

EIGHTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, April 15, 2010

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. J. Michael Byron.

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

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

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.

April 10, 2010

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the

Secretary of State, S.F. Nos. 2840, 2267 and 2425.

Sincerely,
Tim Pawlenty, Governor

April 10, 2010

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 Acts of the 2010 Session of the State Legislature have been received from the Office of the Governor and are 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 2010	Date Filed 2010
	1217	223	8:12 a.m. April 10	April 10
	2709	224	8:13 a.m. April 10	April 10
	2881	225	8:16 a.m. April 10	April 10
	2956	226	8:19 a.m. April 10	April 10
	3017	227	8:21 a.m. April 10	April 10
2840		228	8:22 a.m. April 10	April 10
2267		229	8:23 a.m. April 10	April 10
2425		230	8:24 a.m. April 10	April 10

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 2152, 2363, 2572 and 3116.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 13, 2010

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully

requested:

S.F. No. 2437: A bill for an act relating to public safety; recodifying and clarifying the domestic abuse no contact order law; expanding the tampering with a witness crime; increasing the maximum bail for nonfelony domestic assault and domestic abuse order for protection violations; clarifying the requirement that the data communications network include orders for protection and no contact orders; exempting certain domestic abuse or sexual attack programs from data practices requirements; extending area for protection to a reasonable area around residence or dwelling in ex parte orders for protection; modifying crime of stalking; authorizing a pilot project to allow judges to order electronic monitoring for domestic abuse offenders on pretrial release; imposing criminal penalties; amending Minnesota Statutes 2008, sections 299C.46, subdivision 6; 518B.01, subdivision 7; 609.498, subdivision 3, by adding a subdivision; 609.749; 629.471, subdivision 3, by adding a subdivision; 629.72, subdivisions 1, 2a; proposing coding for new law in Minnesota Statutes, chapters 13; 629; repealing Minnesota Statutes 2008, section 518B.01, subdivision 22.

Senate File No. 2437 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 13, 2010

Senator Moua moved that the Senate do not concur in the amendments by the House to S.F. No. 2437, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 3128: A bill for an act relating to residential construction; providing for lead poisoning prevention; amending the State Building Code; modifying licensing requirements; amending Minnesota Statutes 2008, sections 326B.106, by adding subdivisions; 326B.805, by adding a subdivision.

Senate File No. 3128 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 13, 2010

Senator Kelash moved that the Senate do not concur in the amendments by the House to S.F. No. 3128, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2944: A bill for an act relating to licensing; modifying contractor continuing education requirements; amending Minnesota Statutes 2008, section 326B.821, as amended.

Senate File No. 2944 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 13, 2010

CONCURRENCE AND REPASSAGE

Senator Tomassoni moved that the Senate concur in the amendments by the House to S.F. No. 2944 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2944 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 10, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Langseth	Pogemiller	Sieben
Berglin	Erickson Ropes	Lourey	Prettner Solon	Skoe
Betzold	Fischbach	Lynch	Rest	Skogen
Bonoff	Fobbe	Marty	Robling	Sparks
Carlson	Foley	Metzen	Rosen	Stumpf
Chaudhary	Frederickson	Michel	Rummel	Tomassoni
Clark	Gimse	Moua	Saltzman	Torres Ray
Cohen	Higgins	Olseen	Saxhaug	Vickerman
Dahle	Kelash	Olson, G.	Scheid	Wiger
Dibble	Koering	Olson, M.	Senjem	
Dille	Kubly	Pariseau	Sheran	

Those who voted in the negative were:

Gerlach	Ingebrigtsen	Jungbauer	Limmer	Parry
Hann	Johnson	Koch	Ortman	Vandever

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2935: A bill for an act relating to human services; making changes to licensing provisions; modifying background study requirements, disqualifications, and data classification; amending Minnesota Statutes 2008, sections 245A.07, subdivision 2a; 245A.30; 245B.05, subdivision 7; 245C.02, subdivision 18; Minnesota Statutes 2009 Supplement, sections 245A.03, subdivision 2; 245A.04, subdivisions 5, 7; 245A.07, subdivisions 1, 3; 245A.144; 245A.50, subdivision 5; 245C.15, subdivision 2; 245C.20; 245C.22, subdivision 7.

Senate File No. 2935 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 13, 2010

Senator Lourey moved that the Senate do not concur in the amendments by the House to S.F. No. 2935, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2519: A bill for an act relating to public utilities; requiring disclosure of public utility's travel, entertainment, and related expenses included in rate change request; amending Minnesota Statutes 2008, sections 13.681, by adding a subdivision; 216B.16, by adding a subdivision.

Senate File No. 2519 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 13, 2010

Senator Anderson moved that the Senate do not concur in the amendments by the House to S.F. No. 2519, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1320 and 3056.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 13, 2010

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 1320: A bill for an act relating to health; clarifying adoption of rules for the substitution of drugs used for the treatment of epilepsy or seizures; amending Minnesota Statutes 2008, section 151.06, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1137, now on General Orders.

H.F. No. 3056: A bill for an act relating to health; modifying provider peer grouping timelines and system; amending Minnesota Statutes 2008, sections 62U.04, subdivisions 3, 9; 256B.0754, subdivision 2; repealing Minnesota Statutes 2009 Supplement, section 256B.032.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 2540: A bill for an act relating to transportation; modifying or adding provisions relating to transportation construction impacts on business, rest areas, highways, bridges, deputy registrars, vehicles, impounds, towing, intersection gridlock, bus operation, various traffic regulations, cargo tank vehicle weight exemptions, transportation department goals and mission, a Minnesota Council of Transportation Access, a Commuter Rail Corridor Coordinating Committee, railroad track safety, motor carriers of railroad employees, airport authorities, property acquisition for highways, transit, and town road interest extinguishment nullification; requiring a report; making technical and clarifying changes; amending Minnesota Statutes 2008, sections 161.14, by adding subdivisions; 165.14, subdivisions 4, 5; 168.33, subdivision 2; 168B.06, subdivision 1; 168B.07, subdivision 3; 169.041, subdivision 5; 169.15; 169.306; 169.87, by adding a subdivision; 174.01, subdivisions 1, 2; 174.02, subdivision 1a; 174.86, subdivision 5; 219.01; 221.012, subdivision 38, by adding a subdivision; 360.061, subdivision 3; 473.167, subdivision 2a; 473.411, subdivision 5; 514.18, subdivision 1a; Minnesota Statutes 2009 Supplement, sections 160.165; 161.14, subdivision 62; 169.71, subdivision 1; 169.865, subdivision 1; Laws 2008, chapter 287, article 1, section 122; proposing coding for new law in Minnesota Statutes, chapters 160; 174; 221; repealing Minnesota Statutes 2008, sections 13.721, subdivision 4; 169.041, subdivisions 3, 4; 221.0355, subdivisions 1, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18.

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

Page 5, after line 24, insert:

"Sec. 9. Minnesota Statutes 2008, section 168.12, subdivision 2b, is amended to read:

Subd. 2b. **Firefighters; special plates, rules.** (a) The commissioner shall issue special plates,

or a single license plate in the case of a motorcycle plate, to any applicant who:

(1) is a member of a fire department receiving state aid under chapter 69, has a letter from the fire chief, and is an owner of a passenger automobile, a truck with a manufacturer's nominal rated capacity of one ton and resembling a pickup truck, or a motorcycle;

(2) pays a fee of \$10 and any other fees required by this chapter;

(3) pays the registration tax required by this chapter for the motor vehicle; and

(4) complies with this chapter and rules governing the registration of motor vehicles and licensing of drivers.

(b) In lieu of the identification required under subdivision 1, the special plates must bear an emblem of a Maltese Cross together with any numbers or characters prescribed by the commissioner.

(c) Special plates issued under this subdivision may only be used during the period that the owner of the motor vehicle is a member of a fire department as specified in this subdivision. When the individual to whom the special plates were issued is no longer a member of a fire department or when the motor vehicle ownership is transferred, the owner shall remove the special plates from the motor vehicle. If the commissioner receives written notification that an individual is no longer qualified for these special plates, the commissioner shall invalidate the plates and notify the individual of this action. The individual may retain the plate only upon demonstrating compliance with the qualifications of this subdivision. Upon removal or invalidation of the special plates, or special motorcycle plate, ~~either~~ the owner or purchaser of the motor vehicle shall obtain regular plates ~~or~~, a regular motorcycle plate, or special plates for the proper registration classification for the motor vehicle.

