perennial crops" means agriculturally produced plants that have a life cycle of at least three years at the location where the plants are being cultivated.

(f) "Perennial cropping system" means an agricultural production system that utilizes a perennial crop.

(g) "Native species" means a plant species which was present in a defined area of Minnesota prior to European settlement (circa 1850). A defined area may be an ecological classification province. Wild-type varieties therefore are regional or local ecotypes that have not undergone a selection process.

(h) "Diverse native prairie" means a prairie planted from a mix of nongenetically modified local Minnesota native prairie species consisting of not less than two legumes, two cool season grasses, four warm season grasses, and eight nonleguminous forbs. A selection from all available native prairie species may be made so as to match species appropriate to local site conditions. Local species seed may be obtained alone or in prepared seed mixes from any source within a 100-mile radius of the site of planting.

(i) "Commissioner" means the commissioner of agriculture.

(j) "Eligible biofuel producer" means a cellulosic biofuel facility that is at least 51 percent owned by farmers, as defined in section 500.24, subdivision 2, paragraph (n), residing in the county where the cellulosic biofuel facility is located or in an adjoining county, and an additional 24 percent of community ownership for any people residing in the county or adjoining county.

Subd. 3. **Cellulosic biofuel production goal.** The state cellulosic biofuel production goal is one-quarter of the total amount necessary for ethanol use required under section 239.791, subdivision 1a, by 2015 or when cellulosic biofuel facilities in the state attain a total annual production level of 60,000,000 gallons, whichever is first.

Subd. 4. **Cellulosic biofuel producer payments.** (a) The commissioner shall make cash payments to eligible producers of cellulosic biofuel located in the state that have begun production at a specific location by June 30, 2012. For the purpose of this subdivision, an entity that holds a controlling interest in more than one cellulosic biofuel plant is considered a single eligible producer. The amount of the payment for each eligible producer's annual production, except as provided in paragraph (d), is 15 cents per gallon for each gallon of cellulosic biofuel produced at a specific location for five years after the start of production. Cellulosic materials utilized in the production of cellulosic biofuel must follow best available management practices or standards for their establishment, growing, and harvesting. Cellulosic biofuel produced from corn stover or any row crop must be grown according to management plans based on the University of Minnesota or United States Department of Agriculture Natural Resource Conservation Service's best practices for crop rotations, pests, and tillage that minimize soil erosion, contaminated runoff, and leaching of nutrients.

(b) In lieu of the payment under paragraph (a), the commissioner shall make cash payments to eligible producers of cellulosic biofuel located in the state that utilize perennial, native cellulosic material grown that follow the standards derived under the reinvest in Minnesota clean energy program, section 103F.518, subdivision 11, that have begun production at a specific location by June 30, 2015. For the purpose of this subdivision, an entity that holds a controlling interest in more than one cellulosic biofuel facility is considered a single eligible producer. The amount of the payment for each eligible biofuel producer's annual production, except as provided in paragraph (d), is 30 cents per gallon for each gallon of cellulosic biofuel produced at a specific location for ten years after the start of production.

(c) No payments shall be made for cellulosic biofuel production that occurs after June 30, 2022, for those eligible biofuel producers under paragraph (a), and 2025 for those eligible biofuel producers under paragraph (b). An eligible producer of cellulosic biofuel shall not transfer the producer's eligibility for payments under this section to a cellulosic biofuel facility at a different location.

(d) If the level of production at a cellulosic biofuel facility increases due to an increase in the production capacity of the facility, the payment under paragraph (a) applies to the additional increment of production until five years after the increased production began and under paragraph (b) applies to the additional increment of production until ten years after the increased production began. If capacity under paragraph (a) is converted to payment under paragraph (b), the ten-year payment limit starts when the capacity increased under paragraph (a). Once a facility's production capacity reaches 15,000,000 gallons per year, no additional increment will qualify for the payment.

(e) Payments under paragraphs (a) and (b) to all eligible biofuel producers may not exceed \$27,000,000 in a fiscal year. Total payments under paragraphs (a) and (b) to an eligible biofuel producer in a fiscal year may not exceed the amount necessary for 15,000,000 gallons of biofuel production.

(f) An eligible biofuel producer may blend cellulosic feedstocks eligible under paragraphs (a) and (b), but only the percentage of gallons that is attributable to feedstocks under paragraph (a) receive 15 cents per gallon, and those under paragraph (b) receive 30 cents per gallon.

(g) By the last day of October, January, April, and July, each eligible biofuel producer shall file a claim for payment for cellulosic biofuel production during the preceding three calendar months. An eligible biofuel producer that files a claim under this subdivision shall include a statement of the eligible biofuel producer's total cellulosic biofuel production in Minnesota during the quarter covered by the claim. For each claim and statement of total cellulosic biofuel production filed under this subdivision, the volume of cellulosic biofuel production must be examined by an independent certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants.

(h) Payments must be made November 15, February 15, May 15, and August 15. A separate payment must be made for each claim filed. The total quarterly payment to an eligible producer under this paragraph may not exceed the amount necessary for 3,750,000 gallons of biofuel production.

(i) If an eligible biofuel producer becomes ineligible within five years after the last payment has been received under paragraph (a), and ten years after under paragraph (b), all payments received for biofuel production must be refunded to the commissioner. Refunded payments received under this paragraph shall be deposited in the general fund.

(j) Annually, within 90 days of the end of its fiscal year, a cellulosic biofuel producer receiving payments under this subdivision must file a disclosure statement on a form provided by the commissioner. The initial disclosure statement must include a summary description of the organization of the business structure of the claimant, a listing of the percentages of ownership and governance by any person or other entity with an ownership interest or governance rights of five percent or greater, and a copy of its annual audited financial statements, including the auditor's report and footnotes. The disclosure statement must include information demonstrating what percentage of the entity receiving payments under this section is owned and governed by farmers or other entities that reside within the county where the cellulosic biofuel facility is located.

Subsequent annual reports must reflect noncumulative changes in ownership of ten percent or more of the entity. The report need not disclose the identity of the persons or entities, but the claimant must retain information within its files confirming the accuracy of the data provided. This data must be made available to the commissioner upon request. Not later than the 15th day of February in each year, the commissioner shall deliver to the chairs of the standing committees of the senate and the house of representatives that deal with agricultural policy and agricultural finance an annual report summarizing aggregated and facility data from plants receiving payments under this section during the preceding calendar year. Audited financial statements and notes and disclosure statements submitted to the commissioner are nonpublic data under section 13.02, subdivision 9. Notwithstanding the provisions of chapter 13 relating to nonpublic data, summaries of the submitted audited financial reports and notes and disclosure statements will be contained in the report to the committee chairs and will be public data.

