

SEVENTY-FIFTH DAY

St. Paul, Minnesota, Monday, March 20, 2006

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

CALL OF THE SENATE

Senator Johnson, D.E. 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. Stephen Thom.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

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

The President declared a quorum present.

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

RECESS

Senator Johnson, D.E. moved that the Senate do now recess until 12:00 noon. The motion prevailed.

The hour of 12:00 noon having arrived, the President called the Senate to order.

CALL OF THE SENATE

Senator Johnson, D.E. imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 3014.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 16, 2006

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 3014: A bill for an act relating to public safety; regulating information on drivers' licenses, permits, and identification cards, and applications for them; adopting certain federal laws and regulations; making technical and clarifying changes; amending Minnesota Statutes 2004, sections 171.06, subdivision 3; 171.14; 171.22, subdivision 2; Minnesota Statutes 2005 Supplement, section 171.07, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 171.

Referred to the Committee on Transportation.

Without objection, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1915, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1915 is herewith transmitted to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 16, 2006

CONFERENCE COMMITTEE REPORT ON H.F. NO. 1915

A bill for an act relating to health; providing an exception to the hospital construction moratorium; amending Minnesota Statutes 2004, section 144.551, subdivision 1.

March 15, 2006

The Honorable Steve Sviggum
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H.F. No. 1915 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H.F. No. 1915 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2005 Supplement, section 144.551, subdivision 1, is amended to read:

Subdivision 1. **Restricted construction or modification.** (a) The following construction or modification may not be commenced:

(1) any erection, building, alteration, reconstruction, modernization, improvement, extension, lease, or other acquisition by or on behalf of a hospital that increases the bed capacity of a hospital, relocates hospital beds from one physical facility, complex, or site to another, or otherwise results in an increase or redistribution of hospital beds within the state; and

(2) the establishment of a new hospital.

(b) This section does not apply to:

(1) construction or relocation within a county by a hospital, clinic, or other health care facility that is a national referral center engaged in substantial programs of patient care, medical research, and medical education meeting state and national needs that receives more than 40 percent of its patients from outside the state of Minnesota;

(2) a project for construction or modification for which a health care facility held an approved certificate of need on May 1, 1984, regardless of the date of expiration of the certificate;

(3) a project for which a certificate of need was denied before July 1, 1990, if a timely appeal results in an order reversing the denial;

(4) a project exempted from certificate of need requirements by Laws 1981, chapter 200, section 2;

(5) a project involving consolidation of pediatric specialty hospital services within the Minneapolis-St. Paul metropolitan area that would not result in a net increase in the number of pediatric specialty hospital beds among the hospitals being consolidated;

(6) a project involving the temporary relocation of pediatric-orthopedic hospital beds to an existing licensed hospital that will allow for the reconstruction of a new philanthropic, pediatric-orthopedic hospital on an existing site and that will not result in a net increase in the number of hospital beds. Upon completion of the reconstruction, the licenses of both hospitals must be reinstated at the capacity that existed on each site before the relocation;

(7) the relocation or redistribution of hospital beds within a hospital building or identifiable complex of buildings provided the relocation or redistribution does not result in: (i) an increase in the overall bed capacity at that site; (ii) relocation of hospital beds from one physical site or complex to another; or (iii) redistribution of hospital beds within the state or a region of the state;

(8) relocation or redistribution of hospital beds within a hospital corporate system that involves the transfer of beds from a closed facility site or complex to an existing site or complex provided that: (i) no more than 50 percent of the capacity of the closed facility is transferred; (ii) the capacity of the site or complex to which the beds are transferred does not increase by more than 50 percent; (iii) the beds are not transferred outside of a federal health systems agency boundary in place on July 1, 1983; and (iv) the relocation or redistribution does not involve the construction of a new hospital building;

(9) a construction project involving up to 35 new beds in a psychiatric hospital in Rice County that primarily serves adolescents and that receives more than 70 percent of its patients from outside

the state of Minnesota;

(10) a project to replace a hospital or hospitals with a combined licensed capacity of 130 beds or less if: (i) the new hospital site is located within five miles of the current site; and (ii) the total licensed capacity of the replacement hospital, either at the time of construction of the initial building or as the result of future expansion, will not exceed 70 licensed hospital beds, or the combined licensed capacity of the hospitals, whichever is less;

(11) the relocation of licensed hospital beds from an existing state facility operated by the commissioner of human services to a new or existing facility, building, or complex operated by the commissioner of human services; from one regional treatment center site to another; or from one building or site to a new or existing building or site on the same campus;

(12) the construction or relocation of hospital beds operated by a hospital having a statutory obligation to provide hospital and medical services for the indigent that does not result in a net increase in the number of hospital beds, notwithstanding section 144.552, 27 beds, of which 12 serve mental health needs, may be transferred from Hennepin County Medical Center to Regions Hospital under this clause;

(13) a construction project involving the addition of up to 31 new beds in an existing nonfederal hospital in Beltrami County;

(14) a construction project involving the addition of up to eight new beds in an existing nonfederal hospital in Otter Tail County with 100 licensed acute care beds;

(15) a construction project involving the addition of 20 new hospital beds used for rehabilitation services in an existing hospital in Carver County serving the southwest suburban metropolitan area. Beds constructed under this clause shall not be eligible for reimbursement under medical assistance, general assistance medical care, or MinnesotaCare;

(16) a project for the construction or relocation of up to 20 hospital beds for the operation of up to two psychiatric facilities or units for children provided that the operation of the facilities or units have received the approval of the commissioner of human services;

(17) a project involving the addition of 14 new hospital beds to be used for rehabilitation services in an existing hospital in Itasca County;

(18) a project to add 20 licensed beds in existing space at a hospital in Hennepin County that closed 20 rehabilitation beds in 2002, provided that the beds are used only for rehabilitation in the hospital's current rehabilitation building. If the beds are used for another purpose or moved to another location, the hospital's licensed capacity is reduced by 20 beds; ~~or~~

(19) a critical access hospital established under section 144.1483, clause (9), and section 1820 of the federal Social Security Act, United States Code, title 42, section 1395i-4, that delicensed beds since enactment of the Balanced Budget Act of 1997, Public Law 105-33, to the extent that the critical access hospital does not seek to exceed the maximum number of beds permitted such hospital under federal law; or

(20) notwithstanding section 144.552, a project for the construction of a new hospital in the city of Maple Grove with a licensed capacity of up to 300 beds provided that:

(i) the project, including each hospital or health system that will own or control the entity that will hold the new hospital license, is approved by a resolution of the Maple Grove City Council as of March 1, 2006;

(ii) the entity that will hold the new hospital license will be owned or controlled by one or more not-for-profit hospitals or health systems that have previously submitted a plan or plans for a project in Maple Grove as required under section 144.552, and the plan or plans have been found to be in the public interest by the commissioner of health as of April 1, 2005;

(iii) the new hospital's initial inpatient services must include, but are not limited to, medical and surgical services, obstetrical and gynecological services, intensive care services, orthopedic services, pediatric services, noninvasive cardiac diagnostics, behavioral health services, and emergency room services;

(iv) the new hospital:

(A) will have the ability to provide and staff sufficient new beds to meet the growing needs of the Maple Grove service area and the surrounding communities currently being served by the hospital or health system that will own or control the entity that will hold the new hospital license;

(B) will provide uncompensated care;

(C) will provide mental health services, including inpatient beds;

(D) will be a site for workforce development for a broad spectrum of health-care-related occupations and have a commitment to providing clinical training programs for physicians and other health care providers;

(E) will demonstrate a commitment to quality care and patient safety;

(F) will have an electronic medical records system, including physician order entry;

(G) will provide a broad range of senior services;

(H) will provide emergency medical services that will coordinate care with regional providers of trauma services and licensed emergency ambulance services in order to enhance the continuity of care for emergency medical patients; and

(I) will be completed by December 31, 2009, unless delayed by circumstances beyond the control of the entity holding the new hospital license; and

(v) as of 30 days following submission of a written plan, the commissioner of health has not determined that the hospitals or health systems that will own or control the entity that will hold the new hospital license are unable to meet the criteria of this clause.

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

Delete the title and insert:

"A bill for an act relating to health; providing an exception to the hospital construction moratorium for a hospital in Maple Grove; amending Minnesota Statutes 2005 Supplement, section 144.551, subdivision 1."

We request the adoption of this report and repassage of the bill.

House Conferees: (Signed) Kurt Zellers, Ron Abrams, Lyndon R. Carlson

Senate Conferees: (Signed) Warren Limmer, Linda Scheid

Senator Limmer moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1915 be now adopted, and that the bill be repassed as amended by the Conference Committee.

CALL OF THE SENATE

Senator Limmer imposed a call of the Senate for the balance of the proceedings on H.F. No. 1915. The Sergeant at Arms was instructed to bring in the absent members.

Senator Dibble moved that further consideration of the Conference Committee Report on H.F.

No. 1915 be postponed until Thursday, March 23, 2006, under the Order of Business of Motions and Resolutions.

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

The roll was called, and there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Anderson	Dibble	Koering	Murphy	Solon
Bakk	Foley	Kubly	Pappas	Sparks
Berglin	Higgins	Langseth	Pogemiller	Tomassoni
Betzold	Hottinger	Lourey	Ranum	Wiger
Chaudhary	Johnson, D.E.	Marko	Saxhaug	
Clark	Kelley	Marty	Skoe	
Cohen	Kiscaden	Metzen	Skoglund	

Those who voted in the negative were:

Bachmann	Gerlach	LeClair	Ortman	Sams
Belanger	Hann	Limmer	Pariseau	Scheid
Bonoff	Johnson, D.J.	McGinn	Reiter	Senjem
Day	Jungbauer	Michel	Rest	Vickerman
Dille	Kierlin	Neuville	Robling	Wergin
Fischbach	Koch	Nienow	Rosen	
Frederickson	Larson	Olson	Ruud	

The motion did not prevail.

The question recurred on the adoption of the Limmer motion. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1915 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 50 and nays 15, as follows:

Those who voted in the affirmative were:

Bachmann	Foley	Koering	Murphy	Ruud
Bakk	Frederickson	Kubly	Neuville	Sams
Belanger	Gerlach	Langseth	Nienow	Saxhaug
Betzold	Hann	Larson	Olson	Scheid
Bonoff	Higgins	LeClair	Ortman	Senjem
Chaudhary	Johnson, D.E.	Limmer	Pariseau	Skoe
Clark	Johnson, D.J.	Lourey	Reiter	Sparks
Day	Jungbauer	McGinn	Rest	Vickerman
Dille	Kierlin	Metzen	Robling	Wergin
Fischbach	Koch	Michel	Rosen	Wiger

Those who voted in the negative were:

Anderson	Dibble	Kiscaden	Pappas	Skoglund
Berglin	Hottinger	Marko	Pogemiller	Solon
Cohen	Kelley	Marty	Ranum	Tomassoni

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

REPORTS OF COMMITTEES

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

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

S.F. No. 2722: A bill for an act relating to finance; providing an appropriation for emergencies; requiring reports and recommendations to bring the state budget into compliance with generally accepted governmental accounting principles; requiring disclosure of the impact of inflation on state expenditures; requiring consultation on expenditure data; requiring a report of cash flow for the general fund; providing continuing appropriations for the operation of state government under certain conditions; providing for an increase in the budget reserve to five percent of forecast net general fund revenue; appropriating money; amending Minnesota Statutes 2004, sections 9.061, subdivision 5; 16A.055, subdivision 1; 16A.103, subdivisions 1a, 1b, 1c, 1e; 16A.11, subdivision 2, by adding a subdivision; Minnesota Statutes 2005 Supplement, section 16A.152, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2004, section 9.061, subdivision 5, is amended to read:

Subd. 5. **Spending power.** ~~Where~~ When the governor has declared under section 12.31 that an emergency exists, the Executive Council, after consulting with the Legislative Advisory Commission under section 3.30, may expend money as necessary therefor within the limit of appropriations made to the council for this purpose, but not to exceed \$3,000,000 in any fiscal year, and that amount is annually appropriated from the general fund for this purpose.