(d) A special motorcycle license plate issued under this subdivision must be the same size as a standard motorcycle license plate.

(e) Upon payment of a fee of \$5, plates issued under this subdivision for a passenger automobile or truck may be transferred to another passenger automobile or truck owned or jointly owned by the person to whom the plates were issued. On payment of a fee of \$5, a plate issued under this subdivision for a motorcycle may be transferred to another motorcycle owned or jointly owned by the person to whom the plate was issued.

(f) The commissioner may adopt rules under the Administrative Procedure Act, sections 14.001 to 14.69, to govern the issuance and use of the special plates authorized in this subdivision.

Sec. 10. Minnesota Statutes 2008, section 168.12, is amended by adding a subdivision to read:

Subd. 2g. **Retired firefighters; special plates.** (a) The commissioner shall issue special retired firefighters plates to an applicant who:

(1) is a retired member of a fire department defined in section 299N.01, subdivision 2, has a letter from the fire chief affirming that the applicant is a retired firefighter who served ten or more years and separated in good standing, and is a registered owner of a passenger automobile, a pickup truck, or a motorcycle;

(2) pays a fee of \$10 for each set of license plates applied for along with any other fees required by this chapter; and

(3) complies with this chapter and rules governing registration of motor vehicles and licensing of drivers.

(b) The commissioner shall design the special plate so that it is distinguishable from the firefighter special plates issued under subdivision 2b.

(c) On payment of a transfer fee of \$5, plates issued under this subdivision may be transferred to another passenger automobile registered to the individual to whom the special plates were issued.

(d) Fees collected under this subdivision must be credited to the vehicle services operating account in the special revenue fund.

Sec. 11. Minnesota Statutes 2008, section 168.123, subdivision 1, is amended to read:

Subdivision 1. **General requirements; fees.** (a) On payment of a fee of \$10 for each set of two plates, or for a single plate in the case of a motorcycle plate, payment of the registration tax required by law, and compliance with other applicable laws relating to vehicle registration and licensing, as applicable, the commissioner shall issue:

(1) special veteran's plates to an applicant who served in the active military service in a branch of the armed forces of the United States or of a nation or society allied with the United States in conducting a foreign war, was discharged under honorable conditions, and is a registered owner of a passenger automobile, recreational motor vehicle, or truck resembling a pickup truck and having a manufacturer's nominal rated capacity of one ton, but which is not a commercial motor vehicle as defined in section 169.011, subdivision 16; or

(2) a veteran's special motorcycle plate as described in subdivision 2, paragraph (a), (f), (h), ~~or (i)~~, or (j), or another special plate designed by the commissioner to an applicant who is a registered owner of a motorcycle and meets the criteria listed in this paragraph and in subdivision 2, paragraph (a), (f), (h), ~~or (i)~~, or (j). Plates issued under this clause must be the same size as regular motorcycle plates. Special motorcycle license plates issued under this clause are not subject to section 168.1293.

(b) The additional fee of \$10 is payable for each set of veteran's plates, is payable only when the plates are issued, and is not payable in a year in which stickers are issued instead of plates.

(c) The veteran must have a certified copy of the veteran's discharge papers, indicating character of discharge, at the time of application. If an applicant served in the active military service in a branch of the armed forces of a nation or society allied with the United States in conducting a foreign war and is unable to obtain a record of that service and discharge status, the commissioner of veterans affairs may certify the applicant as qualified for the veterans' plates provided under this section.

(d) For license plates issued for one-ton trucks described in paragraph (a), clause (1), the commissioner shall collect a surcharge of \$5 on each \$10 fee collected under paragraph (a). The surcharge must be deposited in the vehicle services operating account in the special revenue fund.

Sec. 12. Minnesota Statutes 2008, section 168.123, subdivision 2, is amended to read:

Subd. 2. **Design.** The commissioner of veterans affairs shall design the emblem for the veterans' special plates, subject to the approval of the commissioner, that satisfy the following requirements:

(a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, in the active military service in a branch of the armed forces of the United States or a nation or society allied

with the United States the special plates must bear the inscription "VIETNAM VET" and the letters "V" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(b) For a veteran stationed on the island of Oahu, Hawaii, or offshore, during the attack on Pearl Harbor on December 7, 1941, the special plates must bear the inscription "PEARL HARBOR SURVIVOR" and the letters "P" and "H" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(c) For a veteran who served during World War I or World War II, the plates must bear the inscription "WORLD WAR VET" and:

(1) for a World War I veteran, the characters "W" and "I" with the first character directly above the second character and both characters just preceding the first numeral of the special plate number; or

(2) for a World War II veteran, the characters "W" and "II" with the first character directly above the second character and both characters just preceding the first numeral of the special plate number.

(d) For a veteran who served during the Korean Conflict, the special plates must bear the inscription "KOREAN VET" and the letters "K" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(e) For a combat wounded veteran who is a recipient of the purple heart medal, the plates must bear the inscription "COMBAT WOUNDED VET" and have a facsimile on an emblem of the official purple heart medal and the letters "C" over "W" with the first letter directly over the second letter just preceding the first numeral of the special plate number.

(f) For a Persian Gulf War veteran, the plates must bear the inscription "GULF WAR VET" and the letters "G" and "W" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number. For the purposes of this section, "Persian Gulf War veteran" means a person who served on active duty after August 1, 1990, in a branch of the armed forces of the United States or a nation or society allied with the United States or the United Nations during Operation Desert Shield, Operation Desert Storm, or other military operation in the Persian Gulf area combat zone as designated in United States Presidential Executive Order No. 12744, dated January 21, 1991.

(g) For a veteran who served in the Laos War after July 1, 1961, and before July 1, 1978, the special plates must bear the inscription "LAOS WAR VET" and the letters "L" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

(h) For a veteran who is the recipient of:

(1) the Iraq Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "IRAQ WAR VET" directly below the special plate number;

(2) the Afghanistan Campaign Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "AFGHAN WAR VET" directly below the special plate number; ø

(3) the Global War on Terrorism Expeditionary Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number;or

(4) the Armed Forces Expeditionary Medal, the special plates must be inscribed with a facsimile of that medal and the letters "E" directly over "M" just preceding the first numeral of the special plate number.

(i) For a veteran who is the recipient of the Global War on Terrorism Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "GWOT VETERAN" directly below the special plate number. In addition, any member of the National Guard or other military reserves who has been ordered to federally funded state active service under United States Code, title 32, as defined in section 190.05, subdivision 5b, and who is the recipient of the Global War on Terrorism Service Medal, is eligible for the license plate described in this paragraph, irrespective of whether that person qualifies as a veteran under section 197.447.

(j) For a veteran who is the recipient of the Korean Defense Service Medal, the special plates must be inscribed with a facsimile of that medal and must bear the inscription "KOREAN DEFENSE SERVICE MEDAL" directly below the special plate number."

Page 17, line 14, after "expenses" insert "from the commissioner of transportation either" and after "subdivision 3" insert ", or for legislative members, as provided in section 3.101"

Page 17, before line 15, insert:

"Subd. 6. **Transfer of appropriation.** The amount appropriated to the Metropolitan Council in Laws 2009, chapter 36, article 1, section 3, subdivision 2, for the administrative expenses of the Minnesota Council on Transportation Access, and for other costs relating to the preparation of required reports, including the costs of hiring a consultant, is transferred to the Department of Transportation for the same purposes."

Page 17, line 15, delete "6" and insert "7"

Page 21, after line 21, insert:

"Sec. 31. Minnesota Statutes 2009 Supplement, section 299D.03, subdivision 5, is amended to read:

Subd. 5. Traffic fines and forfeited bail money. (a) All fines and forfeited bail money collected from persons apprehended or arrested by officers of the State Patrol shall be transmitted by the person or officer collecting the fines, forfeited bail money, or installments thereof, on or before the tenth day after the last day of the month in which these moneys were collected, to the commissioner of management and budget. Except where a different disposition is required in this subdivision or section 387.213, or otherwise provided by law, three-eighths of these receipts must be deposited in the state treasury and credited to the state general fund. The other five-eighths of these receipts must be deposited in the state treasury and credited as follows: (1) the first ~~\$600,000~~ \$1,000,000 in each fiscal year must be credited to the Minnesota grade crossing safety account in the special revenue fund, and (2) remaining receipts must be credited to the state trunk highway fund. If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be deposited in the state treasury and credited to the state general fund, one-third of the receipts shall be paid to the municipality prosecuting the

offense, and one-third shall be deposited in the state treasury and credited to the Minnesota grade crossing safety account or the state trunk highway fund as provided in this paragraph. When section 387.213 also is applicable to the fine, section 387.213 shall be applied before this paragraph is applied. All costs of participation in a nationwide police communication system chargeable to the state of Minnesota shall be paid from appropriations for that purpose.