(k) Bioenergy production for which payment has been received under section 41A.11 is not eligible for payment under this section.

Sec. 3. [41A.11] BIOENERGY PRODUCTION INCENTIVE.

Subdivision 1. **Appropriation.** A sum sufficient to make the payments required by this section is annually appropriated from the general fund to the commissioner of agriculture and all money so appropriated is available until expended.

Subd. 2. **Definitions.** The definitions in this subdivision and section 41A.10 apply to this section.

(a) "Bioenergy production" means the generation of energy for commercial heat, industrial process heat, or electrical power from a cellulosic material for a new or expanded capacity facility or a facility that is displacing existing use of fossil fuel after the effective date of this section.

(b) "Project area" means a geographically defined area in which reinvest in Minnesota clean energy program easements are secured in order to provide a cellulosic material supply to an identified facility producing bioenergy.

Subd. 3. **Bioenergy producer payments.** (a) The commissioner shall make cash payments to eligible producers of bioenergy located in the state that have begun production at a specific location by June 30, 2009. For the purpose of this subdivision, an entity that holds a controlling interest in more than one bioenergy production plant is considered a single eligible producer. The amount of the payment for each producer's annual production, except as provided in paragraph (d), is \$0.75 per 1,000,000 British thermal units (Btu) of bioenergy production produced at a specific location for three years after the start of production. Cellulosic materials utilized for bioenergy production must follow best available management practices or standards for their establishment, growing, and harvesting. Bioenergy produced from corn stover or any row crop must be grown according to management plans based on the University of Minnesota or United States Department of Agriculture Natural Resource Conservation Service's best practices for crop rotations, pests, and tillage that minimize soil erosion, contaminates runoff, and leaching of nutrients.

(b) The commissioner shall make cash payments to producers of bioenergy located in the state that utilize perennial, native cellulosic material grown according to standards derived under the reinvest in Minnesota clean energy program, section 103F.518, subdivision 11, that have begun a practice at a specific location by June 30, 2015. For the purpose of this subdivision, an entity that holds a controlling interest in more than one bioenergy production plant is considered a single

producer. The amount of the payment for each producer's annual production, except as provided in paragraph (d), is \$1.50 per 1,000,000 British thermal units (Btu) of bioenergy production produced at a specific location for ten years after the start of production.

(c) No payments shall be made for bioenergy production that occurs after June 30, 2012, for those eligible bioenergy producers under paragraph (a), and 2025 for those eligible biofuel producers under paragraph (b). A producer of bioenergy production shall not transfer the producer's eligibility for payments under this section to a bioenergy production plant at a different location.

(d) If the level of production at a bioenergy production plant increases due to an increase in the production capacity of the plant, the payment under paragraph (a) applies to the additional increment of production until three years after the increased production began, and under paragraph (b), ten years after the increased production began. If capacity under paragraph (a) is converted to payment under paragraph (b), the ten-year payment limit starts when the capacity increased under paragraph (a). Once a plant's bioenergy production capacity reaches 1,500,000,000 Btu per year, no additional increment will qualify for the payment under both paragraphs (a) and (b).

(e) Total payments under paragraphs (a) and (b) to all producers may not exceed \$11,000,000 in a fiscal year. Total payments under paragraphs (a) and (b) to a producer in a fiscal year may not exceed \$2,250,000.

(f) An eligible facility may blend a cellulosic feedstock with other fuels in the bioenergy production facility, but only the percentage attributable to cellulosic material listed is eligible to receive the producer payment.

(g) An eligible bioenergy producer may blend the cellulosic materials eligible under paragraphs (a) and (b), but only the percentage that is attributable to feedstocks under paragraph (a) receive \$0.75 per 1,000,000 Btu and those under paragraph (b) receive \$1.50 per 1,000,000 Btu.

(h) By the last day of October, January, April, and July, each producer shall file a claim for payment for bioenergy production during the preceding three calendar months. A producer that files a claim under this subdivision shall include a statement of the producer's total bioenergy production in Minnesota during the quarter covered by the claim. For each claim and statement of total bioenergy production filed under this subdivision, the volume of bioenergy production must be examined by an independent certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants.

(i) Payments shall be made November 15, February 15, May 15, and August 15. A separate payment shall be made for each claim filed. The total quarterly payment to a producer under this paragraph may not exceed \$562,500.

(j) Biofuel production for which payment has been received under section 41A.10 is not eligible for payment under this section.

Sec. 4. [103F.518] REINVEST IN MINNESOTA CLEAN ENERGY PROGRAM.

Subdivision 1. **Establishment of program.** (a) The board, in consultation with the technical committee established in subdivision 11, shall establish and administer a reinvest in Minnesota (RIM) clean energy program that is in addition to the program under section 103F.515. The board may adopt rules to implement this section. Selection of land for the clean energy program must be based on its potential benefits for bioenergy crop production, water quality, soil health, reduction of

chemical inputs, soil carbon storage, biodiversity, and wildlife habitat.

(b) The definitions in sections 41A.10 and 41A.11 apply to this section.

Subd. 2. **Eligible land.** Eligible land under this section must:

(1) be owned by the landowner, or a parent or other blood relative of the landowner, for at least one year before the date of application;

(2) be at least five acres in size;

(3) not be currently set aside, enrolled, or diverted under another federal or state government program; and

(4) have been in agricultural use, as defined in section 17.81, subdivision 4, or have been set aside, enrolled, or diverted under another federal or state program for at least two of the last five years before the date of application.

Subd. 3. **Designation of project areas.** The board shall develop a process to designate defined project areas. The designation process shall prioritize projects that include coordinated cooperation of a cellulosic biofuel facility or a bioenergy production facility, target impaired waters, or support other state or local natural resource plans, goals, or objectives.

Subd. 4. **Easements.** The board may acquire, or accept by gift or donation, easements on eligible land. An easement may be permanent or of limited duration. An easement of limited duration may not be acquired if it is for a period less than 20 years. The negotiation and acquisition of easements authorized by this section are exempt from the contractual provisions of chapters 16B and 16C.