EFFECTIVE DATE. This section is effective July 1, 2007."

Page 4, delete section 10 and insert:

"Sec. 10. **[16A.117] CONTINUING APPROPRIATIONS.**

If a major appropriation bill to fund a given state agency for the next biennium is not enacted before July 1 of an odd-numbered year, amounts sufficient to continue operation of that agency and the programs administered by that agency through the fiscal year ending June 30 of the next even-numbered year at the base level for that next fiscal year, as determined according to section 16A.11, subdivision 3, and previous appropriation acts, are appropriated to the agency from the appropriate funds and accounts in the state treasury. The base level for an appropriation that was designated as onetime or was onetime in nature is zero."

Page 4, delete section 11

Amend the title accordingly

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

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

S.F. No. 2898: A bill for an act relating to insurance; conforming regulation of qualified long-term care insurance to requirements for state participation in the federal long-term care partnership program; amending state long-term care partnership program requirements; amending Minnesota Statutes 2004, sections 62S.05, by adding a subdivision; 62S.08, subdivision 3; 62S.081, subdivision 4; 62S.10, subdivision 2; 62S.13, by adding a subdivision; 62S.14, subdivision 2; 62S.15; 62S.20, subdivision 1; 62S.24, subdivisions 1, 3, 4, by adding subdivisions; 62S.25, subdivision 6, by adding a subdivision; 62S.26; 62S.266, subdivision 2; 62S.29, subdivision 1; 62S.30; Minnesota Statutes 2005 Supplement, section 256B.0571; proposing coding for new law in Minnesota Statutes, chapter 62S.

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

Page 17, delete article 2 and insert:

"ARTICLE 2

LONG-TERM CARE PARTNERSHIP PROGRAM

Section 1. Minnesota Statutes 2005 Supplement, section 256B.0571, is amended to read:

256B.0571 LONG-TERM CARE PARTNERSHIP PROGRAM.

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

~~Subd. 2. **Home care service.** "Home care service" means care described in section 144A.43.~~

Subd. 3. **Long-term care insurance.** "Long-term care insurance" means a policy described in section 62S.01.

Subd. 4. **Medical assistance.** "Medical assistance" means the program of medical assistance established under section 256B.01.

~~Subd. 5. **Nursing home.** "Nursing home" means a nursing home as described in section 144A.01.~~

Subd. 6. **Partnership policy.** "Partnership policy" means a long-term care insurance policy that meets the requirements under subdivision 10 ~~or 11, regardless of when the policy and~~ was first issued on or after July 1, 2006.

Subd. 7. **Partnership program.** "Partnership program" means the Minnesota partnership for long-term care program established under this section.

~~Subd. 7a. **Protected assets.** "Protected assets" means assets or proceeds of assets that are protected from recovery under subdivisions 13 and 15.~~

Subd. 8. **Program established.** (a) The commissioner, in cooperation with the commissioner of commerce, shall establish the Minnesota partnership for long-term care program to provide for the financing of long-term care through a combination of private insurance and medical assistance.

(b) An individual who meets the requirements in this paragraph is eligible to participate in the partnership program. The individual must:

(1) be a Minnesota resident at the time coverage first became effective under the partnership policy;

(2) purchase a partnership policy that is delivered, issued for delivery, or renewed on or after the effective date of Laws 2005, First Special Session chapter 4, article 7, section 5, and maintain the partnership policy in effect throughout the period of participation in the partnership program be a beneficiary of a partnership policy issued no earlier than July 1, 2006; and

(3) exhaust the minimum have exhausted all of the benefits under the partnership policy as described in this section. Benefits received under a long-term care insurance policy before the effective date of Laws 2005, First Special Session chapter 4, article 7, section 5 July 1, 2006, do not count toward the exhaustion of benefits required in this subdivision.

Subd. 9. **Medical assistance eligibility.** (a) Upon application ~~of~~ for medical assistance program payment of long-term care services by an individual who meets the requirements described in subdivision 8, the commissioner shall determine the individual's eligibility for medical assistance according to paragraphs (b) ~~and (c)~~ to (i).

(b) After disregarding financial determining assets exempted under medical assistance eligibility requirements subject to the asset limit under section 256B.056, subdivision 3 or 3c, or section 256B.057, subdivision 9 or 10, the commissioner shall disregard an additional amount of financial assets equal allow the individual to designate assets to be protected from recovery under

subdivisions 13 and 15 of this section up to the dollar amount of ~~coverage~~ the benefits utilized under the partnership policy. Designated assets shall be disregarded for purposes of determining eligibility for payment of long-term care services.

~~(c) The commissioner shall consider the individual's income according to medical assistance eligibility requirements. The individual shall identify the designated assets and the full fair market value of those assets and designate them as assets to be protected at the time of initial application for medical assistance. The full fair market value of real property or interests in real property shall be based on the most recent full assessed value for property tax purposes for the real property, unless the individual provides a complete professional appraisal by a licensed appraiser to establish the full fair market value. The extent of a life estate in real property shall be determined using the life estate table in the health care program's manual. Ownership of any asset in joint tenancy shall be treated as ownership as tenants in common for purposes of its designation as a disregarded asset. The unprotected value of any protected asset is subject to estate recovery according to subdivisions 13 and 15.~~

~~(d) The right to designate assets to be protected is personal to the individual and ends when the individual dies, except as otherwise provided in subdivisions 13 and 15. It does not include the increase in the value of the protected asset and the income, dividends, or profits from the asset. It may be exercised by the individual or by anyone with the legal authority to do so on the individual's behalf. It shall not be sold, assigned, transferred, or given away.~~

~~(e) If the dollar amount of the benefits utilized under a partnership policy is greater than the full fair market value of all assets protected at the time of the application for medical assistance long-term care services, the individual may designate additional assets that become available during the individual's lifetime for protection under this section. The individual must make the designation in writing to the county agency no later than the last date on which the individual must report a change in circumstances to the county agency, as provided for under the medical assistance program. Any excess used for this purpose shall not be available to the individual's estate to protect assets in the estate from recovery under section 256B.15, section 524.3-1202, or otherwise.~~

~~(f) This section applies only to estate recovery under United States Code, title 42, section 1496p, subsections (a) and (b), and does not apply to recovery authorized by other provisions of federal law, including, but not limited to, recovery from trusts under United States Code, title 42, section 1396p, subsection (d)(4)(A) and (C), or to recovery from annuities, or similar legal instruments, subject to section 6012, subsections (a) and (b), of the Deficit Reduction Act of 2005, Public Law 109-171.~~

~~(g) An individual's protected assets owned by the individual's spouse who applies for payment of medical assistance long-term care services shall not be protected assets or disregarded for purposes of eligibility of the individual's spouse solely because they were protected assets of the individual.~~

~~(h) Assets designated under this subdivision shall not be subject to penalty under section 256B.0595.~~

~~(i) The commissioner shall otherwise determine the individual's eligibility for payment of long-term care services according to medical assistance eligibility requirements.~~

Subd. 10. Dollar-for-dollar asset protection policies Long-term care partnership policy requirements. ~~(a) A dollar-for-dollar asset protection long-term care partnership policy must meet all of the requirements in paragraphs (b) to (e) and (c).~~

~~(b) The policy must satisfy the requirements of chapter 62S.~~

~~(c) The policy must offer an elimination period of not more than 180 days for an adjusted premium.~~

~~(d) The policy must satisfy the requirements established by the commissioner of human services under subdivision 14.~~

~~(e) Minimum daily benefits shall be \$130 for nursing home care or \$65 for home care, with inflation protection provided in the policy as described in section 62S.23, subdivision 1, clause (1). These minimum daily benefit amounts shall be adjusted by the commissioner on October 1 of each year by a percentage equal to the inflation protection feature described in section 62S.23, subdivision 1, clause (1), for purposes of setting minimum requirements that a policy must meet in future years in order to initially qualify as an approved policy under this subdivision. Adjusted minimum daily benefit amounts shall be rounded to the nearest whole dollar. The policy must provide the inflation protection described in this paragraph. If the policy is sold to an individual who:~~

~~(1) is age 60 or younger as of the date of purchase, the policy must provide compound annual inflation protection;~~

~~(2) is age 61 to 75 as of the date of purchase, the policy must provide some level of inflation protection; and~~

~~(3) is age 76 or older as of the date of purchase, the policy may, but is not required to, provide some level of inflation protection.~~

~~Subd. 11. **Total asset protection policies.** (a) A total asset protection policy must meet all of the requirements in subdivision 10, paragraphs (b) to (d), and this subdivision.~~

~~(b) Minimum coverage shall be for a period of not less than three years and for a dollar amount equal to 36 months of nursing home care at the minimum daily benefit rate determined and adjusted under paragraph (c).~~

~~(c) Minimum daily benefits shall be \$150 for nursing home care or \$75 for home care, with inflation protection provided in the policy as described in section 62S.23, subdivision 1, clause (1). These minimum daily benefit amounts shall also be adjusted by the commissioner on October 1 of each year by a percentage equal to the inflation protection feature described in section 62S.23, subdivision 1, clause (1), for purposes of setting minimum requirements that a policy must meet in future years in order to initially qualify as an approved policy under this subdivision. Adjusted minimum daily benefit amounts shall be rounded to the nearest whole dollar.~~

~~(d) The policy must cover all of the following services:~~

~~(1) nursing home stay;~~

~~(2) home care service; and~~

~~(3) care management.~~

~~Subd. 12. **Compliance with federal law.** An issuer of a partnership policy must comply with any federal law authorizing partnership policies in Minnesota Public Law 109-171, section 6021, including any federal regulations, as amended, adopted under that law. This subdivision does not require compliance with any provision of this federal law until the date upon which the law requires compliance with the provision. The commissioner has authority to enforce this subdivision.~~

~~Subd. 13. **Limitations on estate recovery.** (a) For an individual who exhausts the minimum benefits of a dollar-for-dollar asset protection policy under subdivision 10, and is determined eligible for medical assistance under subdivision 9, the state shall limit recovery under the provisions of section 256B.15 against the estate of the individual or individual's spouse for medical assistance benefits received by that individual to an amount that exceeds the dollar amount of coverage utilized under the partnership policy. Protected assets of the individual shall not be subject to recovery under section 256B.15 or section 524.3-1201 for medical assistance or alternative care paid on behalf of the individual. Protected assets of the individual in the estate of the individual's surviving spouse shall not be liable to pay a claim for recovery of medical assistance paid for the predeceased individual that is filed in the estate of the surviving spouse under section 256B.15. Protected assets of the individual shall not be protected assets in the surviving spouse's estate by reason of the preceding sentence and shall be subject to recovery under section 256B.15 or section 524.3-1201 for medical~~

assistance paid on behalf of the surviving spouse.