(b) ~~Notwithstanding any other provisions of law,~~ All fines and forfeited bail money from violations of statutes governing the maximum weight of motor vehicles, collected from persons apprehended or arrested by employees of the state of Minnesota, by means of stationary or portable scales operated by these employees, shall be transmitted by the person or officer collecting the fines or forfeited bail money, on or before the tenth day after the last day of the month in which the collections were made, to the commissioner of management and budget. Five-eighths of these receipts shall be deposited in the state treasury and credited to the state highway user tax distribution fund. Three-eighths of these receipts shall be deposited in the state treasury and credited to the state general fund."

Page 25, after line 7, insert:

"Sec. 37. Laws 2009, chapter 36, article 1, section 1, is amended to read:

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

	2010	2011	Total
General	\$ 98,385,000	\$ 95,885,000	\$ 194,270,000
Airports	21,909,000	19,659,000	41,568,000
C.S.A.H.	496,786,000	524,478,000	1,021,264,000
M.S.A.S.	134,003,000	141,400,000	275,403,000
Special Revenue	49,038,000	49,038,000	98,076,000
H.U.T.D.	9,538,000	9,838,000	19,376,000
		<u>1,372,687,000</u>	<u>2,637,608,000</u>
Trunk Highway	1,264,921,000	<u>1,372,887,000</u>	<u>2,637,808,000</u>
		<u>2,212,985,000</u>	<u>4,287,565,000</u>
Total	\$ 2,074,580,000	\$ <u>2,213,185,000</u>	\$ <u>4,287,765,000</u>

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

Sec. 38. Laws 2009, chapter 36, article 1, section 3, subdivision 3, is amended to read:

Subd. 3. State Roads

(a) **Infrastructure Operations and Maintenance** 251,643,000 245,892,000

The base appropriation for fiscal years 2012 and 2013 is \$257,395,000 for each year.

(b) Infrastructure Investment and Planning

(1) Infrastructure Investment Support	201,461,000	196,935,000
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The base appropriation for fiscal years 2012 and 2013 is \$205,988,000 for each year.

\$266,000 the first year and \$266,000 the second year are available for grants to metropolitan planning organizations outside the seven-county metropolitan area.

\$75,000 the first year and \$75,000 the second year are for a transportation research contingent account to finance research projects that are reimbursable from the federal government or from other sources. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$600,000 the first year and \$600,000 the second year are available for grants for transportation studies outside the metropolitan area to identify critical concerns, problems, and issues. These grants are available (1) to regional development commissions; (2) in regions where no regional development commission is functioning, to joint powers boards established under agreement of two or more political subdivisions in the region to exercise the planning functions of a regional development commission; and (3) in regions where no regional development commission or joint powers board is functioning, to the department's district office for that region.

(2) State Road Construction	551,300,000	598,700,000
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The base appropriation for fiscal years 2012 and 2013 is \$635,000,000 for each year.

It is estimated that these appropriations will be funded as follows:

Appropriations by Fund		
Federal Highway Aid	301,100,000	388,500,000

Highway User Taxes	250,200,000	210,200,000
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The commissioner of transportation shall notify the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over transportation finance of any significant events that should cause these estimates to change.

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts and consultant usage to support these activities. This includes the cost of actual payment to landowners for lands acquired for highway rights-of-way, payment to lessees, interest subsidies, and relocation expenses.

The commissioner may spend up to \$500,000 of trunk highway funds in fiscal year 2011 to pay the operating costs of bus service between Hastings and Minneapolis-St. Paul to mitigate the traffic impacts of the project involving construction of a bridge crossing the Mississippi River in the city of Hastings on marked Trunk Highway 61.

The commissioner shall expend up to one-half of one percent of the federal appropriations under this paragraph as grants to opportunity industrialization centers and other nonprofit job training centers for job training programs related to highway construction.

The commissioner may transfer up to \$15,000,000 each year to the transportation revolving loan fund.

The commissioner may receive money covering other shares of the cost of partnership projects. These receipts are appropriated to the commissioner for these projects.

(3) Highway Debt Service	101,170,000	173,400,000
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\$86,517,000 the first year and \$157,304,000

the second year are for transfer to the state bond fund. If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the Committee on Finance of the senate and the Committee on Ways and Means of the house of representatives of the amount of the deficiency and shall then transfer that amount under the statutory open appropriation. Any excess appropriation cancels to the trunk highway fund.

(c) **Electronic Communications** 5,177,000 5,177,000

Appropriations by Fund

General	9,000	9,000
Trunk Highway	5,168,000	5,168,000

The general fund appropriation is to equip and operate the Roosevelt signal tower for Lake of the Woods weather broadcasting.

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

Sec. 39. Laws 2009, chapter 36, article 1, section 5, subdivision 1, is amended to read:

	\$	152,478,000	\$	<u>152,578,000</u>
Subdivision 1. Total Appropriation		152,478,000		<u>152,778,000</u>

Appropriations by Fund

	2010	2011
General	7,959,000	7,959,000
Special Revenue	49,038,000	49,038,000
H.U.T.D.	9,413,000	9,713,000
		85,868,000
Trunk Highway	86,068,000	<u>86,068,000</u>

The amounts that may be spent for each purpose are specified in the following subdivisions.

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

Sec. 40. Laws 2009, chapter 36, article 1, section 5, subdivision 3, is amended to read:

Subd. 3. **State Patrol**

(a) Patrolling Highways	71,522,000	71,522,000
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Appropriations by Fund

General	37,000	37,000
H.U.T.D.	92,000	92,000
Trunk Highway	71,393,000	71,393,000

(b) Commercial Vehicle Enforcement	7,996,000	7,796,000
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This appropriation is from the trunk highway fund.

\$800,000 the first year and \$600,000 the second year are for the Office of Pupil Transportation Safety.

(c) Capitol Security	3,113,000	3,113,000
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This appropriation is from the general fund.

The commissioner may not: (1) spend any money from the trunk highway fund for capitol security; or (2) permanently transfer any state trooper from the patrolling highways activity to capitol security.

The commissioner may not transfer any money: (1) appropriated for Department of Public Safety administration, the patrolling of highways, commercial vehicle enforcement, or driver and vehicle services to capitol security; or (2) from capitol security.

<u>(d) Vehicle Crimes Unit</u>	<u>200,000</u>
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This appropriation is for the State Patrol to add at least eight troopers to investigate (1) registration tax and motor vehicle sales tax liabilities from individuals and businesses that currently do not pay all taxes owed; and (2) illegal or improper activity related to sale, transfer, titling, and registration of motor vehicles. This initiative is expected to result in new revenues for the biennium as follows:

(1) \$450,000 for the highway user tax distribution fund;

(2) \$300,000 for the transit assistance fund;
and

(3) \$50,000 for the general fund.

The base appropriation is increased by
\$530,000 in fiscal year 2012 and fiscal year
2013.

EFFECTIVE DATE. This section is effective July 1, 2010."

Page 25, after line 22, insert:

"Sec. 42. **REPORT ON FINANCING OF BRIDGE CONSTRUCTION.**

By January 15, 2011, the commissioner of transportation shall report to the chairs and ranking
minority members of the legislative committees with jurisdiction over transportation policy and
finance on the feasibility of utilizing any potential value capture options or potential public-private
partnerships, which may include charging tolls, for construction of a new bridge over the St. Croix
River at or near Stillwater. The report must be submitted electronically.

Sec. 43. **STATE ROAD CONSTRUCTION APPROPRIATION.**

\$30,000,000 is appropriated from the bond proceeds account in the trunk highway fund in
fiscal year 2011 to the commissioner of transportation for the actual construction, reconstruction,
and improvement of trunk highways, including design-build contracts and consultant usage to
support these activities. This includes the cost of actual payments to landowners for lands acquired
for highway rights-of-way, payments to lessees, interest subsidies, and relocation expenses. The
commissioner may use up to \$5,100,000 of this amount for program delivery.