Subd. 5. **Nature of property rights acquired.** (a) An easement must prohibit:

(1) agricultural crop production, unless approved by the board for energy production purposes; and

(2) spraying with chemicals, except as necessary to comply with noxious weed control laws, emergency pest control necessary to protect public health, or as needed to establish a productive planting as determined by the technical committee under subdivision 11.

(b) An easement is subject to the terms of the agreement provided in subdivision 6.

(c) Agricultural crop production and harvest are limited to native, perennial bioenergy crops. Harvest shall occur outside of bird nesting season.

(d) An easement must allow repairs, improvements, and inspections necessary to maintain public drainage systems provided the easement area is restored to the condition required by the terms of the easement.

(e) An easement may allow nonnative perennial prairie or pasture established by September 1, 2007, that meet the objectives outlined in subdivision 7.

(f) An easement may allow grazing of livestock only if practiced under a plan, approved by the board, that protects water quality, wildlife habitat, and biodiversity.

Subd. 6. **Agreements by landowner.** The board may enroll eligible land in the reinvest in

Minnesota clean energy program by signing an agreement in recordable form with a landowner in which the landowner agrees:

(1) to convey to the state an easement that is not subject to any prior title, lien, or encumbrance;

(2) to seed the land subject to the easement, as specified in the agreement, at seeding rates determined by the board, or carry out other long-term capital improvements approved by the board; and

(3) that the easement duration may be lengthened through mutual agreement with the board.

Subd. 7. **Payments for easements.** The board must develop a tiered payment system for easements partially based on the benefits of the bioenergy crop production for water quality, soil health, reduction in chemical inputs, soil carbon storage, biodiversity, and wildlife habitat using cash rent or a similar system as may be determined by the board. The payment system must provide that the highest per-acre payment is for diverse native prairie and perennials.

Subd. 8. **Easement renewal.** When an easement of limited duration expires, a new easement and agreement for an additional period of not less than 20 years may be acquired by agreement of the board and the landowner under the terms of this section. The board may adjust payment rates as a result of renewing an agreement and easement only after examining the condition of the established plantings, conservation practices, and land values.

Subd. 9. **Correction of easement boundary lines.** To correct errors in legal descriptions for easements that affect the ownership interest in the state and adjacent landowners, the board may, in the name of the state, with the approval of the attorney general, convey, without consideration, interests of the state necessary to correct legal descriptions of boundaries. The conveyance must be by quitclaim deed or release in a form approved by the attorney general.

Subd. 10. **Enforcement and damages.** (a) A landowner who violates the term of an easement or agreement under this section, or induces, assists, or allows another to do so, is liable to the state for treble damages if the trespass is willful, but liable for double damages only if the trespass is not willful. The amount of damages is the amount needed to make the state whole or the amount the landowner has gained due to the violation, whichever is greater.

(b) Upon the request of the board, the attorney general may commence an action for specific performances, injunctive relief, damages, including attorney fees, and any other appropriate relief to enforce this section in district court in the county where all or part of the violation is alleged to have been committed, or where the landowner resides or has a principal place of business.

Subd. 11. **Technical committee.** To ensure that public benefits, including water quality, soil health, reduction of chemical inputs, soil carbon storage, biodiversity, and wildlife habitat are secured along with bioenergy crop production, the Board of Water and Soil Resources shall appoint a technical committee consisting of one representative from the Departments of Agriculture, Natural Resources, Commerce, and the Pollution Control Agency; two farm organizations; one sustainable agriculture farmer organization; three rural economic development organizations; three environmental organizations; and three conservation or wildlife organizations. The board and technical committee shall consult with private sector organizations and University of Minnesota researchers involved in biomass establishment and bioenergy or biofuel conversion. The technical committee is to develop program guidelines, standards, and rules, as appropriate to ensure that

reinvest in Minnesota clean energy program contracts provide public benefits commensurate with the public investment. The technical committee shall review and make recommendations on the guidelines, standards, and rules every five years.

Sec. 5. APPROPRIATION; RIM CLEAN ENERGY PROGRAM STANDARDS.

\$3,500,000 in fiscal year 2008 is appropriated from the general fund to the Board of Water and Soil Resources to develop, in consultation with the technical committee established under section 4, subdivision 11, RIM clean energy program guidelines, standards, and rules. This is a onetime appropriation and is available until June 30, 2009.

Sec. 6. APPROPRIATION; RIM CLEAN ENERGY PROGRAM EASEMENTS.

Subdivision 1. **Bond proceeds; appropriation.** \$20,000,000 is appropriated from the bond proceeds fund to the Board of Water and Soil Resources to acquire RIM clean energy program easements under section 4.

Subd. 2. **Bond sale.** To provide the money appropriated in this section from the bond proceeds fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$20,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7.

Subd. 3. **General fund; appropriation.** \$500,000 in fiscal year 2008 and \$500,000 in fiscal year 2009 are appropriated from the general fund to the Board of Water and Soil Resources to be used for long-term inspection and protection of easements acquired by the board.

Sec. 7. TRANSFER; CLEAN ENERGY CAPITAL EQUIPMENT REVOLVING LOAN FUND.

By June 30, 2008, the commissioner of finance shall transfer \$3,000,000 from the general fund to the clean energy capital equipment revolving fund.

Sec. 8. APPROPRIATION; BIOENERGY CROP UTILIZATION TECHNOLOGY PERMITTING.

\$1,000,000 in fiscal year 2008 and \$1,000,000 in fiscal year 2009 are appropriated from the general fund to the Pollution Control Agency to permit new and emerging bioenergy crop utilization technologies. This is a onetime appropriation.

Sec. 9. APPROPRIATION; BIOENERGY PRODUCTION AND UTILIZATION TECHNICAL ASSISTANCE.

\$600,000 in fiscal year 2008 is appropriated from the general fund to the Agricultural Utilization Research Institute for technical assistance and technology transfer to bioenergy crop producers and users. This appropriation is available until June 30, 2009.

Sec. 10. APPROPRIATION; BIOENERGY PRODUCTION RESEARCH AND MONITORING.