(b) For an individual who exhausts the minimum benefits of a total asset protection policy under subdivision 11, and is determined eligible for medical assistance under subdivision 9, the state shall not seek recovery under the provisions of section 256B.15 against the estate of the individual or individual's spouse for medical assistance benefits received by that individual. The personal representative may protect the full fair market value of an individual's unprotected assets in the individual's estate in an amount equal to the unused amount of asset protection the individual had on the date of death. The personal representative shall apply the asset protection so that the full fair market value of any unprotected asset in the estate is protected. When or if the asset protection available to the personal representative is or becomes less than the full fair market value of any remaining unprotected asset, it shall be applied to partially protect one unprotected asset.

(c) The asset protection described in paragraph (a) terminates with respect to an asset includable in the individual's estate under chapter 524 or section 256B.15:

(1) when the estate distributes the asset; or

(2) if the estate of the individual has not been probated within one year from the date of death.

(d) If an individual owns a protected asset on the date of death and the estate is opened for probate more than one year after death, the state or a county agency may file and collect claims in the estate under section 256B.15, and no statute of limitations in chapter 524 that would otherwise limit or bar the claim shall apply.

(e) Except as otherwise provided, nothing in this section shall limit or prevent recovery of medical assistance.

~~Subd. 14. **Implementation.** (a) If federal law is amended or a federal waiver is granted to permit implementation of this section, the commissioner, in consultation with the commissioner of commerce, may alter the requirements of subdivisions 10 and 11, and may establish additional requirements for approved policies in order to conform with federal law or waiver authority. In establishing these requirements, the commissioner shall seek to maximize purchase of qualifying policies by Minnesota residents while controlling medical assistance costs.~~

~~(b) The commissioner is authorized to suspend implementation of this section until the next session of the legislature if the commissioner, in consultation with the commissioner of commerce, determines that the federal legislation or federal waiver authorizing a partnership program in Minnesota is likely to impose substantial unforeseen costs on the state budget.~~

~~(c) The commissioner must take action under paragraph (a) or (b) within 45 days of final federal action authorizing a partnership policy in Minnesota.~~

~~(d) The commissioner must notify the appropriate legislative committees of action taken under this subdivision within 50 days of final federal action authorizing a partnership policy in Minnesota.~~

~~(e) The commissioner must publish a notice in the State Register of implementation decisions made under this subdivision as soon as practicable. The commissioner shall submit a state plan amendment to the federal government by September 30, 2006, to implement the long-term care partnership program in accordance with this section, in order that the program may take effect for policies issued on or after July 1, 2006.~~

Subd. 15. **Limitations on liens.** (a) If the interest of an individual in real property is designated as protected under subdivision 9 or is protected property in the estate of the individual and is subject to a medical assistance lien under sections 514.980 to 514.985, or a lien arising under section 256B.15, the gross proceeds from the gross sale price of any sale of the property by that individual or the individual's estate that are allocable to the protected interest are not subject to recovery of medical assistance under the lien.

(b) Paragraph (a) applies to protected real property to the extent an heir or devisee of the estate of the individual owns the protected property or an interest in the protected property in the individual's own name when the individual sells it. Paragraph (a) does not apply to any of the heirs, successors, assigns, or transferees of those individuals.

Subd. 16. Burden of proof. Any individual or the personal representative of the individual's estate who asserts that an asset is a disregarded or protected asset under this section in connection with any determination of eligibility for benefits under the medical assistance program or any appeal, case, controversy, or other proceedings, shall have the initial burden of:

(1) documenting and proving by convincing evidence that the asset or source of funds for the asset in question was designated as disregarded or protected;

(2) tracing the asset and the proceeds of the asset from that time forward; and

(3) documenting that the asset or proceeds of the asset remained disregarded or protected at all relevant times.

EFFECTIVE DATE. This section is effective July 1, 2006."

Amend the title accordingly

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

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

S.F. No. 2553: A resolution memorializing the President and Congress to enact legislation to allow members of the armed forces to transfer unused educational assistance to their dependents.

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

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

S.F. No. 2374: A bill for an act relating to dogs; modifying notice requirements for unlicensed dogs that are seized; amending Minnesota Statutes 2004, section 347.14, subdivision 2.

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

Page 1, line 17, strike "five days" and insert "the time prescribed in section 35.71, subdivision 3"

Page 1, line 18, strike "shall" and insert "may"

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

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

S.F. No. 3096: A bill for an act relating to the Minnesota Veterans Homes Board; authorizing the board to conduct certain meetings by telephone or other electronic means; amending Minnesota Statutes 2004, section 198.003, by adding a subdivision.

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

Page 2, line 1, delete "such"

Page 2, line 2, before "documented" insert "the" and delete "marginal costs" and insert

"additional cost"

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

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

S.F. No. 2373: A bill for an act relating to animals; modifying restrictions on ownership and possession of certain animals; providing criminal penalties; amending Minnesota Statutes 2004, section 346.155, subdivisions 1, 2, 4, 5, 10, by adding a subdivision.

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

Page 2, delete section 2

Page 5, line 35, delete "property" and insert "properly"

Page 6, delete lines 18 to 19 and insert:

"Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective August 1, 2006, and apply to crimes committed on or after that date."

Renumber the sections in sequence

Amend the title accordingly

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

Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 2857: A bill for an act relating to high pressure piping; classifying data relating to bioprocess piping and equipment as nonpublic; including bioprocess piping in the definition of high pressure piping; amending Minnesota Statutes 2004, sections 16B.61, subdivisions 2, 3; 326.461, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 13.

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

Page 1, line 12, after "organisms" insert "for medical, research, or pharmaceutical purposes"

Page 3, line 31, after "organisms" insert "for medical, research, or pharmaceutical purposes"

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

Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was referred

S.F. No. 2656: A bill for an act relating to energy; providing funding for low-income heating assistance; appropriating money.

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

Page 1, line 8, delete everything after the period

Page 1, delete lines 9 and 10

Page 1, line 14, delete everything after "assistance"

Page 1, line 15, delete "young children"

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

Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was re-referred

S.F. No. 2123: A resolution memorializing the President, Congress, and the United States Postal Service to maintain current levels of service.

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

Page 1, delete lines 6 to 25

Page 2, delete lines 1 to 36

Page 3, delete lines 1 to 28 and insert:

"WHEREAS, the United States Postal Service, founded in 1775, provides dependable, affordable mail service to all Minnesota communities, rich and poor, urban and rural, with uniform postage rates; and

WHEREAS, the United States Postal Service remains an important part of the nation's economic infrastructure through which nearly \$1 trillion of economic activity is conducted each year and in which 9,000,000 are employed; and

WHEREAS, millions of older, disabled, and economically disadvantaged Minnesotans, especially in rural areas, do not have easy access to the Internet or to electronic banking and bill paying and are therefore heavily dependent on the United States Postal Service for communication and the conducting of business transactions; and

WHEREAS, Americans currently enjoy the most extensive postal service at the lowest postage rates of any major industrialized nation in the world; and

WHEREAS, excessive below-cost postage discounts to large business and advertising mailers drain billions of dollars in revenue from the United States Postal Service causing small businesses and ordinary citizens to subsidize those discounts through higher postage rates; and

WHEREAS, the Commission on the United States Postal Service has recommended changes to postal operations that would sever postal employees from federal employee health, retirement, and workers' compensation programs, and has recommended repeal of laws that would pave the way toward reducing rank-and-file wages and benefits while simultaneously eliminating the current salary cap on executive-level postal positions; and

WHEREAS, the commission has recommended a new President-appointed, corporate-style board of directors and a new Postal Regulatory Board and has proposed giving these new politically appointed governing bodies broad authority to set rates without prior approval or review; and

WHEREAS, the commission has proposed to refine the scope of the United States Postal Service's "universal service" obligation and uniform rate structure and change and restrict the scope of services currently protected under postal monopoly regulations; and

WHEREAS, the new board's broad authority would allow post offices to be closed without community input and prices to be set with a complicated postage rate structure or would turn over postal operations to private for-profit enterprises, despite a recent survey whose respondents had an overwhelmingly favorable view of the United States Postal Service, with 3 out of 4 saying no major

changes are needed; and

WHEREAS, replacing the United States Postal Service's public service obligation with a profit-seeking mandate would undermine the United States Postal Service's historical "universal service" obligation, weaken its national infrastructure, and divide our nation politically and economically; and

WHEREAS, in the interim period prior to legislated postal reform, the United States Postal Service may unilaterally move forward with initiatives to close post offices in Minnesota prior to allowing full input by the affected communities; NOW, THEREFORE,

BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the President and the Congress of the United States and the United States Postal Service to continue to maintain affordable, dependable mail service at current levels because of its social and economic importance to our nation.

BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota opposes any effort to undermine the United States Postal Service's "universal service" obligation and its uniform rate structure.

BE IT FURTHER RESOLVED that the service hours should be returned to levels before the report of the President's Commission on the United States Postal Service and prior to the implementation of the Small Post Office Reviews and Standardization Program, and that any recommendation from the commission that curtails public services in the current postal service be rejected.

BE IT FURTHER RESOLVED that the Legislature of the State of Minnesota goes on record against any changes that would harm the public and workers of the United States Postal Service, including legislated or United States Postal Service initiatives to close or consolidate post offices, take away or modify the collective bargaining system of postal workers, or change the current bargaining system for employee benefits.

BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President of the United States, the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the Postmaster General of the United States Postal Service, the chair of the Senate Committee on Budget, the chairs of the House Committees on Ways and Means, Rules, and Budget, and Minnesota's Senators and Representatives in Congress."

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

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

S.F. No. 2933: A bill for an act relating to municipal planning; providing standards for dedication of land to the public in a proposed development; amending Minnesota Statutes 2004, section 462.358, subdivision 2b.

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

Page 2, line 10, delete "(k)" and insert "(i)"

Page 2, line 11, delete "per-lot"

Page 2, line 14, delete "per-lot"

Page 2, delete lines 20 and 21

Page 2, line 22, delete "(g)" and insert "(f)"

Page 2, line 24, delete "(h)" and insert "(g)"

Page 2, line 28, delete "(i)" and insert "(h)"

Page 2, line 29, delete "county" and insert "municipality"

Page 2, delete lines 30 to 32

Page 2, line 33, delete "(k)" and insert "(i)"

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

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

S.F. No. 2734: A bill for an act relating to natural and cultural resources; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts for natural and cultural resource purposes; creating an arts, humanities, museum, and public broadcasting fund; creating a heritage enhancement fund; creating a parks and trails fund; creating a clean water fund; establishing a Heritage Enhancement Council; establishing a Clean Water Council; amending Minnesota Statutes 2004, sections 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; Minnesota Statutes 2005 Supplement, section 10A.01, subdivision 35; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 103F; 129D.