Sec. 44. **INTERCHANGE ACCOUNT APPROPRIATION.**

\$70,000,000 is appropriated from the bond proceeds account in the trunk highway fund in fiscal
year 2011 to the commissioner of transportation for construction of interchanges involving a trunk
highway, where the interchange will promote economic development, increase employment, relieve
growing traffic congestion, and promote traffic safety. The amount under this paragraph must be
allocated 50 percent to the department's metropolitan district, and 50 percent to districts in greater
Minnesota.

Sec. 45. **BOND SALE EXPENSES.**

\$100,000 is appropriated from the bond proceeds account in the trunk highway fund to the
commissioner of finance for bond sale expenses under Minnesota Statutes, sections 16A.641,
subdivision 8, and 167.50, subdivision 4.

Sec. 46. **TRUNK HIGHWAY BONDS AUTHORIZATION.**

To provide the money appropriated in sections 43, 44, and 45 from the bond proceeds account
in the trunk highway fund, the commissioner of management and budget shall sell and issue bonds
of the state in an amount up to \$100,100,000 in the manner, upon the terms, and with the effect
prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution,
article XIV, section 11, at the times and in the amounts requested by the commissioner of

transportation. The proceeds of the bonds, except accrued interest and any premium received from the sale of the bonds, must be deposited in the bond proceeds account in the trunk highway fund.

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

Page 25, delete section 33 and insert:

"Sec. 47. **REPEALER.**

Minnesota Statutes 2008, section 169.041, subdivisions 3 and 4, are repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "bridges," insert "special license plates,"

Page 1, line 10, after "nullification;" insert "providing for State Patrol tax compliance and vehicle crimes investigations;" and delete "a report" and insert "reports" and after "changes;" insert "appropriating money;"

Amend the title numbers accordingly

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1701: A bill for an act relating to motor vehicles; increasing fees on certain transactions; providing for acceptable methods of payment; imposing surcharge; amending Minnesota Statutes 2008, section 168.33, subdivision 7.

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 2009 Supplement, section 168.33, subdivision 7, is amended to read:

Subd. 7. **Filing fees; allocations.** (a) In addition to all other statutory fees and taxes, a filing fee of:

(1) ~~\$4.50~~ \$6 is imposed on every vehicle registration renewal, excluding pro rate transactions; and

(2) ~~\$8.50~~ \$10 is imposed on every other type of vehicle transaction, including pro rate transactions;

except that a filing fee may not be charged for a document returned for a refund or for a correction of an error made by the Department of Public Safety, a dealer, or a deputy registrar. The filing fee must be shown as a separate item on all registration renewal notices sent out by the commissioner. No filing fee or other fee may be charged for the permanent surrender of a title for a vehicle.

(b) The fees imposed under paragraph (a) may be paid by credit card or debit card. The deputy

registrar may collect a surcharge on the fee not to exceed the cost of processing a credit card or debit card transaction, in accordance with emergency rules established by the commissioner of public safety.

(c) All of the fees collected under paragraph (a), clause (1), by the department, must be paid into the vehicle services operating account in the special revenue fund under section 299A.705. Of the fee collected under paragraph (a), clause (2), by the department, \$3.50 must be paid into the general fund with the remainder deposited into the vehicle services operating account in the special revenue fund under section 299A.705.

EFFECTIVE DATE. This section is effective January 1, 2011."

Amend the title as follows:

Page 1, line 2, delete "providing"

Page 1, line 3, delete everything before "amending"

Amend the title numbers accordingly

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 2585: A bill for an act relating to transportation; requiring commissioner of transportation to establish contract goals for targeted group business participation; directing commissioner of transportation to require bids for federally assisted contracts to include information on inclusion of disadvantaged business enterprises; requiring commissioner of transportation to provide training for disadvantaged business enterprises; imposing reporting requirements; requiring application for waiver; establishing collaborative to recommend improvements to disadvantaged business enterprise program; amending Minnesota Statutes 2009 Supplement, section 161.321, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 161; 174; repealing Minnesota Statutes 2008, section 174.03, subdivision 11.

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

Delete everything after the enacting clause and insert:

"Section 1. **[174.186] DISADVANTAGED BUSINESS ENTERPRISE COLLABORATIVE.**

Subdivision 1. **Establishment; purpose.** (a) The commissioner of transportation shall convene regular meetings of the disadvantaged business enterprise program and workforce inclusion collaborative, as constituted by the commissioner as of January 1, 2010.

(b) The collaborative shall review and evaluate the commissioner's implementation of the disadvantaged business enterprise program, under Code of Federal Regulations, title 49, and recommend changes, including possible legislation, to improve the effectiveness of the program in this state. At a minimum, the collaborative shall review, evaluate, and recommend program changes where necessary in the following areas:

(1) an on-the-job training program to increase the diversity of the workforce on projects;

- (2) on-the-job trainee tracking and retention;
- (3) a mentor and protégé program for small, disadvantaged business entrepreneurs;
- (4) requirements for participation of disadvantaged business enterprises at the time of letting bids for contracts;
- (5) a coordinated access point to recruit disadvantaged business enterprises and a diverse workforce;
- (6) objective measures for good-faith efforts to recruit disadvantaged business enterprises;
- (7) a working capital fund for small disadvantaged business enterprises;
- (8) increased transparency for results in the on-the-job training and disadvantaged business enterprise programs;
- (9) civil rights program training;
- (10) a targeted group business program for state-funded projects; and
- (11) coding systems and dual goals for women and people of color.

(c) The commissioner shall provide staff and administrative support for the collaborative and shall establish policies and procedures for the collaborative, including quorum requirements and majority decision making.

(d) The representatives of the Department of Transportation with responsibility for civil rights and contracting shall participate in collaborative meetings and deliberations.

(e) Members of the collaborative do not receive compensation or reimbursement of expenses.

Subd. 2. **Powers and duties; report.** (a) The collaborative shall develop recommendations to the commissioner and to the legislature as provided in paragraph (b) designed to implement fully the federal Disadvantaged Business Enterprise program in this state and to improve the effectiveness of the program. These recommendations, including any draft legislation if the collaborative decides to recommend legislation, may include, but are not limited to, strategies, policies, and actions focused on:

- (1) requiring bid proposals to include information on disadvantaged business enterprise participation;
- (2) defining and implementing appropriate accountability measures when disadvantaged business enterprise contract goals are not met in accordance with Code of Federal Regulations, title 49;
- (3) sponsoring disadvantaged business enterprise training and development workshops; and
- (4) strengthening the content and frequency of department reporting requirements relating to the disadvantaged business enterprise program.

(b) The collaborative shall report its findings and legislative recommendations, including draft legislation if the collaborative decides to recommend legislation, to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over transportation policy and

finance by February 1, 2011. The report must be made available electronically and available in print upon request.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment."

Delete the title and insert:

"A bill for an act relating to transportation; establishing collaborative to recommend improvements to disadvantaged business enterprise program; proposing coding for new law in Minnesota Statutes, chapter 174."

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 1060: A bill for an act relating to transportation; modifying management, priorities, research, and planning provisions related to Department of Transportation; requiring reports; amending Minnesota Statutes 2008, sections 161.53; 165.03, by adding a subdivision; 174.02, subdivisions 1a, 2; 174.03, subdivisions 1a, 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 167.

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 2008, section 161.53, is amended to read:

161.53 RESEARCH ACTIVITIES.

(a) The commissioner may set aside in each fiscal year up to two percent of the total amount of all funds appropriated to the commissioner other than county state-aid and municipal state-aid highway funds for transportation research including public and private research partnerships. The commissioner shall spend this money for (1) research to improve the design, construction, maintenance, management, and environmental compatibility of transportation systems, including research into and implementation of innovations in bridge-monitoring technology and bridge inspection technology; bridge inspection techniques and best practices; and the cost-effectiveness of deferred or lower cost highway and bridge design and maintenance activities and their impacts on long-term trunk highway maintenance costs and needs; (2) research on transportation policies that enhance energy efficiency and economic development; (3) programs for implementing and monitoring research results; and (4) development of transportation education and outreach activities.

(b) Of all funds appropriated to the commissioner other than state-aid funds, the commissioner shall spend at least 0.1 percent, but not exceeding \$1,200,000 in any fiscal year, for research and related activities performed by the Center for Transportation Studies of the University of Minnesota. The center shall establish a technology transfer and training center for Minnesota transportation professionals.