\$1,000,000 in fiscal year 2008 is appropriated from the general fund to the Board of Water and Soil Resources to provide grants, in consultation with the technical committee established under section 4, subdivision 11, for bioenergy crop research and monitoring including, but not limited to,

water quality, water quantity utilized, soil carbon storage, biological diversity, wildlife and habitat impacts and benefits, and small diameter woody bioenergy. This appropriation is available until June 30, 2009.

Sec. 11. APPROPRIATION; BIOENERGY AGRONOMIC, ECONOMIC, AND POLICY RESEARCH.

\$1,000,000 in fiscal year 2008 and \$1,000,000 in fiscal year 2009 are appropriated from the general fund to the Minnesota Institute for Sustainable Agriculture at the University of Minnesota to provide funds for on-station and on-farm field scale research and outreach to develop and test the agronomic and economic requirements of diverse stands of prairie plants and other perennials for bioenergy systems including, but not limited to, multiple species selection and establishment, ecological management between planting and harvest, harvest technologies, financial and agronomic risk management, farmer goal setting and adoption of technologies, integration of wildlife habitat into management approaches, evaluation of carbon and other benefits, and robust policies needed to induce farmer conversion on marginal lands.

Sec. 12. APPROPRIATION; BUSINESS DEVELOPMENT ASSISTANCE GRANTS.

\$150,000 in fiscal year 2008 is appropriated from the general fund to the commissioner of agriculture for grants to nongovernmental entities to assist in the development of business plans and structures related to community ownership of eligible cellulosic biofuel facilities under Minnesota Statutes, section 41A.10. This is a onetime appropriation and is available until June 30, 2009."

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources. 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. 15: A bill for an act relating to human services; creating a children's health security account; establishing the children's health security program; specifying eligibility criteria, covered services, and administrative procedures; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A; proposing coding for new law as Minnesota Statutes, chapter 256N.

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

Page 7, delete subdivision 1 and insert:

"Subdivision 1. **Establishment; membership.** (a) The Legislative Task Force on Children's Health Care Coverage is established. The task force shall be made up of 12 voting members and six nonvoting members.

(b) The voting members are:

(1) six members of the house of representatives, of whom four members must be appointed by the speaker of the house of representatives and two members must be appointed by the minority leader; and

(2) six members of the senate, of whom four members must be appointed by the majority leader

and two members appointed by the minority leader.

(c) The nonvoting members are one representative selected by each of the following organizations:

- (1) the American Academy of Pediatrics, Minnesota Chapter;
- (2) the Minnesota Nurses Association;
- (3) the Minnesota Council of Health Plans;
- (4) the Minnesota Children's Platform Coalition;
- (5) the Minnesota Universal Health Care Coalition; and
- (6) the Minnesota Business Partnership.

(d) The task force members must be appointed by September 1, 2007. The majority leader of the senate and the speaker of the house of representatives must each designate a chair from their appointments. The chair appointed by the speaker of the house of representatives shall convene and chair the first meeting of the task force. The chair appointed by the majority leader of the senate shall chair the next meeting of the task force. The chairs shall then alternate for the duration of the task force."

Page 7, line 31, before "\$....." insert "(a)"

Page 7, after line 33, insert:

"(b) \$..... is appropriated from the general fund to the Legislative Coordinating Commission for the biennium ending June 30, 2009, for staff support provided to the Legislative Task Force on Children's Health Care Coverage."

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

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

S.F. No. 265: A bill for an act relating to economic development; establishing the Minnesota Biomedical Sciences Research Facilities Authority and the biomedical sciences research project funding program; providing for the University of Minnesota to apply for facility program funds; authorizing sale of state bonds to fund program; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Page 2, line 19, after "development" insert ", who will serve as chair of the authority"

Page 2, line 20, delete "and one former" and after "senate" insert "and one public member"

Page 2, line 22, delete "and one former" and after "senate" insert "and one public member"

Page 2, line 24, delete "and one former" and after "representatives" insert "and one public

member"

Page 2, line 26, delete "and one former" and after "representatives" insert "and one public member"

Page 2, line 33, delete "staggered"

Page 2, line 34, delete the period and insert ", except that"

Page 3, line 2, after the second period, insert "The commissioner of employment and economic development shall convene the first meeting of the authority."

Page 3, delete subdivision 2

Page 3, delete subdivision 5

Page 4, line 3, delete everything after the period

Page 4, delete line 4

Renumber the subdivisions in sequence

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

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

S.F. No. 226: A bill for an act relating to elections; allowing certain persons access to multiple unit residences for certain campaign and election purposes; amending Minnesota Statutes 2006, section 211B.20, 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 211B.20, subdivision 1, is amended to read:

Subdivision 1. **Prohibition.** (a) It is unlawful for a person, either directly or indirectly, to deny access to an apartment house, dormitory, nursing home, manufactured home park, other multiple unit facility used as a residence, or an area in which two or more single-family dwellings are located on private roadways to a candidate who ~~has filed~~ is currently filed for election to public office or to campaign workers accompanied by the candidate, if:

(1) the candidate and workers seeking admittance to the facility do so solely for the purpose of campaigning for a candidate, registering voters, or getting out the vote; and

(2) the candidate and any campaign workers accompanying the candidate are within the territory for which the candidate is currently on file for election.

(b) A candidate and campaign workers obtaining access under this section must be permitted to leave campaign materials for residents at their doors, except that the manager of a nursing home may direct that the campaign materials be left at a central location. The materials must be left in an

orderly manner.

(c) A violation of this section is a petty misdemeanor."

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

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

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.

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. 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.

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 204B.04, subdivision 2, is amended to read:

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

Sec. 2. Minnesota Statutes 2006, section 204D.10, subdivision 1, is amended to read:

Subdivision 1. **Partisan offices; nominees.** The candidate for nomination of a major political party for a partisan office on the state partisan primary ballot who receives the highest number of votes shall be the nominee of that political party for that office, ~~except as otherwise provided in subdivision 2.~~

Sec. 3. Minnesota Statutes 2006, section 204D.20, subdivision 1, is amended to read:

Subdivision 1. **Special primary.** Except as provided in subdivision 2, the candidates of the major political parties to fill a vacancy shall be nominated at a special primary. The candidate of each party who receives the highest number of votes at the special primary shall be nominated ~~without reference to the ten percent requirement of section 204D.10, subdivision 2.~~

Sec. 4. **REPEALER.**

Minnesota Statutes 2006, section 204D.10, subdivision 2, is repealed.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 and 2 are effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to elections; eliminating ten percent requirement for major political party nomination; amending Minnesota Statutes 2006, sections 204B.04, subdivision 2; 204D.10, subdivision 1; 204D.20, subdivision 1; repealing Minnesota Statutes 2006, section 204D.10, subdivision 2."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 226, 458 and 483 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Rest moved that her name be stricken as chief author, and the name of Senator Dibble be added as chief author to S.F. No. 329. The motion prevailed.