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

Page 1, line 18, delete ", plus penalties and interest and reduced by any refunds"

Page 1, line 19, after "increase" insert ", plus penalties and interest and reduced by any refunds,"

Page 4, line 28, delete everything after "(b) "

Page 4, line 29, delete everything before "One"

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

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

S.F. No. 2648: A bill for an act relating to local government; limiting liability on claims brought against a municipality participating in a joint venture or enterprise; amending Minnesota Statutes 2004, section 466.04, by adding a subdivision.

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 2004, section 471.59, is amended by adding a subdivision to read:

Subd. 1a. **Single entity for liability purposes.** Governmental units participating in a joint venture or joint enterprise, including participation in a cooperative activity undertaken pursuant to this section or other law, shall be treated as a single entity for purposes of liability arising out of the joint venture or joint enterprise. For determining total liability, the participating governmental units are considered a single governmental unit and the total liability may not exceed the caps for a single governmental unit set forth in section 3.736 or 466.04, subdivision 1."

Amend the title accordingly

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

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

S.F. No. 2735: A bill for an act relating to legislature; regulating the Legislative Audit Commission; amending Minnesota Statutes 2004, sections 3.97, subdivisions 2, 3a; 3.9741, subdivision 1; 37.06; repealing Minnesota Statutes 2004, sections 3.97, subdivision 3; 3.979, subdivision 5.

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

Page 2, delete section 3

Page 3, delete section 4

Renumber the sections in sequence

Amend the title accordingly

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

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

S.F. No. 2612: A bill for an act relating to state government; defining political subdivision for the purposes of the chapter governing the state auditor; applying provisions for the state auditor to all political subdivisions; amending Minnesota Statutes 2004, sections 6.47; 6.51; 6.54; 6.55; 6.551; 6.57; 6.59; 6.60; 6.62, subdivision 2; 6.63; 6.64; 6.65; 6.66; 6.67; 6.68; 6.70; 6.71; 6.76; 103D.355; proposing coding for new law in Minnesota Statutes, chapter 6; repealing Minnesota Statutes 2004, section 6.56, subdivision 1.

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

Page 1, line 15, after the period, insert "Political subdivision" does not include a metropolitan or regional agency or a public corporation audited by the legislative auditor."

Page 10, after line 11, insert:

"(c) For purposes of this section, "political subdivision" has the meaning given in section 6.465, but also includes a metropolitan or regional agency or a public corporation audited by the legislative auditor."

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

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

S.F. No. 2420: A bill for an act relating to the state budget; providing continuing appropriations for the operation of state government under certain conditions; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Delete everything after the enacting clause and insert:

"Section 1. [16A.117] CONTINUING APPROPRIATIONS.

If an appropriation of a specific amount for a specific fiscal year, commonly known as a direct appropriation, is not amended, superseded, or eliminated by a law enacted by the legislature before July 1 of an odd-numbered year, the appropriation continues in the next and subsequent fiscal years until amended, superseded, or eliminated by a law enacted by the legislature. An appropriation that is designated as onetime or is onetime in nature is considered to be eliminated by law at the end of the fiscal year or biennium for which it was made."

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

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

S.F. No. 2705: A bill for an act relating to economic development; making technical and housekeeping changes to programs in the Department of Employment and Economic Development; requiring the commissioner of employment and economic development to assist small businesses with accessing certain federal funds; requiring the department to implement certain fees for services; appropriating the revenue from fees; amending Minnesota Statutes 2004, sections 43A.08, subdivision 1a; 116L.04, subdivisions 1, 1a; 116L.12, subdivision 4; 446A.03, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Page 3, line 4, after the stricken "percent" insert "A portion"

Page 3, line 5, reinstate the stricken language

Page 3, line 27, after the stricken "of" insert "A portion of"

Page 3, line 28, reinstate the stricken language

Page 3, line 34, after the stricken "percent" insert "A portion" and reinstate the stricken "of a grant may"

Page 4, line 1, reinstate the stricken language

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

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

S.F. No. 2929: A bill for an act relating to metropolitan land use planning; removing the requirement for metropolitan council review of school district capital improvement programs; amending Minnesota Statutes 2004, sections 473.175; 473.851; 473.852, subdivision 4; 473.854; 473.856; 473.857, subdivisions 1, 3; 473.864.

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

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

S.F. No. 2805: A bill for an act relating to counties; providing for appointment and consolidation of certain county offices, subject to notice, hearing, reverse referendum; amending Minnesota

Statutes 2004, sections 375A.10, subdivision 5; 375A.12, subdivision 2, by adding a subdivision; 382.01.

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

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

S.F. No. 2616: A bill for an act relating to local government; providing an alternative method for establishing emergency medical services special taxing districts; increasing the levy authority; removing the sunset; amending Minnesota Statutes 2004, section 144F.01, subdivisions 2, 3, 4, 8; Laws 2001, First Special Session chapter 5, article 3, section 8, as amended.

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

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

S.F. No. 2840: A bill for an act relating to employment; providing paid organ donation leave for certain public employees; proposing coding for new law in Minnesota Statutes, chapter 181.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs, Energy and Community Development. Report adopted.

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

S.F. No. 2888: A bill for an act relating to health; establishing requirements for assisted living services; limiting use of the term assisted living; specifying procedures for terminating services for assisted living clients; modifying the home care bill of rights for purposes of assisted living; establishing the Class F home care provider category; eliminating the Class E assisted living programs license; requiring the provision of information on assisted living and the legal rights of assisted living clients; amending Minnesota Statutes 2004, sections 144A.4605; 144D.01, by adding a subdivision; 144D.015; 144D.02; 144D.03, subdivision 2; 144D.04; 144D.05; 144D.065; proposing coding for new law in Minnesota Statutes, chapters 144A; 144D; proposing coding for new law as Minnesota Statutes, chapter 144G; repealing Minnesota Rules, part 4668.0125.

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

Page 2, delete lines 28 and 29 and insert:

"(7) a copy of the home care bill of rights; and"

Page 2, line 30, delete "(9)" and insert "(8)"

Page 11, line 15, after "housing" insert a comma

Page 15, line 28, after the semicolon, insert "and"

Page 15, line 31, delete "; and" and insert a period

Page 15, delete line 32

Page 16, line 19, delete "ELDERLY WAIVER"

Page 16, line 25, after "for" insert "assisted living and"

Page 16, after line 27, insert:

"Providers of assisted living for the Community Alternatives for Disabled Individuals (CADI) and Traumatic Brain Injury (TBI) waivers shall continue to receive payment as long as they continue to meet the definitions and standards for assisted living and assisted living plus set forth in the federally approved CADI and TBI waiver plans."

Page 17, line 27, delete "4668.0125" and insert "4668.0215"

Amend the title accordingly

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

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

S.F. No. 2521: A bill for an act relating to health; providing an exception to hospital restricted construction or modification; amending Minnesota Statutes 2005 Supplement, section 144.551, subdivision 1.

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

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

S.F. No. 2630: A bill for an act relating to health; providing an exception to the hospital construction moratorium for a facility in Cass County; amending Minnesota Statutes 2005 Supplement, section 144.551, subdivision 1.

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

Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was re-referred

S.F. No. 2570: A bill for an act relating to taxation; modifying the personal property exemption for certain electric utility generation facilities; amending Minnesota Statutes 2004, section 272.02, subdivision 55.

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

Page 1, line 14, delete "and"

Page 1, delete line 16 and insert "site, and (vi) is have received by resolution approval from the governing body of the county and township or city in which the proposed facility is to be located for the exemption of personal property under this subdivision, and (v) be designed to host at least 500 megawatts of electrical generation."

Page 1, line 22, after the period, insert "To qualify for an exemption under this subdivision, the owner of the electric generation facility must have an agreement with the host county, township or city, and school district, for payment in lieu of personal property taxes to the host county, township or city, and school district."

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

Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was re-referred

S.F. No. 2654: A bill for an act relating to the military; requiring leaves of absence for the

immediate family members of a seriously injured or killed member of the armed forces; requiring leaves for immediate family members to attend military ceremonies; providing for and funding certain programs benefiting veterans; creating an individual income tax subtraction for military pensions; requiring higher education veterans assistance offices; requiring educational fairness; appropriating money; amending Minnesota Statutes 2005 Supplement, sections 192.502, by adding subdivisions; 290.01, subdivision 19b; 290.091, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 181; 197.

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

Page 1, line 16, delete "subdivision 5" and insert "subdivisions 5b and 5c"

Page 1, line 17, delete everything after the first "person"

Page 1, line 18, delete "independent contractor"

Page 1, line 23, delete everything after "person's" and insert "grandparent, parent, legal guardian, sibling, child, grandchild, spouse, fiance, or fiancee."

Page 1, line 27, delete "12 weeks" and insert "five working days"

Page 2, after line 10, insert:

"Subd. 5. **Posting of law.** The Department of Labor and Industry shall develop, with the assistance of interested business and veterans' organizations, an educational poster stating employees' rights under this section. The department shall make the poster available, upon request, to employers for posting on the employer's premises.

Subd. 6. **Individual remedies.** In addition to any other remedies provided by law, a person injured by a violation of this section may bring a civil action to recover any and all damages recoverable at law, together with costs and disbursements, including reasonable attorney fees, and may receive injunctive and other equitable relief as determined by a court."

Page 2, line 14, delete everything after the first "person"

Page 2, line 15, delete "independent contractor"

Page 2, line 22, delete "Unless the leave would unduly disrupt the"

Page 2, line 23, delete "operations of the employer, an" and insert "An"

Page 2, line 27, after the period, insert "The leave required by this subdivision shall not exceed one day."

Amend the title accordingly

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

Senator Anderson from the Committee on Jobs, Energy and Community Development, to which was re-referred

S.F. No. 2618: A bill for an act relating to state government; modifying use of personal sick leave benefits; establishing an Internet-based caregiver support program; appropriating money; amending Minnesota Statutes 2004, sections 181.9413; 256B.0917, by adding a subdivision.

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

Page 1, line 12, delete "or" and after "stepparent" insert ", or other dependant residing in the employee's household"

Page 1, delete section 2

Page 2, delete section 3

Amend the title accordingly

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

Senator Foley from the Committee on Crime Prevention and Public Safety, to which was referred

S.F. No. 2757: A bill for an act relating to public safety; providing for prevention, preparedness, and response to unauthorized releases of extraordinarily hazardous substances; proposing coding for new law in Minnesota Statutes, chapter 115E.

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

Senator Murphy from the Committee on Transportation, to which was re-referred

S.F. No. 2750: A bill for an act relating to eminent domain; defining public use or purpose; prohibiting the use of eminent domain for economic development; requiring clear and convincing evidence for certain takings; providing for attorney fees and other additional elements of compensation; making other changes in the exercise of eminent domain; amending Minnesota Statutes 2004, sections 117.025; 117.036; 117.055; 117.075, subdivision 1, by adding a subdivision; 117.085; 117.51; 117.52, subdivision 1, by adding a subdivision; 163.12, subdivisions 1a, 1b; 469.012, subdivision 1g; proposing coding for new law in Minnesota Statutes, chapter 117.

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

Page 1, after line 22, insert:

"Subd. 3. **Requirement of public use or public purpose.** Eminent domain may only be used for a public use or public purpose."

Page 2, line 13, delete "not"

Page 2, delete lines 14 to 16 and insert "that: (1) has been substantially unoccupied or unused for any commercial or residential purpose for at least one year by a person with a legal or equitable right to occupy the property; (2) has not been maintained; and (3) for which taxes have not been paid for at least two previous years."