Sec. 2. Minnesota Statutes 2008, section 165.03, is amended by adding a subdivision to read:

Subd. 8. **Biennial report on bridge inspection quality assurance.** By February 1 of each odd-numbered year, the commissioner shall submit an electronic report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over transportation policy and finance concerning quality assurance for bridge inspections. At a minimum, the report must:

(1) summarize the bridge inspection quality assurance and quality control procedures used in Minnesota;

(2) identify any substantive changes to quality assurance and quality control procedures made in the past two years;

(3) summarize and provide a briefing on findings from bridge inspection quality reviews performed in the past two years;

(4) identify actions in response to the findings from bridge inspection quality reviews;

(5) summarize the results of any bridge inspection compliance review by the Federal Highway Administration; and

(6) identify actions in response to the Federal Highway Administration compliance review taken by the department in order to reach full compliance.

Sec. 3. [167.60] DEBT FINANCING MANAGEMENT POLICY.

(a) By July 1, 2010, the commissioner shall develop a debt-financing management policy for trunk highway bonds, federal advanced construction funds, and other forms of highway financing based on debt or future repayment. The policy must be used by the department to guide decision making related to debt financing. The commissioner may update the policy as necessary. In developing and updating the policy, the commissioner shall consult with the commissioner of management and budget and the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over transportation finance.

(b) The debt-financing management policy must address relevant financial issues, including, but not limited to:

(1) limits on cumulative amounts of debt for the trunk highway system from all state and federal sources;

(2) eligibility of projects for debt-financing funds;

(3) allocation and use of funds;

(4) terms of debt service and methods of repayment;

(5) management of trunk highway fund balance impacts; and

(6) mitigation of risks from different forms of debt financing.

(c) Upon creation or formal revision of the debt-financing management policy, the commissioner shall distribute electronic copies to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over transportation finance, and as required for reports to the legislature under section 3.195, subdivision 1.

Sec. 4. Minnesota Statutes 2008, section 174.02, subdivision 1a, is amended to read:

Subd. 1a. **Mission; efficiency; legislative report, recommendations.** It is part of the department's mission that within the department's resources the commissioner shall endeavor to:

- (1) prevent the waste or unnecessary spending of public money;
- (2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;
- (3) minimize the degradation of air and water quality;
- (4) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;
- (5) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;
- (6) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;
- (7) ensure that the safety, maintenance, and preservation of Minnesota's transportation infrastructure is a primary priority;
- (8) report to the legislature on the performance of agency operations and the accomplishment of agency goals in the agency's biennial budget according to section 16A.10, subdivision 1; and
- ~~(8)~~ (9) recommend to the legislature appropriate changes in law necessary to carry out the mission and improve the performance of the department.

Sec. 5. Minnesota Statutes 2008, section 174.03, subdivision 1a, is amended to read:

Subd. 1a. **Revision of state statewide multimodal transportation plan.** The commissioner shall revise the state statewide multimodal transportation plan by January 1, 1996, ~~January 1, 2000,~~ and, if the requirements of clauses (1) and (2) have been met in the previous revision 2013, and by January 1 of every ~~third even-numbered year~~ four years thereafter. Before final adoption of a revised plan, the commissioner shall hold a hearing to receive public comment on the preliminary draft of the revised plan. The revised state statewide multimodal transportation plan must:

- (1) incorporate the goals of the state transportation system in section 174.01; ~~and~~
- (2) establish objectives, policies, and strategies for achieving those goals; and
- (3) identify performance targets or indicators for measuring progress and achievement of transportation system goals, objectives, or policies.

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

Sec. 6. Minnesota Statutes 2008, section 174.03, is amended by adding a subdivision to read:

Subd. 1c. **Statewide highway 20-year capital investment plan.** By July 1, 2012, and in conjunction with each revision of the statewide multimodal transportation plan, the commissioner shall prepare a 20-year statewide highway capital investment plan that:

(1) incorporates performance measures and targets for assessing progress and achievement of the state's transportation goals and the goals, objectives, and policies for the state trunk highway system established in the statewide multimodal transportation plan. Performance targets must be based on objectively verifiable measures, and address, at a minimum, preservation and maintenance of the structural condition of state highway bridges and pavements, safety, and mobility;

(2) summarizes trends and impacts for each performance target over the past five years;

(3) summarizes the amounts and analyzes the impact of the department's capital investments and priorities over the past five years on each performance target, including a comparison of prior plan projected costs with actual costs;

(4) identifies the investments required to meet the established performance targets over the next 20-year period;

(5) projects available state and federal funding over the 20-year period, including any unique, competitive, time-limited or focused funding opportunities;

(6) identifies strategies to ensure the most efficient use of existing transportation infrastructure and to maximize the performance benefits of projected available funding;

(7) establishes major investment priorities for projected funding, including a schedule of projects or improvement programs for the 20-year period together with projected costs and impact on performance targets; and

(8) identifies those performance targets identified under clause (1) not expected to meet the target outcome over the 20-year period together with alternative strategies that could be implemented to meet the targets.

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

Sec. 7. REPORT ON DEPARTMENT OF TRANSPORTATION MANAGEMENT CHANGES.

(a) By February 1, 2011, the commissioner of transportation shall submit an electronic report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over transportation policy and finance concerning recent changes in the department's organizational structure, internal procedures and practices, and anticipated budget. The report must include, but is not limited to:

(1) a summary and review of the department organizational structure for bridge management, maintenance, and inspections, including a brief explanation of any relevant structural or organizational changes made since August 1, 2007;

(2) an analysis of the division of bridge-related duties and decision-making responsibilities between districts and central administration;

(3) a summary of current agency procedures and processes, and any changes made since August 1, 2007, related to:

(i) initiation of bridge re-rating and use of bridge inspection findings in the re-rating process;

(ii) implementation of agencywide standards for documenting bridge inspection findings and decision making for postinspection bridge maintenance; and

(iii) other changes designed to ensure or enhance the safety of Minnesota's transportation infrastructure; and

(4) a budget analysis of anticipated funding and funding allocations for pavement preservation and highway maintenance, safety projects, mobility enhancement projects, and highway and bridge construction, for fiscal years 2012 through 2018, including a discussion of any anticipated budgetary challenges or risks.

(b) In addition to an electronic report, the commissioner shall prepare a summary of findings from the report for distribution and oral testimony to the chairs of the senate and house of representatives committees with jurisdiction over transportation finance, who shall make every reasonable effort to arrange testimony from the department during the 2011 legislative session."

Amend the title numbers accordingly

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 2741: A bill for an act relating to public safety; modifying implied consent, driving while impaired, and ignition interlock provisions; providing that prior DWI driver's license revocations no longer enhance criminal penalties or trigger or accelerate DWI vehicle forfeitures; amending Minnesota Statutes 2008, sections 169A.03, subdivision 3; 169A.095; 169A.24, subdivision 1; 169A.275, subdivisions 1, 2, 3, 4, 5; 169A.28, subdivision 1; 169A.31, subdivision 2; 169A.44, subdivision 2; 169A.52, subdivisions 3, 4; 169A.54, subdivisions 2, 5; 169A.55, by adding a subdivision; 169A.60, subdivision 1; 169A.63, subdivisions 1, 3, 5, 6, 7, 8, 9, by adding a subdivision; 171.09; 171.30, subdivisions 1, 2a, 4; 171.306, as amended; 609.131, subdivision 2; Minnesota Statutes 2009 Supplement, sections 169A.275, subdivision 7; 169A.54, subdivision 1; 609.035, subdivision 2; repealing Minnesota Statutes 2008, sections 169A.54, subdivision 11; 169A.55, subdivision 1; 171.30, subdivision 2c; 171.305, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11.

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

Page 1, delete lines 17 and 18

Page 15, delete article 2

Delete the title and insert:

"A bill for an act relating to public safety; modifying implied consent, driving while impaired, and ignition interlock provisions; amending Minnesota Statutes 2008, sections 169A.52, subdivisions 3, 4; 169A.54, subdivisions 2, 5; 169A.55, by adding a subdivision; 169A.60, subdivision 1; 169A.63, by adding a subdivision; 171.09; 171.30, subdivisions 1, 2a, 4; 171.306, as amended; 609.131, subdivision 2; Minnesota Statutes 2009 Supplement, sections 169A.275, subdivision 7; 169A.54, subdivision 1; repealing Minnesota Statutes 2008, sections 169A.54, subdivision 11; 169A.55, subdivision 1; 171.30, subdivision 2c; 171.305, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11."