Senator Stumpf moved that his name be stricken as a co-author to S.F. No. 588. The motion prevailed.

Senator Pogemiller moved that his name be stricken as a co-author to S.F. No. 651. The motion prevailed.

Senator Pappas moved that the name of Senator Rest be added as a co-author to S.F. No. 651. The motion prevailed.

Senator Betzold moved that the name of Senator Foley be added as a co-author to S.F. No. 1120. The motion prevailed.

Senator Berglin moved that S.F. No. 310, No. 7 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Frederickson in the chair.

After some time spent therein, the committee arose, and Senator Frederickson reported that the committee had considered the following:

S.F. Nos. 106, 13, 65 and 555, which the committee recommends to pass.

On motion of Senator Pogemiller, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Latz, Higgins, Erickson Ropes, Rosen and Cohen introduced—

S.F. No. 1125: A bill for an act relating to child advocacy centers; providing for grants for child advocacy centers that perform certain core functions; appropriating money.

Referred to the Committee on Finance.

Senators Betzold and Neuville introduced—

S.F. No. 1126: A bill for an act relating to predatory offender registration; requiring certain persons under the age of 18 to register as predatory offenders; amending Minnesota Statutes 2006, section 243.166, subdivision 1b.

Referred to the Committee on Judiciary.

Senators Erickson Ropes, Vickerman, Torres Ray, Koering and Rosen introduced—

S.F. No. 1127: A bill for an act relating to human services; authorizing a new half-time staff position in the Office of the Ombudsman for Older Minnesotans; appropriating money.

Referred to the Committee on Finance.

Senators Erickson Ropes, Torres Ray, Koering and Wergin introduced—

S.F. No. 1128: A bill for an act relating to employment; modifying use of personal sick leave benefits; amending Minnesota Statutes 2006, section 181.9413.

Referred to the Committee on Business, Industry and Jobs.

Senators Larson, Skoe, Tomassoni and Sparks introduced—

S.F. No. 1129: A bill for an act relating to sales tax; providing that the sale of amusement devices is a sale for resale; amending Minnesota Statutes 2006, section 297A.61, subdivision 4.

Referred to the Committee on Taxes.

Senators Larson, Skoe, Tomassoni and Sparks introduced—

S.F. No. 1130: A bill for an act relating to sales tax; excluding the making available of amusement devices from the definition of a sale and a purchase; amending Minnesota Statutes 2006, section 297A.61, subdivision 3.

Referred to the Committee on Taxes.

Senator Bakk introduced–

S.F. No. 1131: A bill for an act relating to game and fish; modifying Lake Superior commercial fishing provisions; amending Minnesota Statutes 2006, section 97C.835, subdivisions 2, 3, 8, by adding a subdivision; repealing Minnesota Statutes 2006, section 97C.835, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

Senators Bakk and Saxhaug introduced–

S.F. No. 1132: A bill for an act relating to game and fish; modifying certain angling seasons; amending Minnesota Statutes 2006, section 97C.395, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Tomassoni and Bakk introduced–

S.F. No. 1133: A bill for an act relating to St. Louis County; modifying civil service director provisions; amending Minnesota Statutes 2006, section 383C.032.

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

Senator Limmer introduced–

S.F. No. 1134: A bill for an act relating to disaster relief; providing highway improvements; appropriating money.

Referred to the Committee on Finance.

Senators Dibble, Latz, Wiger and Michel introduced–

S.F. No. 1135: A bill for an act relating to health; appropriating money for transition services for deaf, hard-of-hearing, and deaf-blind students.

Referred to the Committee on Finance.

Senators Sieben, Saltzman and Wiger introduced–

S.F. No. 1136: A bill for an act relating to taxation; sales and use; exempting construction materials and equipment used to construct the Washington County courts facility; removing an obsolete provision; amending Minnesota Statutes 2006, sections 297A.71, by adding a subdivision; 297A.75, subdivision 1.

Referred to the Committee on Taxes.

Senators Chaudhary, Vickerman, Anderson and Frederickson introduced–

S.F. No. 1137: A bill for an act relating to the environment; modifying agency service requirements; modifying wetland replacement requirements and exemptions; providing for civil enforcement; appropriating money; amending Minnesota Statutes 2006, sections 15.99, subdivision

2; 103G.222, subdivision 1; 103G.2241, subdivisions 1, 3, 7, 9, 11; 103G.2243, subdivision 2; 103G.2372, by adding a subdivision; repealing Minnesota Statutes 2006, section 103G.2241, subdivision 8.

Referred to the Committee on Environment and Natural Resources.

Senators Carlson, Sieben, Jungbauer, Gerlach and Moua introduced—

S.F. No. 1138: A bill for an act relating to transportation; providing for apportionment of proceeds from sales tax on motor vehicles; amending Minnesota Statutes 2006, section 297B.09, subdivision 1.

Referred to the Committee on Transportation.

Senators Sieben, Larson, Fischbach, Olseen and Saltzman introduced—

S.F. No. 1139: A bill for an act relating to sales and use tax; exempting materials used in construction and maintenance of roads and bridges; amending Minnesota Statutes 2006, section 297A.70, subdivision 2.

Referred to the Committee on Taxes.

Senator Foley introduced—

S.F. No. 1140: A bill for an act relating to public safety; appropriating money for the courts, public defenders, Board on Judicial Standards, and Uniform Laws Commission.

Referred to the Committee on Finance.

Senators Betzold and Pogemiller introduced—

S.F. No. 1141: A bill for an act relating to retirement; Minneapolis Employees Retirement Fund; permitting the investment of fund assets with the State Board of Investment; modifying certain liquidity requirements; amending Minnesota Statutes 2006, sections 422A.05, subdivision 2c; 422A.06, subdivisions 3, 5, 7, 8; 422A.101, subdivision 3; repealing Minnesota Statutes 2006, section 422A.101, subdivision 4.