Page 2, line 19, delete "dilapidated" and insert "structurally substandard"

Page 2, delete lines 20 to 27 and insert:

"Subd. 7. **Structurally substandard.** "Structurally substandard" means:

(a) a building:

(1) that was inspected by the appropriate local government and cited for one or more enforceable housing, maintenance, or building code violations;

(2) in which the cited building code violations involve one or more of the following:

(i) a roof and roof framing element;

(ii) support walls, beams, and headers;

(iii) foundation, footings, and subgrade conditions;

(iv) light and ventilation;

(v) fire protection, including egress;

(vi) internal utilities, including electricity, gas, and water;

(vii) flooring and flooring elements; and

(viii) walls, insulation, and exterior envelope;

(3) in which the cited housing, maintenance, or building code violations have not been remedied after two notices to cure the noncompliance; and

(4) has uncured housing, maintenance, and building code violations, satisfaction of which would cost more than 50 percent of the assessor's taxable market value for the building, excluding land value, as determined under section 273.11 for property taxes payable in the year in which the condemnation is commenced; or

(b) a building that, as of the date the condemnation is commenced, is unsafe or lacking in basic equipment.

A local government is authorized to gain access to inspect any building in a proposed development or redevelopment area upon showing of probable cause that the building is structurally substandard. Items of evidence that support a conclusion of probable cause may include recent fire or police inspections, on-site property tax appraisals, housing inspections, exterior evidence of deterioration, or other similar reliable evidence."

Page 2, line 30, delete "that contains, on or below more than 50 percent of its surface area," and insert "in which more than 50 percent of the parcels contain"

Page 2, line 34, after "the" insert "estimated"

Page 3, line 1, delete "area" and insert "parcel"

Page 3, line 2, before the period, insert ", or for which a court of competent jurisdiction has issued an order under law or regulations adopted by Minnesota or the United States, that clean up or remediation of a contaminated site occur and the property owner has failed to comply with the court's order within a reasonable time"

Page 3, line 11, after "authority." insert "Public service corporation also means an entity operating a regional distribution center within an international economic development zone designated under section 469.322."

Page 3, line 24, delete "Nondilapidated buildings" and insert "Buildings that are not structurally substandard"

Page 3, delete lines 26 and 27 and insert "buildings that are not structurally substandard unless there is no feasible alternative to the taking of the parcels on which the buildings are located in order to remediate the blight and all possible steps are taken to minimize the taking of buildings that are not structurally substandard."

Page 3, line 31, delete everything after "unless" and insert "there is no feasible alternative to the taking of the uncontaminated parcels in order to complete remediation of the contaminated parcels and all possible steps are taken to minimize the taking of the uncontaminated parcels."

Page 4, after line 7, insert:

"Subd. 1a. **Definition of owner.** For the purposes of this section, "owner" means fee owner, contract purchaser, or business lessee who is entitled to condemnation compensation under a lease."

Page 4, line 13, delete "the appraisal" and insert "each appraisal the acquiring authority has obtained for the property"

Page 4, line 18, after the period, insert "If the acquiring authority is considering both a full and partial taking of the property, the acquiring authority shall obtain and provide the fee owner or contract purchaser with appraisals for both types of takings."

Page 5, line 10, after the period, insert "If the acquiring authority is considering both a full and partial taking of the property, the acquiring authority must make a good-faith attempt to negotiate with respect to both types of takings."

Page 5, line 21, delete "of" and insert "created by or whose members are appointed by"

Page 6, delete line 11 and insert "public uses or public purposes and why the acquisition of the property is needed to"

Page 6, line 12, before "purposes" insert "public uses or public"

Page 6, line 25, before "public" insert "public use or"

Page 6, line 27, before "public" insert "public use or"

Page 7, line 15, after "show" insert "the district court"

Page 7, line 17, before "public" insert "public use or"

Page 7, line 21, before "public" insert "public use or"

Page 9, line 17, delete "seeks" and insert "will seek"

Page 9, delete lines 18 to 23 and insert "of a going concern, the damages, if any, shall in the first instance be determined and reported by the commissioners under section 117.105 as part of the compensation due to the owner. The owner shall notify the condemning authority of the owner's intent to claim compensation for loss of going concern within 60 days of the first hearing before the court, as provided in section 117.075. The commissioner's decision regarding any award for loss of going concern may be appealed by any party, in accordance with section 117.145."

Page 9, line 26, delete "a similar house or building of equivalent size"

Page 9, delete line 28 and insert "section 117.042, to the extent that the damages will not be duplicated in the compensation otherwise awarded to the owner of the property."

Page 10, delete section 15 and insert:

"Sec. 15. **[117.196] ATTORNEY FEES.**

Subdivision 1. **Judgment or award in excess of last written offer.** If the final judgment or award of damages is at least 20 percent greater than the last written offer of compensation made by the condemning authority before the filing of the petition, the court may award the owner reasonable attorney fees and costs in addition to other compensation and fees authorized by this chapter.

Subd. 2. **Increase in market value.** If three months or more pass from the date of the last written offer of compensation and the filing of the petition, for the purposes of determining whether the final judgment or award for damages is more than 20 percent greater than the last written offer, the value of the offer must be adjusted on a pro rata basis for the annual rate of increase in the estimated market value of existing property in the subject property's use class within the same city or township. The annual rate of increase shall be derived by comparing the most recent abstract filed with the commissioner of revenue under section 270C.89, subdivision 1, with the abstract of the prior year.

Sec. 16. **[117.226] RIGHT OF FIRST REFUSAL.**

(a) Notwithstanding section 161.23, if the governing body of the condemning authority determines that publicly owned property acquired under this chapter has not been used and is no longer needed for a public use, the authority must offer to sell the property to the owner from whom it was acquired, if the former owner can be located, at the original price determined by the condemnation process or the current fair market value of the property, whichever is lower.

(b) If the former owner cannot be located or declines to repurchase the property, the condemning authority shall prepare a certificate attesting to the same and record the certificate in the office of the county recorder or county registrar of titles, as appropriate, to evidence the termination of the right of first refusal."

Page 12, line 6, before "public" insert "public use or"

Page 12, line 8, before "public" insert "public use or"

Page 12, delete section 21

Renumber the sections in sequence

Amend the title 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. 2239: A bill for an act relating to retirement; Minneapolis Teachers Retirement Fund Association and expanded list plans; clarifying mutual fund authority; revising investment authority to exclude below-investment grade bonds; amending Minnesota Statutes 2004, sections 3A.01, subdivisions 1, 2, 6, 8, by adding subdivisions; 3A.011; 3A.02, subdivisions 1, 1b, 3, 4, 5; 3A.03, subdivisions 1, 2; 3A.04, subdivisions 1, 2, 3, 4, by adding a subdivision; 3A.05; 3A.07; 3A.10, subdivision 1; 3A.12; 3A.13; 6.72; 136F.45, subdivision 1a; 352.04, subdivisions 2, 3; 352.113, subdivision 7a; 352.116, subdivisions 3a, 3b; 352.90; 352.91, subdivisions 1, 2, 3c, 3d, 3e, 3f, 3g, by adding subdivisions; 352.92, subdivisions 1, 2; 352B.02, subdivisions 1a, 1c; 352C.091, subdivision 1; 352C.10; 352D.02, subdivision 1; 352D.04, subdivision 2; 352F.04; 353.01, subdivisions 2a, 11a, 11b, 12, 16, by adding a subdivision; 353.03, subdivisions 1, 1a, by adding a subdivision; 353.27, subdivisions 7, 7a, 7b; 353.29, subdivision 8; 353.30, subdivisions 3a, 3b; 353.32, subdivisions 1a, 1b; 353.33, subdivisions 1, 9; 353.34, subdivision 1; 353.656, subdivisions 3, 4, 6a; 353D.01, subdivision 2; 353D.02, subdivision 3; 353E.02, subdivision 3; 353F.04; 354.45, subdivision 1a; 354A.08; 354A.28, subdivision 5; 354A.32, subdivision 1a; 354D.05; 355.01, subdivision 3g; 355.02, subdivisions 1, 3, by adding subdivisions; 356.219, subdivisions 3, 6; 356.24, subdivision 1; 422A.05, subdivision 2c; 422A.06, subdivisions 3, 5, 8; 422A.101, subdivision 3; 423B.07; 424A.001, by adding a subdivision; 424A.02, subdivision 8b; 424A.05, subdivision 3; 490.121, subdivisions 1, 6, 7, 13, 14, 15, 22, by adding subdivisions; 490.122; 490.123, subdivisions 1, 1a, 1b, 1c, 2, 3; 490.124, subdivisions 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13; 490.125, subdivisions 1, 2; 490.126, as amended; 490.133; 525.05; Minnesota Statutes 2005 Supplement, sections 353.01, subdivision 2d; 353.28, subdivision 6; 353.656, subdivision 1; 353F.02, subdivision 4; 356A.06, subdivision 7; 422A.06, subdivision 7; 423B.09, subdivision 1; 490.121, subdivision 4; Laws 2004, chapter 267, article 8, section 41; proposing coding for new law in Minnesota Statutes, chapters 352; 352C; 353; 355; proposing coding for new law as Minnesota Statutes, chapter 490A; repealing Minnesota Statutes 2004, sections 3A.01, subdivisions 3, 4, 6a, 7; 3A.02, subdivision 2; 3A.04, subdivision 1a; 3A.09; 43A.34, subdivision 1; 352C.01; 352C.011; 352C.021, subdivisions 1, 2, 3, 4, 5, 6, 7; 352C.031, subdivisions 1, 2, 4, 5, 6; 352C.033; 352C.04; 352C.051; 352C.09; 352C.091, subdivisions 2, 3; 490.021; 490.025; 490.101; 490.102; 490.103; 490.105; 490.106; 490.107; 490.108; 490.109; 490.1091; 490.12; 490.121, subdivisions 2, 3, 5, 8, 9, 10, 11, 12, 16, 17, 18, 19; 490.124, subdivision 6; 490.132; 490.15; 490.16; 490.18; Minnesota Statutes 2005 Supplement, sections 352C.021, subdivision 1a; 490.121, subdivision 20.

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

Page 45, line 22, after "(2)" insert "Clearwater County Memorial Hospital, doing business as Clearwater Health Services in Bagley;

(3)"

Page 45, line 23, delete "(3)" and insert "(4)"

Page 45, line 24, delete "(4)" and insert "(5)"

Page 45, line 25, delete "(5)" and insert "(6)"

Page 45, line 26, delete "(6)" and insert "(7)"

Page 45, line 27, delete "(7)" and insert "(8)"

Page 45, line 28, delete "(8)" and insert "(9)"

Page 45, line 29, delete "(9)" and insert "(10)"

Page 45, line 30, delete "(10)" and insert "(11)"

Page 45, line 31, delete "(11)" and insert "(12)"

Page 45, line 32, delete "(12)" and insert "(13)"

Page 45, line 33, delete "(13)" and insert "(14)"

Page 46, after line 32, insert:

"(b) Section 2, with respect to Clearwater County Memorial Hospital, doing business as Clearwater Health Services in Bagley, is effective upon the latter of:

(1) the day after the governing body of Clearwater County and its chief clerical officer meet the requirements under Minnesota Statutes, section 645.021, subdivisions 2 and 3; and

(2) the first day of the month following certification to Clearwater County by the executive director of the Public Employees Retirement Association that the actuarial accrued liability of the special benefit coverage proposed for extension to the privatized Clearwater Health Services employees under section 1 does not exceed the actuarial gain otherwise to be accrued by the Public Employees Retirement Association, as calculated by the consulting actuary retained under Minnesota Statutes, section 356.214. The cost of the actuarial calculations must be borne by the current employer or by the entity which is the employer following the privatization."