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

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 3105: A bill for an act relating to transportation; establishing requirements governing capital requests and legislative reporting for projects to establish fixed guideway transit and rail lines; amending Minnesota Statutes 2008, section 16A.11, subdivision 3a; Minnesota Statutes 2009 Supplement, section 16A.86, subdivision 3a; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Page 2, line 19, delete "rails or using a fixed guideway system" and insert "exclusive or controlled rights-of-way or rails"

Page 2, line 26, before "local" insert "special taxing districts,"

Page 2, delete lines 33 and 34 and insert "government that submits a request to the legislature to obtain state funds"

Page 3, line 2, delete "that identifies" and insert "that presents the following information reflecting the level of detail available in the current phase of project development"

Page 3, line 8, delete everything after "(a)" and insert "By November 15 in every odd-numbered year, the commissioner shall prepare, in collaboration with the Metropolitan Council,"

Page 3, line 9, delete "the commissioner shall jointly"

Page 3, line 23, after "identifies" insert ", to the extent available"

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 2756: A bill for an act relating to transportation; allowing escort drivers of overdimensional loads to control traffic; directing commissioner of public safety to establish escort driver training and certification program; amending Minnesota Statutes 2008, sections 169.06, subdivision 4; 169.86, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299D.

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

Page 3, line 9, after "section 3." insert "Notwithstanding Minnesota Statutes, section 16A.1283, the rules must specify the fee to be assessed under section 3, subdivision 2."

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 345: A bill for an act relating to drivers' licenses; creating enhanced driver's license and enhanced identification card; providing for application, issuance, and appearance of card; directing commissioner of public safety to seek approval of card by Homeland Security secretary for proof of

identity and citizenship and for use in entering United States; amending Minnesota Statutes 2008, sections 171.01, by adding subdivisions; 171.04, by adding a subdivision; 171.06, subdivisions 1, 2, 6; 171.07, subdivision 3, by adding subdivisions; 171.071, by adding a subdivision; 171.12, by adding a subdivision; Minnesota Statutes 2009 Supplement, section 171.06, subdivision 3.

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

Page 2, line 32, delete "C-\$41.75" and insert "C-\$41.25"

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

Senator Cohen from the Committee on Finance, to which was re-referred

S.F. No. 2461: A bill for an act relating to transportation; requiring the commissioner of transportation to implement complete streets policy; requiring reports; amending Minnesota Statutes 2008, sections 162.02, subdivision 3a; 162.09, subdivision 3a; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Page 3, line 24, delete "November 15, 2010" and insert "January 15, 2011"

Page 3, line 28, delete "November 15, 2011" and insert "January 15, 2012"

Page 4, line 1, delete "November 15, 2013" and insert "January 15, 2014"

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1701, 2585, 1060, 2741, 3105, 2756, 345 and 2461 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Ingebrigtsen introduced—

S.F. No. 3358: A bill for an act relating to taxation; property; extending the homestead classification to certain property; amending Minnesota Statutes 2008, section 273.124, subdivision 8.

Referred to the Committee on Taxes.

Senators Bonoff, Marty and Higgins introduced—

S.F. No. 3359: A bill for an act relating to children; requiring the commissioner of human services to conduct an assessment of the placement of children under the guardianship of the commissioner.

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

Senators Dibble and Saltzman introduced–

S.F. No. 3360: A bill for an act relating to metropolitan government; providing for the additional financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; amending Minnesota Statutes 2008, section 473.39, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Scheid introduced–

S.F. No. 3361: A bill for an act relating to real property transfers; prohibiting private transfer fees; proposing coding for new law in Minnesota Statutes, chapter 513.

Referred to the Committee on Judiciary.

MOTIONS AND RESOLUTIONS

Senator Rummel moved that her name be stricken as a co-author to S.F. No. 2769. The motion prevailed.

Senator Scheid moved that the name of Senator Prettner Solon be added as a co-author to S.F. No. 2839. The motion prevailed.

Senator Skogen moved that his name be stricken as a co-author to S.F. No. 3049. The motion prevailed.

Senator Tomassoni moved that the name of Senator Johnson be added as a co-author to S.F. No. 3049. The motion prevailed.

Senator Wiger moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Stumpf be added as chief author to S.F. No. 3189. The motion prevailed.

Senator Erickson Ropes introduced –

Senate Resolution No. 174: A Senate resolution honoring Tim Breza for his 23 years of dedicated service to the city of Winona, Minnesota.

Referred to the Committee on Rules and Administration.

Senator Pappas moved that the appointment of Christopher Frederick to the Board of Trustees of the Minnesota State Colleges and Universities, reported in the Journal for February 4, 2010, be withdrawn from the Committee on Higher Education and placed on the Confirmation Calendar. The motion prevailed.

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

CALENDAR

H.F. No. 3405: A bill for an act relating to human services; modifying the commissioner's duties related to the state medical review team; amending Minnesota Statutes 2009 Supplement, section 256.01, subdivision 29.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 3151: A bill for an act relating to mortuary science; modifying provisions related to viewing, transporting, and removal of a dead human body; amending Minnesota Statutes 2008, sections 149A.01, subdivision 3; 149A.71, subdivision 2; 149A.72, subdivision 2; 149A.90, subdivisions 4, 6, 7; 149A.91, subdivisions 2, 3; 149A.93, subdivisions 6, 7; 149A.94, subdivision 1; Minnesota Statutes 2009 Supplement, section 149A.80, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 13, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Johnson	Moua	Saltzman
Berglin	Erickson Ropes	Jungbauer	Olseen	Saxhaug
Bonoff	Fischbach	Kelash	Olson, G.	Scheid
Carlson	Fobbe	Koch	Olson, M.	Sheran
Chaudhary	Foley	Koering	Ortman	Sieben
Clark	Frederickson	Langseth	Pappas	Stumpf
Cohen	Gimse	Lourey	Pogemiller	Tomassoni
Dahle	Hann	Lynch	Prettner Solon	Torres Ray
Dibble	Higgins	Marty	Rest	Vandever
Dille	Ingebrigtsen	Michel	Robling	Wiger

Those who voted in the negative were:

Betzold	Limmer	Parry	Skoe	Vickerman
Gerlach	Metzen	Rosen	Skogen	
Kubly	Pariseau	Senjem	Sparks	

So the bill passed and its title was agreed to.

S.F. No. 2830: A bill for an act relating to natural resources; repealing certain definitions related to natural resources; repealing a legislative guide requirement; repealing Minnesota Statutes 2008, section 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; Minnesota Statutes 2009 Supplement, sections 3.3006; 84.02, subdivisions 4a, 6a, 6b; Laws 2009, chapter 172, article 5, section 8.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Pariseau

So the bill passed and its title was agreed to.

H.F. No. 3157: A bill for an act relating to children; modifying parent notification of child maltreatment in a school facility; amending Minnesota Statutes 2008, section 626.556, subdivisions 7, 10d.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2879: A bill for an act relating to insurance; allowing certain minors to contract for automobile insurance; proposing coding for new law in Minnesota Statutes, chapter 65B.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2907: A bill for an act relating to communications; setting state goals for the deployment and speed of high-speed broadband; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 237.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Erickson Ropes	Langseth	Pariseau	Sheran
Berglin	Fischbach	Lourey	Parry	Sieben
Betzold	Fobbe	Lynch	Pogemiller	Skoe
Bonoff	Foley	Marty	Prettner Solon	Skogen
Carlson	Frederickson	Metzen	Rest	Sparks
Chaudhary	Gimse	Michel	Robling	Stumpf
Clark	Higgins	Moua	Rosen	Tomassoni
Cohen	Ingebrigtsen	Olseen	Rummel	Torres Ray
Dahle	Kelash	Olson, G.	Saltzman	Vickerman
Dibble	Koch	Olson, M.	Saxhaug	Wiger
Dille	Koering	Ortman	Scheid	
Doll	Kubly	Pappas	Senjem	

Those who voted in the negative were:

Gerlach	Johnson	Limmer
Hann	Jungbauer	Vanderveer

So the bill passed and its title was agreed to.