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

Senator Betzold introduced—

S.F. No. 1142: A bill for an act relating to labor; modifying data practices provisions in the Department of Labor and Industry; amending Minnesota Statutes 2006, sections 13.7905; 13.791, subdivision 1; 175.10; 175.16, by adding a subdivision; 175.27; 175A.06; 176.138; 176.181, subdivision 8; 176.186; 176.231, subdivision 9; 176.391, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 175; repealing Minnesota Statutes 2006, sections 175.24; 176.231, subdivision 8; 176.401; 176.421, subdivision 7.

Referred to the Committee on Judiciary.

Senators Bonoff and Wiger introduced–

S.F. No. 1143: A bill for an act relating to education finance; creating a unified technology funding stream; developing a school district technology plan; establishing a task force; authorizing technology grants; appropriating money.

Referred to the Committee on Finance.

Senators Olson, M.; Moua; Rummel; Torres Ray and Lourey introduced–

S.F. No. 1144: A bill for an act relating to crimes; providing testimonial confidentiality for certain sexual assault counselors; eliminating the "mistake of age" defense for certain criminal sexual assault offenders; enhancing penalties for certain nonconsensual sexual contact offenses committed by professionals engaged in massage or bodywork; amending Minnesota Statutes 2006, sections 595.02, subdivision 1; 609.341, subdivision 11; 609.344, subdivision 1; 609.345, subdivision 1; 609.3451, subdivision 3.

Referred to the Committee on Judiciary.

Senators Sheran; Koering; Prettner Solon; Olson, M. and Marty introduced–

S.F. No. 1145: A bill for an act relating to human services; appropriating money for long-term homeless supportive services.

Referred to the Committee on Finance.

Senators Sparks, Jungbauer, Chaudhary, Frederickson and Kubly introduced–

S.F. No. 1146: A bill for an act relating to environment; modifying licensing requirements for design, installation, maintenance, inspection, or operation of individual sewage treatment systems; amending Minnesota Statutes 2006, section 115.56, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senator Bonoff introduced–

S.F. No. 1147: A bill for an act relating to education finance; increasing funding for the early childhood family education program; increasing the minimum population guarantee used to calculate early childhood family education program revenue; amending Minnesota Statutes 2006, section 124D.135, subdivision 1.

Referred to the Committee on Finance.

Senators Wergin and Lourey introduced–

S.F. No. 1148: A bill for an act relating to traffic regulations; exempting medical service personnel from prohibition on use of headphones while operating ambulance; amending Minnesota Statutes 2006, section 169.471, subdivision 2.

Referred to the Committee on Transportation.

Senators Betzold and Neuville introduced–

S.F. No. 1149: A bill for an act relating to civil law; preserving the right of building contractors to bring an action for contribution or indemnity under certain circumstances; amending Minnesota Statutes 2006, section 541.051.

Referred to the Committee on Judiciary.

Senators Latz, Higgins and Rosen introduced–

S.F. No. 1150: A bill for an act relating to public safety; establishing homeless outreach grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Finance.

Senators Latz, Higgins, Neuville and Prettnner Solon introduced–

S.F. No. 1151: A bill for an act relating to public safety; increasing 911 emergency telecommunications service fee; providing for completion of statewide public safety radio communication system; authorizing sale of state bonds; appropriating money; amending Minnesota Statutes 2006, sections 403.11, subdivision 1; 403.31, subdivision 1; repealing Minnesota Statutes 2006, section 403.31, subdivision 6.

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

Senators Clark, Pogemiller, Moua, Neuville and Olson, M. introduced–

S.F. No. 1152: A bill for an act relating to civil actions; authorizing direct actions and imposing direct liability on certain insurers in certain actions; regulating actions involving certain insurance practices; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 72A; 540; 604.

Referred to the Committee on Commerce and Consumer Protection.

Senators Marty and Lourey introduced–

S.F. No. 1153: A bill for an act relating to corporations; providing for incorporation of socially responsible for-profit business corporations; proposing coding for new law as Minnesota Statutes, chapter 304A.

Referred to the Committee on Judiciary.

Senator Saxhaug introduced–

S.F. No. 1154: A bill for an act relating to taxation; increasing the amount of payments in lieu of taxation to land utilization project land; amending Minnesota Statutes 2006, sections 477A.12, subdivisions 1, 2; 477A.14, subdivision 1.

Referred to the Committee on Taxes.

Senators Saxhaug, Bakk, Skoe and Ortman introduced–

S.F. No. 1155: A bill for an act relating to traffic regulations; defining permissible items in forest products load; amending Minnesota Statutes 2006, section 169.8261.

Referred to the Committee on Transportation.

Senators Koering, Erickson Ropes and Saxhaug introduced–

S.F. No. 1156: A bill for an act relating to state lands; authorizing private sales of certain tax-forfeited lands that border public waters.

Referred to the Committee on Environment and Natural Resources.

Senator Foley introduced–

S.F. No. 1157: A bill for an act relating to public safety; authorizing integrated search service inquiries; restricting use of drivers' license photographs for criminal justice use; authorizing the Department of Public Safety to establish a secure subscription service to enhance officer safety during tactical operations by and between federal, state, and local law enforcement agencies; updating and clarifying membership on the CriMNet Task Force; amending Minnesota Statutes 2006, sections 171.07, subdivision 1a; 299C.405; 299C.65, subdivisions 2, 5; proposing coding for new law in Minnesota Statutes, chapter 13.

Referred to the Committee on Judiciary.

Senators Pappas, Scheid and Prettnner Solon introduced–

S.F. No. 1158: A bill for an act relating to appropriations; appropriating money for a grant to Kids Voting Minnesota.

Referred to the Committee on Finance.

Senators Moua, Anderson and Pappas introduced–

S.F. No. 1159: A bill for an act relating to public safety; appropriating money to fund implementation of an integrated domestic violence response framework.

Referred to the Committee on Finance.

Senators Tomassoni and Prettnner Solon introduced–

S.F. No. 1160: A bill for an act relating to energy; modifying conservation reinvestment program provision regarding expenditures by existing heating or cooling system; amending Minnesota Statutes 2006, section 216B.241, subdivision 1b.

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

Senator Rest introduced–

S.F. No. 1161: A bill for an act relating to highways; regulating highway contracts; amending Minnesota Statutes 2006, section 161.32, subdivisions 1, 1b, 4.