Page 46, line 33, delete "(b)" and insert "(c)"

Page 47, line 7, delete "1" and insert "2"

Page 47, line 12, delete "(c)" and insert "(d)"

Page 54, delete section 1 and insert:

"Section 1. Minnesota Statutes 2004, section 69.77, subdivision 9, is amended to read:

Subd. 9. **Local police and paid fire relief association investment authority.** (a) The funds of the association must be invested in securities that are authorized investments under section 356A.06, subdivision 6 or 7, whichever applies. ~~Up to 75 percent of the market value of the assets of~~ Notwithstanding any provision of section 356A.06, subdivision 6 or 7 to the contrary, the special fund of the relief association may be additionally invested in:

(1) open-end investment companies registered under the federal Investment Company Act of

1940, if the portfolio investments of the investment companies comply with the type of securities authorized for investment under section 356A.06, subdivision 7, up to 75 percent of the market value of the assets of the fund; and

(2) domestic government and corporate debt obligations that are not rated in the top four quality categories by a nationally recognized rating agency, and comparable unrated securities if the percentage of these assets does not exceed five percent of the total assets of the special fund or 15 percent of the special fund's non-equity assets, whichever is less, the special fund's participation is limited to 50 percent of a single offering of the debt obligations, and the special fund's participation is limited to 25 percent of an issuer's debt obligations that are not rated in the top four quality categories. Securities held by the association before June 2, 1989, that do not meet the requirements of this subdivision may be retained after that date if they were proper investments for the association on that date.

(b) The governing board of the association may select and appoint investment agencies to act for and in its behalf or may certify special fund assets for investment by the State Board of Investment under section 11A.17. The governing board of the association may certify general fund assets of the relief association for investment by the State Board of Investment in fixed income pools or in a separately managed account at the discretion of the State Board of Investment as provided in section 11A.14. The governing board of the association may select and appoint a qualified private firm to measure management performance and return on investment, and the firm shall use the formula or formulas developed by the state board under section 11A.04, clause (11).

Sec. 2. Minnesota Statutes 2004, section 354A.08, is amended to read:

354A.08 AUTHORIZED INVESTMENTS.

In addition to investments authorized under section 356A.06, subdivision 7, a teachers retirement fund association may receive, hold, and dispose of:

(1) real estate or personal property acquired by it, whether the acquisition was by purchase, or any other lawful means, as provided in this chapter or in the association's articles of incorporation; and

(2) domestic government and corporate debt obligations that are not rated in the top four quality categories by a nationally recognized rating agency, and comparable unrated securities if the percentage of these assets does not exceed five percent of the total assets of the pension plan or ten percent of the pension plan's non-equity assets, whichever is less, the pension plan's participation is limited to 50 percent of a single offering of the debt obligations, and the pension plan's participation is limited to 25 percent of an issuer's debt obligations that are not rated in the top four quality categories.

In addition to other authorized real estate investments, an association may also invest funds in Minnesota situs nonfarm real estate ownership interests or loan secured by mortgages or deeds of trust. The board may also certify assets for investment by the State Board of Investment as provided under section 11A.17."

Page 61, line 14, delete "3" and insert "4"

Page 61, line 17, delete "Sections 1 to 5 are" and insert "This article is"

Page 117, after line 35, insert:

"Sec. 15. CERTAIN NORTH ST. PAUL CITY ELECTED OFFICIALS; SERVICE CREDIT PURCHASES.

(a) An eligible person described in paragraph (b) is entitled, upon making written application, to purchase service credit in the coordinated program of the general employees retirement plan of the Public Employees Retirement Association under paragraph (c) and to have future retirement

coverage by the coordinated program of the general employees retirement plan of the Public Employees Retirement Association for future North St. Paul city elected official service.

(b) An eligible person is an elected official who has been serving the city of North St. Paul since January 1, 2001, who was not informed of the option to be a member of the coordinated program of the general employees retirement plan of the Public Employees Retirement Association on January 1, 2001, when the minimum salary eligibility requirement for membership was first met, who was in elected office on June 30, 2002, when the coordinated program of the general employees retirement plan of the Public Employees Retirement Association was closed to membership by elected officials, and who was born on January 29, 1932, March 1, 1951, or December 7, 1951.

(c) The purchase payment amount for the prior service credit purchase must be calculated under Minnesota Statutes, section 356.551. The eligible person must pay an amount equal to the employee contributions to the general employees retirement plan of the Public Employees Retirement Association that the person would have made from January 1, 2001, to the date of the purchase, plus annual compound interest at the rate of 8.5 percent from the date on which payment should have been made if a membership election option had been exercised in 2001 to the date of actual payment. If the eligible person makes the required employee contribution equivalent payment, the executive director of the Public Employees Retirement Association shall notify the city of North St. Paul of the balance of the prior service credit purchase payment amount under Minnesota Statutes, section 356.551. The city of North St. Paul shall pay the certified payment amount to the Public Employees Retirement Association within 60 days of the certification, plus interest at the rate of 0.71 percent per month, compounded monthly, from the date of the employee contribution equivalent payment until the date on which the balance of the total purchase payment is paid.

(d) This section expires on January 1, 2007.

Sec. 16. RED WING PUBLIC SCHOOL STRIKE; SERVICE CREDIT PURCHASE AUTHORIZATION.

Notwithstanding any provision of Minnesota Statutes, section 356.195, to the contrary, a teacher who was employed by Independent School District No. 256 (Red Wing) and participated in the strike in 2002 and retired before July 26, 2005, is authorized to purchase service credit from the Teachers Retirement Association for that strike period under Minnesota Statutes, section 356.195, subdivision 2, paragraph (c). The service credit must be purchased before July 1, 2007. If a retired Red Wing teacher purchases service credit under this section, the person's retirement annuity must be recalculated in light of the additional service credit consistent with any optional annuity form originally selected.

EFFECTIVE DATE. This section is effective the day following final enactment and expires on July 1, 2007."

Renumber the sections in sequence

Amend the title accordingly

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

Senator Scheid from the Committee on Commerce, to which was referred

S.F. No. 2002: A bill for an act relating to consumer protection; authorizing a consumer to place a security freeze on the consumer's credit report; providing notice of this right; providing protections against identity theft; providing Social Security number protections; providing credit monitoring; providing for the adequate destruction of personal records; providing civil and criminal penalties; proposing coding for new law in Minnesota Statutes, chapters 13C; 325E.

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

Page 1, before line 12, insert:

"Section 1. [13C.032] IDENTITY THEFT; CREDIT BLOCKS.

(a) If a consumer submits to a credit reporting agency a copy of a valid police report, or a valid investigative report made by an investigator with peace officer status, the consumer credit reporting agency shall promptly and permanently block reporting any information that the consumer alleges appears on his or her credit report as a result of a violation of section 609.527 so that the information cannot be reported. The consumer credit reporting agency shall promptly notify the furnisher of the information that the information has been blocked. Furnishers of information and consumer credit reporting agencies shall ensure that information is unblocked only upon a preponderance of the evidence establishing the facts required under paragraph (b), clause (1), (2), or (3).

(b) The permanently blocked information must be unblocked only if:

(1) the information was blocked due to a material misrepresentation of fact by the consumer or fraud;

(2) the consumer agrees that the blocked information, or portions of the blocked information, were blocked in error; or

(3) the consumer knowingly obtained possession of goods, services, or money as a result of the blocked transaction or transactions or the consumer should have known that he or she obtained possession of goods, services, or money as a result of the blocked transaction or transactions.

(c) If blocked information is unblocked pursuant to this section, the consumer must be promptly notified. The prior presence of the blocked information in the consumer credit reporting agency's file on the consumer is not evidence of whether the consumer knew or should have known that he or she obtained possession of any goods, services, or money. For the purposes of this section, fraud may be demonstrated by circumstantial evidence. In unblocking information pursuant to this section, furnishers and consumer credit reporting agencies are subject to their respective requirements pursuant to this chapter regarding the completeness and accuracy of information."

Page 5, line 14, delete the first "the"

Page 7, line 19, delete "325E.60" and insert "325E.65"

Page 7, line 21, delete "325E.60 to 325E.62" and insert "325E.65 to 325E.67" and delete "10" and insert "6"

Page 8, line 11, delete "325E.60 to 325E.62" and insert "325E.65 to 325E.67"

Page 8, delete lines 20 to 36

Page 9, delete lines 1 to 29

Page 9, line 30, delete "325E.62" and insert "325E.66"

Page 11, line 12, delete "325E.63" and insert "325E.67"

Pages 13 to 17, delete sections 6 and 7

Page 17, line 12, delete "325E.66" and insert "325E.68"

Page 19, delete section 9 and insert:

"Sec. 7. [325G.052] CREDIT CARD OFFERS AND SOLICITATIONS; ADDRESS VERIFICATIONS.

(a) A credit card issuer that mails an offer or solicitation to receive a credit card and, in response, receives a completed application for a credit card that lists an address that is different from the

address on the offer or solicitation shall verify the change of address before issuing a credit card.

(b) Notwithstanding any other provision of law, a person to whom an offer or solicitation to receive a credit card is made is not liable for the unauthorized use of a credit card issued in response to that offer or solicitation if the credit card issuer does not verify the change of address before issuing a credit card.

(c) When a credit card issuer receives a written or oral request for a change of the cardholder's billing address and then receives a written or oral request for an additional credit card within ten days after the requested address change, the credit card issuer shall not mail the requested additional credit card to the new address or, alternatively, activate the requested additional credit card, unless the credit card issuer has verified the change of address."

Renumber the sections in sequence

Amend the title accordingly

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2722, 2553, 2374, 3096, 2123, 2933, 2612, 2929, 2805, 2630, 2618, 2750 and 2239 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Johnson, D.E. moved that the name of Senator Kleis be stricken as chief author, and the name of Senator Pariseau be shown as chief author to S.F. No. 1317. The motion prevailed.

Senator LeClair moved that the name of Senator Wiger be added as a co-author to S.F. No. 2353. The motion prevailed.

Senator Reiter moved that the name of Senator Nienow be added as a co-author to S.F. No. 2553. The motion prevailed.

Senator Murphy moved that the name of Senator Pogemiller be added as a co-author to S.F. No. 2562. The motion prevailed.

Senator Tomassoni moved that the name of Senator Johnson, D.J. be added as a co-author to S.F. No. 2585. The motion prevailed.

Senator Skoe moved that the name of Senator Sparks be added as a co-author to S.F. No. 2670. The motion prevailed.

Senator Frederickson moved that the name of Senator Saxhaug be added as a co-author to S.F. No. 2872. The motion prevailed.

Senator Saxhaug moved that his name be stricken as a co-author to S.F. No. 3048. The motion prevailed.