H.F. No. 2624: A bill for an act relating to state government; appropriating money for environment and natural resources.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Erickson Ropes	Limmer	Pariseau	Sheran
Berglin	Fischbach	Lourey	Parry	Sieben
Betzold	Fobbe	Lynch	Pogemiller	Skoe
Bonoff	Foley	Marty	Prettner Solon	Skogen
Carlson	Frederickson	Metzen	Rest	Sparks
Chaudhary	Gimse	Michel	Robling	Stumpf
Clark	Higgins	Moua	Rosen	Tomassoni
Cohen	Ingebrigtsen	Olseen	Rummel	Torres Ray
Dahle	Kelash	Olson, G.	Saltzman	Vickerman
Dibble	Koch	Olson, M.	Saxhaug	Wiger
Dille	Kubly	Ortman	Scheid	
Doll	Langseth	Pappas	Senjem	

Those who voted in the negative were:

Gerlach	Johnson	Koering
Hann	Jungbauer	Vandev eer

So the bill passed and its title was agreed to.

S.F. No. 2752: A bill for an act relating to natural resources; allowing conditional uses on certain lands within the Lower St. Croix River area; amending Minnesota Statutes 2008, section 103F.351, subdivision 4.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

Anderson	Fobbe	Koering	Olson, M.	Senjem
Betzold	Foley	Kubly	Ortman	Sheran
Bonoff	Frederickson	Langseth	Pappas	Skoe
Carlson	Gerlach	Limmer	Pariseau	Skogen
Chaudhary	Gimse	Lourey	Parry	Sparks
Clark	Hann	Lynch	Prettner Solon	Stumpf
Cohen	Higgins	Marty	Robling	Tomassoni
Dahle	Ingebrigtsen	Metzen	Rosen	Torres Ray
Dibble	Johnson	Michel	Rummel	Vandev eer
Dille	Jungbauer	Moua	Saltzman	Vickerman
Erickson Ropes	Kelash	Olseen	Saxhaug	Wiger
Fischbach	Koch	Olson, G.	Scheid	

Those who voted in the negative were:

Berglin	Doll	Rest	Sieben
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So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Pogemiller moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

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

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

S.F. Nos. 633, 2505, 2873, 2737, 445, 2941 and H.F. No. 653, which the committee recommends to pass.

S.F. No. 3119, which the committee recommends to pass with the following amendments offered by Senator Rummel:

Senator Rummel moved to amend S.F. No. 3119 as follows:

Page 1, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2008, section 124D.141, subdivision 2, is amended to read:

Subd. 2. **Additional duties.** (a) The following duties are added to those assigned to the council under federal law:

(1) make recommendations on the most efficient and effective way to leverage state and federal funding streams for early childhood and child care programs;

(2) make recommendations on how to coordinate or colocate early childhood and child care programs in one state Office of Early Learning;

(3) review program evaluations regarding high-quality early childhood programs; ~~and~~

(4) make recommendations ~~to the governor and legislature, including proposed legislation as provided in paragraph (c)~~ on how to most effectively create a high-quality early childhood system in Minnesota in order to improve the educational outcomes of children so that all children are school-ready by 2020; and

(5) make recommendations as provided in paragraph (c) on how to screen earlier and comprehensively assess children for school readiness in order to provide increased early interventions and increase the number of children ready for kindergarten. In formulating recommendations, the council shall consider:

(i) ways to communicate with parents of children who are not participating in early childhood education or care programs about early intervention and school readiness;

(ii) ways to communicate with family child care providers, child care centers, and school-based early childhood and Head Start programs about early intervention and school readiness;

(iii) if there are age-appropriate and culturally sensitive screening and assessment tools for three-,

four-, and five-year-olds;

(iv) the role of the medical community in screening;

(v) incentives for parents to have children screened at an earlier age;

(vi) incentives for early education and care providers to comprehensively assess children in order to improve instructional practice;

(vii) how to phase in increases in screening and assessment over time;

(viii) how the screening and assessment data will be collected and used and who will have access to the data;

(ix) how to monitor progress toward the goal of having 50 percent of three-year-old children screened and 50 percent of five-year-old children assessed for school readiness by 2015 and 100 percent of three-year-old children screened and five-year-old children assessed for school readiness by 2020;

(x) how to monitor progress toward the goal of having 50 percent of four-year-old children assessed by their early childhood education and care providers to determine their level of performance in order to promote their learning and development; and

(xi) costs to meet these benchmarks.

The council shall consider the screening instruments and comprehensive assessment tools used in Minnesota early childhood education and care programs and kindergarten. The council may survey early childhood education and care programs in the state to determine the screening and assessment tools being used or rely on previously collected survey data, if available.

(b) For purposes of this subdivision:

(1) "school readiness" is defined as the child's skills, knowledge, and behaviors at kindergarten entrance in these areas of child development: social; self-regulation; cognitive, including language, literacy, and mathematical thinking; and physical;

(2) "screening" is defined as the activities used to identify a child who may need further evaluation to determine delay in development or disability; and

(3) "assessment" is defined as the activities used to determine a child's level of performance in order to promote the child's learning and development.

(c) Any costs incurred by the council in making recommendations under paragraph (a), clause (5), must be paid from nonstate and nonfederal funds appropriated to the council under subdivision 3. If no nonstate or nonfederal funds are received, the council may not proceed in making recommendations under paragraph (a), clause (5). The council shall report its recommendations under this subdivision, including draft legislation necessary to implement the recommendations, to the governor and the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over early childhood education policy and finance no later than July 1, 2012, with interim reports on February 15, 2011, and February 15, 2012.

Sec. 3. Minnesota Statutes 2008, section 124D.141, subdivision 3, is amended to read:

Subd. 3. **Administration.** ~~An amount up to \$12,500 from federal child care and development fund administrative funds and up to \$12,500 from prekindergarten exploratory project funds appropriated under Laws 2007, chapter 147, article 19, section 3, may be used to reimburse the parents on the council and for technical assistance and administrative support of the State Advisory Council on Early Childhood Education and Care. This funding stream is for fiscal year 2009. The council may pursue additional funds funding from state, federal, and private sources. If additional operational funds are received, the council must reduce the amount of prekindergarten exploratory project funds used in an equal amount. Money received from these sources shall be credited to an account in the special revenue fund and is appropriated to the council for the purposes of this section."~~

Amend the title accordingly

Senator Rummel moved to amend the Rummel amendment to S.F. No. 3119 as follows:

Page 2, line 27, delete "July 1, 2012" and insert "January 15, 2013"

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

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

H.F. No. 655, which the committee recommends to pass, subject to the following motions:

Senator Pappas moved to amend H.F. No. 655, as amended pursuant to Rule 45, adopted by the Senate April 12, 2010, as follows:

(The text of the amended House File is identical to S.F. No. 531.)

Page 1, delete lines 22 to 24

Page 2, delete lines 1 and 2

Page 2, line 3, delete "(d)" and insert "(c)"

Page 2, after line 4, insert:

"EFFECTIVE DATE. This section is effective on May 18, 2010."

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend H.F. No. 655, as amended pursuant to Rule 45, adopted by the Senate April 12, 2010, as follows:

(The text of the amended House File is identical to S.F. No. 531.)

Page 2, after line 4, insert:

"Sec. 2. Minnesota Statutes 2008, section 211B.20, is amended to read:

211B.20 DENIAL OF ACCESS BY POLITICAL CANDIDATES TO MULTIPLE UNIT DWELLINGS.

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 for election to public office or to campaign workers accompanied by the candidate, if the candidate and workers seeking admittance to the facility do so solely for the purpose of campaigning.~~ a candidate who has:

- (1) organized a campaign committee under applicable federal or state law;
- (2) filed a financial report as required by section 211A.02; or
- (3) filed an affidavit of candidacy for elected office.

A candidate granted access under this section must be allowed to be accompanied by campaign volunteers.

(b) Access to a facility or area is only required if it is located within the district or territory that will be represented by the office to which the candidate seeks election, and the candidate and any accompanying campaign volunteers seek access exclusively for the purpose of campaigning for a candidate or registering voters. The candidate must be seeking election to office at the next general or special election to be held for that office.

(c) A candidate and any accompanying campaign volunteers granted 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 within the facility. The campaign materials must be left in an orderly manner.