Referred to the Committee on Transportation.

Senators Pappas, Anderson, Betzold and Rest introduced–

S.F. No. 1162: A bill for an act relating to energy; requiring a process to develop policies to reduce greenhouse gas emissions; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Senator Dibble introduced–

S.F. No. 1163: A bill for an act relating to the metropolitan transit police; clarifying law enforcement agency jurisdiction; including transit police in distribution of forfeited items; amending Minnesota Statutes 2006, sections 473.407, subdivision 1; 609.531, subdivision 1.

Referred to the Committee on Transportation.

Senator Dibble introduced–

S.F. No. 1164: A bill for an act relating to metropolitan government; providing for the additional financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2006, section 473.39, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Olseen, Senjem, Skoe, Rest and Sheran introduced–

S.F. No. 1165: A bill for an act relating to the open meeting law; authorizing meetings by telephone or other electronic means under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 13D.

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

Senator Rest introduced–

S.F. No. 1166: A bill for an act relating to data practices; classifying certain transportation department data; amending Minnesota Statutes 2006, section 13.72, by adding subdivisions.

Referred to the Committee on Judiciary.

Senators Bonoff; Wiger; Scheid; Olson, G. and Torres Ray introduced–

S.F. No. 1167: A bill for an act relating to education finance; creating a location equity index; modifying the general education revenue formula; increasing revenue for some school

districts; amending Minnesota Statutes 2006, sections 126C.01, by adding a subdivision; 126C.10, subdivision 1, by adding a subdivision.

Referred to the Committee on Finance.

Senators Sparks and Scheid introduced—

S.F. No. 1168: A bill for an act relating to commerce; amending insurance requirements for building contractors; amending Minnesota Statutes 2006, section 326.94, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

Senators Bakk, Betzold, Senjem, Tomassoni and Day introduced—

S.F. No. 1169: A bill for an act relating to local government; authorizing municipalities to issue bonds to fund actuarial liabilities to pay postemployment benefits to retired officers and employees; amending Minnesota Statutes 2006, sections 475.52, subdivision 6; 475.58, subdivision 1.

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

Senator Day introduced—

S.F. No. 1170: A bill for an act relating to appropriations; appropriating money for a grant to the Paradise Center for the Arts in Faribault; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Koering introduced—

S.F. No. 1171: A bill for an act relating to game and fish; providing for early season for spearing and netting sucker; amending Minnesota Statutes 2006, section 97C.371, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Olson, M.; Marty; Koering; Anderson and Stumpf introduced—

S.F. No. 1172: A bill for an act relating to human services; increasing and indexing grant amounts for living-at-home/block nurse programs; increasing the number of living-at-home/block nurse programs; providing funding for grant administration and technical assistance; appropriating money; amending Minnesota Statutes 2006, section 256B.0917, subdivision 8.

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

Senators Tomassoni, Saxhaug and Bakk introduced—

S.F. No. 1173: A bill for an act relating to economic development; authorizing the purchase of forest land by the IRRRB using the Douglas J. Johnson economic trust fund; establishing the Iron Range Miners' Memorial Forest; allowing transfer of money; amending Minnesota Statutes 2006, sections 298.22, by adding a subdivision; 298.292, subdivision 2.

Referred to the Committee on Business, Industry and Jobs.

Senators Sieben, Wiger, Saltzman, Marty and Chaudhary introduced—

S.F. No. 1174: A bill for an act relating to the environment; adding perfluorochemicals under the definition of hazardous substance for the purpose of the Minnesota Environmental Response and Liability Act; amending Minnesota Statutes 2006, section 115B.02, subdivision 8.

Referred to the Committee on Environment and Natural Resources.

Senators Rummel, Wiger, Koch, Robling and Stumpf introduced—

S.F. No. 1175: A bill for an act relating to education funding; appropriating money for the Minnesota Learning Resource Center.

Referred to the Committee on Finance.

Senator Koering introduced—

S.F. No. 1176: A bill for an act relating to natural resources; creating a citizens advisory group for the Cuyuna Country State Recreation Area; modifying state park permit exemptions; appropriating money; amending Minnesota Statutes 2006, section 85.054, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 85.

Referred to the Committee on Environment and Natural Resources.

Senators Scheid, Foley and Higgins introduced—

S.F. No. 1177: A bill for an act relating to public safety; appropriating money for the Hennepin County Violent Offender Task Force.

Referred to the Committee on Finance.

Senators Berglin and Sheran introduced—

S.F. No. 1178: A bill for an act relating to human services; establishing an advisory committee to simplify program administration; requiring studies and reports; amending Minnesota Statutes 2006, section 256.01, by adding a subdivision.

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

Senator Berglin introduced—

S.F. No. 1179: A bill for an act relating to public safety; expanding drug free and prostitution free zones; appropriating money for pilot projects in Minneapolis and St. Paul; amending Minnesota Statutes 2006, sections 152.01, by adding subdivisions; 152.021, subdivision 1; 152.022, subdivision 1; 152.023, subdivision 2; 152.024, subdivision 1; 609.3242.

Referred to the Committee on Judiciary.

Senators Pogemiller and Higgins introduced–

S.F. No. 1180: A bill for an act relating to capital investment; appropriating money for the Lowry Avenue Bridge; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Carlson introduced–

S.F. No. 1181: A bill for an act relating to drivers' licenses; modifying required information on driver's license; amending Minnesota Statutes 2006, section 171.07, subdivision 1.

Referred to the Committee on Transportation.

Senators Anderson, Cohen, Moua and Pappas introduced–

S.F. No. 1182: A bill for an act relating to education; establishing a grant for the St. Paul neighborhood circulators; appropriating money.

Referred to the Committee on Finance.

Senators Anderson, Cohen, Pappas and Moua introduced–

S.F. No. 1183: A bill for an act relating to education; appropriating money to increase certain professional development opportunities.

Referred to the Committee on Finance.