Senator Murphy moved that the name of Senator Wergin be added as a co-author to S.F. No. 3089. The motion prevailed.

Senator Wergin moved that the names of Senators McGinn, Rosen, Reiter and Ruud be added as co-authors to S.F. No. 3117. The motion prevailed.

Senator Higgins moved that the name of Senator Sams be added as a co-author to S.F. No. 3223. The motion prevailed.

Senator Berglin moved that the name of Senator Nienow be added as a co-author to S.F. No. 3289. The motion prevailed.

Senator Kelley moved that the name of Senator Rosen be added as a co-author to S.F. No. 3298. The motion prevailed.

Senator Saxhaug moved that S.F. No. 3148 be withdrawn from the Committee on Finance and re-referred to the Committee on State and Local Government Operations. The motion prevailed.

Senator Kubly moved that S.F. No. 3149 be withdrawn from the Committee on Health and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senators Kelley and Saxhaug introduced –

Senate Resolution No. 166: A Senate resolution thanking the members of the 2004-2005 Legislative Youth Advisory Council for their hard work and dedication.

Referred to the Committee on Rules and Administration.

Senator Marty moved that his name be stricken as chief author, and the name of Senator Bakk be shown as chief author to S.F. No. 3048. The motion prevailed.

Senator Hottinger moved that S.F. No. 3087 be withdrawn from the Committee on Transportation and re-referred to the Committee on Health and Family Security. The motion prevailed.

Pursuant to Rule 5.1, Senator Bachmann, chief author, moved that H.F. No. 6 be withdrawn from the Committee on Judiciary, given a second reading, and placed on General Orders.

Pursuant to Rule 28.4, Senator Betzold raised a point of order as to whether the Bachmann motion was in order.

The President ruled the point of order well taken, so the Bachmann motion was not in order.

Senator Bachmann appealed the decision of the President.

CALL OF THE SENATE

Senator Limmer imposed a call of the Senate for the balance of the proceedings on H.F. No. 6. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 31, as follows:

Those who vote in the affirmative were:

Anderson	Cohen	Kiscaden	Pappas	Skoe
Bakk	Dibble	Langseth	Pogemiller	Skoglund
Berglin	Foley	Lourey	Ranum	Solon
Betzold	Higgins	Marko	Rest	Sparks
Bonoff	Hottinger	Marty	Sams	Tomassoni
Chaudhary	Johnson, D.E.	Metzen	Saxhaug	Wiger
Clark	Kelley	Murphy	Scheid	

Those who voted in the negative were:

Bachmann	Belanger	Day	Dille	Fischbach
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Frederickson	Koch	McGinn	Pariseau	Vickerman
Gerlach	Koering	Michel	Reiter	Wergin
Hann	Kubly	Neuville	Robling	
Johnson, D.J.	Larson	Nienow	Rosen	
Jungbauer	LeClair	Olson	Ruud	
Kierlin	Limmer	Ortman	Senjem	

So the decision of the President was sustained.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 5.1, Senator Nienow, chief author, moved that S.F. No. 2992 be withdrawn from the Committee on Judiciary, given a second reading, and placed on General Orders.

CALL OF THE SENATE

Senator Nienow imposed a call of the Senate for the balance of the proceedings on S.F. No. 2992. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Bachmann	Gerlach	Koering	Neuville	Robling
Belanger	Hann	Larson	Nienow	Rosen
Day	Johnson, D.J.	LeClair	Olson	Ruud
Dille	Jungbauer	Limmer	Ortman	Senjem
Fischbach	Kierlin	McGinn	Pariseau	Vickerman
Frederickson	Koch	Michel	Reiter	Wergin

Those who voted in the negative were:

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

The motion did not prevail.

CONFIRMATION

Senator Pogemiller moved that the report from the Committee on Taxes, reported March 2, 2006, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Pogemiller moved that the foregoing report be now adopted. The motion prevailed.

Senator Pogemiller moved that in accordance with the report from the Committee on Taxes, reported March 2, 2006, the Senate, having given its advice, do now consent to and confirm the appointment of:

TAX COURT

George W. Perez, 2522 Claremont Dr., Mendota Heights, Dakota County, effective February 7, 2005, for a term expiring on January 3, 2011.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Vickerman moved that the report from the Committee on Agriculture, Veterans and Gaming, reported February 3, 2005, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Vickerman moved that the foregoing report be now adopted. The motion prevailed.

Senator Vickerman moved that in accordance with the report from the Committee on Agriculture, Veterans and Gaming, reported February 3, 2005, the Senate, having given its advice, do now consent to and confirm the appointment of:

**STATE LOTTERY
DIRECTOR**

Clint Harris, 2645 Long Lake Rd., Roseville, Ramsey County, effective October 11, 2004.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Vickerman moved that the report from the Committee on Agriculture, Veterans and Gaming, reported April 14, 2005, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Vickerman moved that the foregoing report be now adopted. The motion prevailed.

Senator Vickerman moved that in accordance with the report from the Committee on Agriculture, Veterans and Gaming, reported April 14, 2005, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF ANIMAL HEALTH

Steve Brake, 12171 Erickson Ave., Wilmont, Nobles County, effective October 21, 2003, for a term expiring on January 1, 2007.

Paul Fitzsimmons, 54440 - 148th St., Good Thunder, Blue Earth County, effective October 21, 2003, for a term expiring on January 1, 2007.

John Whitten, 707 Nissen St., Alexandria, Douglas County, effective March 7, 2005, for a term expiring on January 5, 2009.

**DEPARTMENT OF VETERANS AFFAIRS
COMMISSIONER**

Clark Dyrud, 5501 Humboldt Cir., Minneapolis, Hennepin County, effective March 28, 2005, for a term expiring on January 1, 2007.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Higgins moved that the report from the Committee on State and Local Government Operations, reported May 23, 2005, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Higgins moved that the foregoing report be now adopted. The motion prevailed.

Senator Higgins moved that in accordance with the report from the Committee on State and Local Government Operations, reported May 23, 2005, the Senate, having given its advice, do now consent to and confirm the appointment of:

Daniel Wolter, 2224 Water Lilly Ln., Eagan, Dakota County, effective March 1, 2005, for a term expiring on January 1, 2007.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Higgins moved that the report from the Committee on State and Local Government Operations, reported March 8, 2006, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Higgins moved that the foregoing report be now adopted. The motion prevailed.

Senator Higgins moved that in accordance with the report from the Committee on State and Local Government Operations, reported March 8, 2006, the Senate, having given its advice, do now consent to and confirm the appointment of:

OFFICE OF ENTERPRISE TECHNOLOGY STATE CHIEF INFORMATION OFFICER

Gopal K. Khanna, 6605 Nordic Dr., Edina, Hennepin County, effective August 15, 2005, for a term expiring on January 1, 2007.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Elections, reported March 13, 2006, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Elections, reported March 13, 2006, the Senate, having given its advice, do now consent to and confirm the appointment of:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

Sven A. Wehrwein, 4877 E. Lake Harriet Pkwy., Minneapolis, Hennepin County, effective May 9, 2005, for a term expiring on January 5, 2009.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Elections, reported March 15, 2006, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Elections, reported March 15, 2006, the Senate, having given its advice, do now consent to and confirm the appointment of:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

Scott B. Heintzeman, 4610 Polaris Ln., Plymouth, Hennepin County, effective February 15, 2006, for a term expiring on January 4, 2010.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Scheid moved that S.F. No. 3176 be withdrawn from the Committee on State and Local Government Operations and re-referred to the Committee on Jobs, Energy and Community Development. The motion prevailed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Natural Resources, reported April 7, 2005, pertaining to appointments, be taken from the table. The motion prevailed.

Senator Marty moved that the foregoing report be now adopted. The motion prevailed.

Senator Marty moved that in accordance with the report from the Committee on Environment and Natural Resources, reported April 7, 2005, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA ENVIRONMENTAL QUALITY BOARD

Brenda Elmer, 4033 - 2 1/2 St. S., Moorhead, Clay County, effective February 10, 2005, for a term expiring on January 5, 2009.

The motion prevailed. So the appointment was confirmed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Hann, Pariseau, Larson and Wiger introduced—

S.F. No. 3303: A bill for an act relating to elections; providing that the secretary of state shall distribute application for ballots to be cast pursuant to sections 203B.15 to 203B.31 in conformity with the Uniformed and Overseas Citizens Voter Act; appropriating money; amending Minnesota Statutes 2004, sections 203B.17; 203B.18; 203B.19.

Referred to the Committee on Elections.

Senator Marko introduced—

S.F. No. 3304: A bill for an act relating to state government; regulating the Campaign Finance and Public Disclosure Board; modifying membership requirements and staffing authority; appropriating money; amending Minnesota Statutes 2004, section 10A.02, subdivisions 1, 5.

Referred to the Committee on Elections.

Senators Anderson and Higgins introduced—

S.F. No. 3305: A bill for an act relating to natural resources; modifying prior appropriations; amending Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 10.

Referred to the Committee on Finance.

Senators Jungbauer, Koch and Bachmann introduced—

S.F. No. 3306: A bill for an act relating to funeral and memorial services; prohibiting the disruption of a funeral, memorial service, or a funeral procession; providing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Senators Ranum, Sams, Foley, Rosen and Koering introduced—

S.F. No. 3307: A bill for an act relating to human services; modifying chemical use assessments; imposing duties on the commissioner of human services related to chemical health; proposing coding for new law in Minnesota Statutes, chapter 254A.

Referred to the Committee on Health and Family Security.

Senators Frederickson, Vickerman, Rosen, Dille and Sams introduced—

S.F. No. 3308: A bill for an act relating to energy; providing tax refunds to electric utilities that transition to soy-based transformer fluid; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216B.

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

Senators Frederickson, Pogemiller, Sams, Rosen and Dille introduced—

S.F. No. 3309: A bill for an act relating to taxation; modifying native prairie taxation provisions; amending Minnesota Statutes 2004, sections 272.02, subdivision 12; 273.13, subdivision 23.

Referred to the Committee on Taxes.

Senators Larson, Ruud and Kiscaden introduced—

S.F. No. 3310: A bill for an act relating to occupations; reestablishing the boxing commission; appropriating money.

Referred to the Committee on State and Local Government Operations.

Senators Tomassoni, Belanger, Bakk, Metzen and Murphy introduced—

S.F. No. 3311: A bill for an act relating to taxes; equalizing the health impact fee and excise tax on other tobacco products; clarifying the application of the tobacco use health impact fee on other tobacco products; amending Minnesota Statutes 2004, section 297F.05, subdivisions 3, 4; Minnesota Statutes 2005 Supplement, section 256.9658, subdivision 3.

Referred to the Committee on Taxes.

Senators Bakk and Saxhaug introduced—

S.F. No. 3312: A bill for an act relating to capital improvements; appropriating money to replace and upgrade state forest roads and bridges; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Kubly, Vickerman, Frederickson, Wergin and Nienow introduced—

S.F. No. 3313: A bill for an act relating to taxation; providing an income and corporation franchise tax credit for qualifying investment in dairy operations; amending Minnesota Statutes 2004, section 290.06, by adding a subdivision.

Referred to the Committee on Finance.