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

Subd. 2. **Exceptions.** Subdivision 1 does not prohibit:

(1) denial of admittance into a particular apartment, room, manufactured home, or personal residential unit;

(2) requiring reasonable and proper identification as a necessary prerequisite to admission to a multiple unit dwelling;

(3) in the case of a nursing home or a registered housing with services establishment providing assisted living services meeting the requirements of section 144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;

(4) limiting visits by candidates or ~~workers~~ volunteers accompanied by the candidate to a reasonable number of persons or reasonable hours;

(5) requiring a prior appointment to gain access to the facility; or

(6) denial of admittance to or expulsion from a multiple unit dwelling for good cause."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Sieben moved to amend H.F. No. 655, as amended pursuant to Rule 45, adopted by the Senate April 12, 2010, as follows:

(The text of the amended House File is identical to S.F. No. 531.)

Page 2, after line 4, insert:

"Sec. 2. Laws 2010, chapter 194, section 9, subdivision 2, is amended to read:

Subd. 2. Duties of ballot board; absentee ballots. (a) The members of the ballot board shall take possession of all return envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each return envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the return envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

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

(2) the voter signed the certification on the envelope;

(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as the number provided on the voter's application for ballots. If the number does not match the number as submitted on the application, or if a number was not submitted on the application, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

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

(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the fourth day before the election, by absentee ballot.

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

(c)(1) If a majority of the members of the ballot board examining a return envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the return envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the security envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or e-mail to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(e) An absentee ballot return envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

EFFECTIVE DATE. This section is effective June 25, 2010."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Sieben moved to amend H.F. No. 655, as amended pursuant to Rule 45, adopted by the Senate April 12, 2010, as follows:

(The text of the amended House File is identical to S.F. No. 531.)

Page 1, line 10, delete "residence"

Page 1, line 11, after the period, insert "Except as provided in paragraph (d), the address provided in the affidavit of candidacy must be the candidate's residence address."

Page 2, after line 2, insert:

"(d) If the candidate specifies that the candidate's residence address is to be classified as private data, the candidate shall instead list the residence address on a separate sheet to be attached to the affidavit of candidacy and that may be reviewed by the filing officer as provided in this subdivision, but the residence address is otherwise classified as private data."

Page 2, line 3, delete "(d)" and insert "(e)"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 24 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson

Bakk

Bonoff

Cohen

Dahle

Dibble	Foley	Lourey	Pappas	Sieben
Doll	Higgins	Lynch	Saxhaug	Skoe
Erickson Ropes	Kubly	Metzen	Scheid	Tomassoni
Fobbe	Langseth	Olseen	Sheran	

Those who voted in the negative were:

Berglin	Gimse	Michel	Rest	Stumpf
Betzold	Ingebrigtsen	Moua	Robling	Torres Ray
Carlson	Johnson	Olson, G.	Rosen	Vandeveer
Chaudhary	Jungbauer	Olson, M.	Rummel	Vickerman
Dille	Koch	Ortman	Saltzman	Wiger
Fischbach	Koering	Pariseau	Senjem	
Frederickson	Limmer	Parry	Skogen	
Gerlach	Marty	Prettner Solon	Sparks	

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

H.F. No. 655 was then recommended to pass.

S.F. No. 3251, which the committee reports progress, subject to the following motion:

Senator Ortman moves to amend S.F. No. 3251 as follows:

Page 3, after line 9, insert:

"Sec. 5. Minnesota Statutes 2008, section 253B.18, subdivision 4a, is amended to read:

Subd. 4a. **Release on pass; notification.** A patient who has been committed as a person who is mentally ill and dangerous and who is confined at a secure treatment facility or has been transferred out of a state-operated services facility according to section 253B.18, subdivision 6, shall not be released on a pass unless the pass is part of a pass plan that has been approved by the medical director of the secure treatment facility. The pass plan must have a specific therapeutic purpose consistent with the treatment plan, must be established for a specific period of time, and must have specific levels of liberty delineated. The county case manager must be invited to participate in the development of the pass plan. At least ten days prior to a determination on the plan, the medical director shall notify the designated agency, the committing court, the county attorney of the county of commitment, an interested person, the local law enforcement agency where the facility is located, the county attorney and the local law enforcement agency in the location where the pass is to occur, the petitioner, and the petitioner's counsel of the plan, the nature of the passes proposed, and their right to object to the plan. If any notified person objects prior to the proposed date of implementation, the person shall have an opportunity to appear, personally or in writing, before the medical director, within ten days of the objection, to present grounds for opposing the plan. The pass plan shall not be implemented until the objecting person has been furnished that opportunity. Nothing in this subdivision shall be construed to give a patient an affirmative right to a pass plan."

Page 9, line 1, strike "attorney of the county" and insert "attorneys of the counties" and after "commitment" insert ", financial responsibility, and proposed placement"

Page 9, line 10, strike "attorney of the county" and insert "attorneys of the counties" and after "commitment" insert ", financial responsibility, and proposed placement"

Page 13, line 26, strike everything before "of" and after "of" insert "commitment," and before the semicolon, insert ", or proposed placement"

Page 14, line 3, strike "attorney" and insert "attorneys" and after the second comma, insert "financial responsibility, and proposed placement,"

Page 14, line 7, after the second comma, insert "any of"

Page 14, line 8, strike "attorney" and insert "attorneys" and strike "or the" and insert a comma, and before "and" insert "or county of proposed placement,"

Page 14, line 16, strike everything after the first "county"

Page 14, line 17, strike everything before "have" and insert "attorneys"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 38 and nays 26, as follows:

Those who voted in the affirmative were:

Bonoff	Frederickson	Koering	Pariseau	Sheran
Chaudhary	Gerlach	Kubly	Parry	Skogen
Clark	Gimse	Limmer	Rest	Sparks
Dille	Hann	Lynch	Robling	Vandever
Doll	Ingebrigtsen	Metzen	Rosen	Vickerman
Erickson Ropes	Johnson	Michel	Rummel	Wiger
Fischbach	Jungbauer	Olson, G.	Saltzman	
Fobbe	Koch	Ortman	Senjem	

Those who voted in the negative were:

Anderson	Dahle	Marty	Prettner Solon	Tomassoni
Bakk	Dibble	Moua	Saxhaug	Torres Ray
Berglin	Higgins	Olseen	Scheid	
Betzold	Kelash	Olson, M.	Sieben	
Carlson	Langseth	Pappas	Skoe	
Cohen	Lourey	Pogemiller	Stumpf	

The motion prevailed. So the amendment was adopted.

S.F. No. 3251 was then progressed.

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

MOTIONS AND RESOLUTIONS - CONTINUED

RECONSIDERATION

Having voted on the prevailing side, Senator Anderson moved that the vote whereby the Anderson motion to not concur in the amendments by the House to S.F. No. 2519, adopted by the Senate on April 15, 2010, be now reconsidered. The motion prevailed. So the vote was reconsidered.

Senator Anderson withdrew her previous motion.

Senator Anderson moved that the Senate do not concur in the amendments by the House to S.F. No. 2519, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

Senator Pogemiller moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Senator Pogemiller from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 3128: Senators Kelash, Gerlach and Carlson.

S.F. No. 2935: Senators Lourey, Moua and Dille.

S.F. No. 2437: Senators Moua, Limmer and Olson, M.

S.F. No. 2519: Senators Anderson, Dahle, Sieben, Frederickson and Dibble.

Senator Pogemiller moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Bakk, for Senator Koch, moved that S.F. No. 2774 be withdrawn from the Committee on Finance and re-referred to the Committee on Taxes. The motion prevailed.

MEMBERS EXCUSED

Senators Latz and Murphy were excused from the Session of today. Senator Bakk was excused from the Session of today from 11:00 to 11:55 a.m. Senator Foley was excused from the Session of today from 11:50 a.m. to 12:00 noon. Senator Olson, M. was excused from the Session of today from 11:50 a.m. to 12:05 p.m. and at 1:20 p.m. Senator Kelash was excused from the Session of today at 12:30 p.m. Senator Sheran was excused from the Session of today from 12:30 to 12:50 p.m. Senator Hann was excused from the Session of today from 12:45 to 12:55 p.m. Senator Clark was excused from the Session of today from 12:50 to 1:00 p.m. Senator Frederickson was excused from the Session of today at 1:00 p.m. Senator Cohen was excused from the Session of today at 1:05 p.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Monday, April 19, 2010. The motion prevailed.

Peter S. Wattson, Secretary of the Senate (Legislative)