Senator Skogen introduced–

S.F. No. 1184: A bill for an act relating to game and fish; modifying definitions; providing for and modifying certain fees; modifying provisions for taking animals causing damage; modifying license and stamp provisions; modifying certain possession and taking restrictions; providing for an apprentice hunter validation; providing criminal and civil penalties; amending Minnesota Statutes 2006, sections 97A.015, by adding subdivisions; 97A.045, by adding a subdivision; 97A.401, subdivision 5; 97A.405, subdivisions 2, 4; 97A.421, by adding a subdivision; 97A.451, subdivision 3; 97A.465, by adding a subdivision; 97A.475, subdivisions 2, 3; 97A.505, subdivision 4; 97A.511; 97B.020; 97B.075; 97B.301, subdivision 7; 97B.715, subdivision 1; 97B.801; 97B.928, subdivision 1; 97C.081, subdivision 3; 97C.325; 97C.355, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2006, sections 97A.475, subdivision 38; 97C.365.

Referred to the Committee on Environment and Natural Resources.

Senator Skogen introduced–

S.F. No. 1185: A bill for an act relating to natural resources; modifying acquisition authority for state trails; modifying requirements for certain recreational vehicles; establishing an off-highway vehicle safety and conservation program; providing for off-trail snowmobile use in certain state forests; modifying certain state trails; modifying funding source for certain capital improvements;

amending Minnesota Statutes 2006, sections 84.029, subdivision 2; 84.788, subdivision 1; 84.82, subdivision 6; 84.8205, subdivision 1; 84.925, subdivision 5; 84.926, by adding a subdivision; 85.015, subdivision 14; Laws 2005, First Special Session chapter 1, article 2, section 3, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2006, section 85.015, subdivision 11.

Referred to the Committee on Environment and Natural Resources.

Senator Koch introduced—

S.F. No. 1186: A bill for an act relating to public facilities; modifying provisions of the Minnesota Public Facilities Authority Act; making technical and housekeeping changes; modifying Pollution Control Agency project priority rule; amending Minnesota Statutes 2006, sections 116.182, subdivision 5; 446A.02; 446A.03; 446A.04; 446A.051; 446A.07; 446A.072; 446A.073; 446A.074; 446A.075; 446A.081; 446A.085; 446A.09; 446A.11, subdivision 13; 446A.17, subdivision 1; repealing Minnesota Statutes 2006, sections 446A.05; 446A.06; 446A.15, subdivision 6.

Referred to the Committee on Environment and Natural Resources.

Senators Anderson, Cohen, Pappas and Moua introduced—

S.F. No. 1187: A bill for an act relating to community development; appropriating money for a grant to the city of St. Paul to notify citizens of youth services available in the community.

Referred to the Committee on Finance.

Senators Robling; Olson, G.; Wergin and Wiger introduced—

S.F. No. 1188: A bill for an act relating to education finance; allowing nonpublic schools to participate in the limited English proficiency program; amending Minnesota Statutes 2006, sections 124D.65, by adding a subdivision; 126C.05, subdivision 17.

Referred to the Committee on Finance.

Senator Lourey introduced—

S.F. No. 1189: A bill for an act relating to taxation; sales and use; exempting certain sales of tangible personal property used directly for emergency response; amending Minnesota Statutes 2006, section 297A.70, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Saltzman; Stumpf; Clark; Olson, G. and Olseen introduced—

S.F. No. 1190: A bill for an act relating to education; establishing early intervention AYP grants; increasing the formula allowance; appropriating money; amending Minnesota Statutes 2006, sections 125A.56; 126C.10, by adding a subdivision.

Referred to the Committee on Education.

Senators Tomassoni, Metzen and Saxhaug introduced–

S.F. No. 1191: A bill for an act relating to taxes; individual income; providing a credit for volunteer ambulance attendants and volunteer firefighters; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Johnson and Wergin introduced–

S.F. No. 1192: A bill for an act relating to education; providing for school finance simplification, clarification, and equity; amending Minnesota Statutes 2006, sections 126C.05, subdivisions 1, 15, 16; 126C.10, subdivisions 1, 2; 126C.13, subdivisions 4, 5; repealing Minnesota Statutes 2006, sections 122A.61; 124D.081; 124D.65, subdivisions 5, 6, 7, 8, 9, 10, 11; 124D.86; 126C.01, subdivision 9; 126C.05, subdivisions 3, 17; 126C.10, subdivisions 2a, 2b, 3, 4, 5, 6, 7, 8, 13, 13a, 13b, 14, 16, 17, 18, 24, 25, 26, 27, 28, 29, 30, 31, 31a, 31b, 32, 33, 34, 35, 36; 126C.12; 126C.15.

Referred to the Committee on Finance.

Senator Johnson introduced–

S.F. No. 1193: A bill for an act relating to motor fuels; updating specifications for petroleum products; modifying definitions of certain petroleum terms; amending Minnesota Statutes 2006, sections 239.761; 239.77, subdivisions 1, 2; 296A.01, subdivisions 14, 25, 42, by adding a subdivision; repealing Minnesota Statutes 2006, section 239.101, subdivision 7.

Referred to the Committee on Commerce and Consumer Protection.

Senators Marty, Scheid, Murphy and Dibble introduced–

S.F. No. 1194: A bill for an act relating to public safety; establishing reduced ignition propensity standards for cigarettes; authorizing the state fire marshal to monitor and the state attorney general to enforce the standards; imposing a fee; establishing penalties for violations; proposing coding for new law in Minnesota Statutes, chapter 299F.

Referred to the Committee on Judiciary.

Senators Koering; Stumpf; Olson, G.; Olson, M. and Pappas introduced–

S.F. No. 1195: A bill for an act relating to education; establishing a three-year pilot project to transform high school education through academic and career-related curriculum developed jointly by college faculty, high school instructors, and business and industry advisors and offered through career academies at multiple high school locations throughout a designated region; appropriating money.

Referred to the Committee on Education.

MEMBERS EXCUSED

Senators Murphy and Rest were excused from the Session of today. Senator Metzen was excused from the Session of today at 11:35 a.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Monday, February 26, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Thursday, February 22, 2007

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 443 to 445

CHAPTER LAWS

S.F. Nos.	H.F. Nos.	Session Laws Chapter No.	Page
	110	.....2	444

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
2	..... 448				
15	..... 463				
81	..... 453				
226	..... 465	467			
238	..... 446				
265	..... 464				
276	..... 447				
458	..... 466	467			
480	..... 455				
483	..... 466	467			
559	..... 449				

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
310	..... 467		
329	..... 467		

588 467
 651 467
 651 467
 1120 467

GENERAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
13	467		
65	467		
106	467		
555	467		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F Nos. 1125 to 1195 Pages 468 to 479