Senators Vickerman, Frederickson, Anderson, Kubly and Rosen introduced—

S.F. No. 3314: A bill for an act relating to agriculture; creating a soy-based transformer fluid conversion allowance program; appropriating money.

Referred to the Committee on Finance.

Senator Foley introduced—

S.F. No. 3315: A bill for an act relating to human services; reducing county liability for reimbursement of cost of care treatment; appropriating money; amending Minnesota Statutes 2004, section 246.54, subdivision 1; Minnesota Statutes 2005 Supplement, section 256B.19, subdivision 1.

Referred to the Committee on Health and Family Security.

Senators Chaudhary, Frederickson, Dille, Dibble and Hottinger introduced—

S.F. No. 3316: A bill for an act relating to water; requiring reports by drainage authorities to the Board of Water and Soil Resources; creating a work group; proposing coding for new law in Minnesota Statutes, chapter 103E.

Referred to the Committee on Environment and Natural Resources.

Senators Michel, Larson, Ruud, Koering and Kierlin introduced—

S.F. No. 3317: A bill for an act relating to appropriations; appropriating and transferring money and supplementing or reducing appropriations for various state agencies, programs, or activities; establishing, regulating, or modifying certain programs or activities; requiring studies and reports; providing penalties; amending Minnesota Statutes 2004, sections 3.737, subdivision 1; 3.7371, subdivision 3; 43A.316, subdivisions 1, 2, 3, 4, 5, 10, by adding subdivisions; 115A.908, subdivision 2; 135A.031, subdivision 7; 135A.034, subdivision 1; 135A.053, subdivision 2; 136A.101, subdivisions 4, 8; 136A.15, subdivisions 6, 9, by adding a subdivision; 136A.16, by adding a subdivision; 136A.162; 136A.1701, subdivisions 4, 7, by adding a subdivision; 136A.233, subdivision 3; 137.17, subdivisions 1, 3; 296A.18, subdivision 4; 326.105; 446A.12, subdivision 1; Minnesota Statutes 2005 Supplement, sections 16A.724, subdivision 2; 115C.09, subdivision 3j; 136A.1701, subdivision 12; Laws 2005, chapter 136, article 1, sections 10; 13, subdivision 3; Laws 2003, First Special Session chapter 18, article 1, section 2; Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 116J; 136A; 144; 341; 446A; repealing Minnesota Statutes 2004, sections 17.10; 135A.01; 135A.031, subdivisions 1, 2, 5, 6; 135A.032; 135A.033; 136A.15, subdivision 5; 136A.1702; 137.17, subdivisions 2, 4; Minnesota Statutes 2005 Supplement, section 135A.031, subdivisions 3, 4; Minnesota Rules, parts 4850.0011, subparts 9, 10, 27; 4850.0014, subpart 1.

Referred to the Committee on Finance.

Senators Sams and Solon introduced–

S.F. No. 3318: A bill for an act relating to human services; requiring quarterly resident assessments; modifying case mix indices for nursing facility reimbursement; providing certain facilities with rate adjustments; amending Minnesota Statutes 2004, sections 144.0724, subdivision 4; 256B.438, subdivision 4, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Scheid, Jungbauer, Limmer, Kubly and Dibble introduced–

S.F. No. 3319: A bill for an act relating to building officials; requiring competency criteria; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Senators Pogemiller and Moua introduced–

S.F. No. 3320: 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 2004, section 473.39, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Marko introduced–

S.F. No. 3321: A bill for an act relating to public safety; appropriating money to secure federal matching grants necessary to repair the Hastings hydroelectric plant.

Referred to the Committee on Finance.

Senators Berglin, Sams, Lourey, LeClair and Frederickson introduced–

S.F. No. 3322: A bill for an act relating to human services; establishing a reverse mortgage incentive program; establishing eligibility standards, benefits, and other requirements; appropriating money; amending Minnesota Statutes 2004, sections 47.58, subdivision 8; 256.01, by adding a subdivision; 256.975, subdivision 7; 256B.0911, subdivision 3a; 256B.0913, by adding a subdivision; 462A.05, by adding subdivisions; Minnesota Statutes 2005 Supplement, sections 256B.0911, subdivision 1a; 287.04.

Referred to the Committee on Health and Family Security.

Senators Olson, Jungbauer and Bakk introduced–

S.F. No. 3323: A bill for an act relating to natural resources; modifying provisions relating to permits for aquatic plants; amending Minnesota Statutes 2004, section 103G.615, subdivision 3, by adding subdivisions.

Referred to the Committee on Environment and Natural Resources.

Senators Saxhaug, Pariseau and Bakk introduced–

S.F. No. 3324: A bill for an act relating to natural resources; appropriating money for the Minnesota Shooting Sports Education Center.

Referred to the Committee on Finance.

Senator Chaudhary introduced—

S.F. No. 3325: A bill for an act relating to capital improvements; appropriating money for the development of the Silver Lake Special Recreation Feature; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Belanger and Limmer introduced—

S.F. No. 3326: A bill for an act relating to taxation; conforming certain provisions to changes in the Internal Revenue Code; providing an income and corporate franchise tax credit for investments in dairy operations; providing an income tax credit for qualified citizenship expenditures; accelerating the sales-only apportionment phase-in; conforming to federal income tax marriage penalty relief; providing a subtraction from federal taxable income for military pensions; providing a sales tax refund for certain resort expenditures; imposing levy limits for taxes payable in 2007; amending Minnesota Statutes 2004, sections 275.70, by adding a subdivision; 275.71, subdivisions 2, 4, 5; 275.74, subdivision 2; 290.06, by adding a subdivision; 297A.71, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 275.70, subdivision 5; 289A.02, subdivision 7; 290.01, subdivisions 19, 19a, 19b, 31; 290.06, subdivision 2c; 290.0675, subdivision 1; 290.091, subdivision 2; 290.191, subdivision 2; 290A.03, subdivision 15; 291.005, subdivision 1; 297A.75, subdivisions 1, 2, 3; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Dibble, Ortman, Senjem and Rest introduced—

S.F. No. 3327: A bill for an act relating to transportation; governing contents of impounded vehicles; amending Minnesota Statutes 2004, sections 168B.06, subdivision 1; 168B.07, by adding subdivisions.

Referred to the Committee on Transportation.

Senators Ortman, Skoe and Bakk introduced—

S.F. No. 3328: A bill for an act relating to taxation; providing that the aggregate tax is not imposed at certain sites; amending Minnesota Statutes 2004, section 298.75, subdivision 1.

Referred to the Committee on Taxes.

Senators Berglin, Lourey, Frederickson and Koering introduced—

S.F. No. 3329: A bill for an act relating to human services; providing medical assistance coverage for certified psychiatric nurse practitioners; amending Minnesota Statutes 2004, section 256B.0625, subdivision 28.

Referred to the Committee on Health and Family Security.

Senators Ranum, Neuville and Gerlach introduced—

S.F. No. 3330: A bill for an act relating to judiciary; appropriating money for the Board on Judicial Standards.

Referred to the Committee on Finance.

Senator Sparks introduced–

S.F. No. 3331: A bill for an act relating to commerce; modifying provisions relating to petroleum fund compensation for transport vehicles; appropriating money; amending Minnesota Statutes 2005 Supplement, section 115C.09, subdivision 3j.

Referred to the Committee on Commerce.

Senator Rest introduced–

S.F. No. 3332: A bill for an act relating to taxation; delaying the final designation of the international economic development zone and the beginning of zone duration; changing corresponding dates relating to tax incentives; authorizing political subdivisions to apply for foreign trade zone powers; extending the period that appropriation for funding certain grants to qualifying business is available; amending Minnesota Statutes 2005 Supplement, sections 272.02, subdivision 83; 290.0922, subdivisions 2, 3; 297A.68, subdivision 41; 469.322; 469.323, subdivision 2; 469.327; Laws 2005, First Special Session chapter 3, article 10, section 23; proposing coding for new law in Minnesota Statutes, chapter 469.

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

Senators Dille, Skoe, Vickerman, Hann and Murphy introduced–

S.F. No. 3333: A bill for an act relating to military affairs; authorizing National Guard employees to carry certain weapons; amending Minnesota Statutes 2004, sections 609.67, subdivisions 3, 5; 626.88, subdivision 1.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Wergin, Sams, Dille and Murphy introduced–

S.F. No. 3334: A bill for an act relating to agriculture; changing certain food law provisions; amending Minnesota Statutes 2004, sections 25.33, subdivision 11; 25.39, subdivisions 2, 3; 25.40; 25.41, subdivisions 1, 2, 4, 7, by adding a subdivision; 25.42, subdivision 1.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Nienow, Hann, Dille, Jungbauer and Vickerman introduced–

S.F. No. 3335: A bill for an act relating to government employees; changing the definition of essential employees; amending Minnesota Statutes 2005 Supplement, section 179A.03, subdivision 7.

Referred to the Committee on State and Local Government Operations.

Senator Sams introduced–

S.F. No. 3336: A bill for an act relating to natural resources; modifying areas marked as canoe and boating routes; appropriating money; amending Minnesota Statutes 2004, section 85.32, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Sams introduced–

S.F. No. 3337: A bill for an act relating to human services; modifying crib safety requirements;

amending Minnesota Statutes 2005 Supplement, section 245A.146, subdivision 3.

Referred to the Committee on Health and Family Security.

Senators Sams, Vickerman and Frederickson introduced—

S.F. No. 3338: A bill for an act relating to natural resources; appropriating money for the Legislative Commission on Minnesota Resources or its successor.

Referred to the Committee on Finance.

Senators Jungbauer and Bakk introduced—

S.F. No. 3339: A bill for an act relating to the environment; modifying provisions for individual sewage treatment systems; appropriating money; amending Minnesota Statutes 2004, section 115.55, subdivisions 1, 2, 3, 6, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Cohen introduced—

S.F. No. 3340: A bill for an act relating to taxes; income; allowing a subtraction for members of the foreign service; amending Minnesota Statutes 2005 Supplement, sections 290.01, subdivision 19b; 290.091, subdivision 2.

Referred to the Committee on Taxes.

Senator Cohen introduced—

S.F. No. 3341: A bill for an act relating to public safety; increasing reimbursement for local bomb squads for out-of-area calls for assistance; appropriating money.

Referred to the Committee on Finance.

Senators Hottinger, Lourey and Nienow introduced—

S.F. No. 3342: A bill for an act relating to health; providing for clinical trial registration; providing civil penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Family Security.

Senator LeClair introduced—

S.F. No. 3343: A bill for an act relating to public safety; criminalizing the displaying of simulated explosive devices in certain circumstances; amending Minnesota Statutes 2004, section 609.713, subdivision 3.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Scheid, Limmer, Nienow and Hann introduced—

S.F. No. 3344: A bill for an act relating to data practices; modifying the manner of obtaining parental consent to genetic testing of children; providing for parental direction to destroy testing results; requiring legislative authorization to revise the kinds of tests to be administered; amending Minnesota Statutes 2004, sections 144.125, subdivisions 2, 3, by adding a subdivision; 144.128.

Referred to the Committee on Judiciary.

Senators Murphy and Vickerman introduced—

S.F. No. 3345: A bill for an act relating to nursery stock; providing for improved consumer education at the point of retail sale; requiring a report to the legislature.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Berglin introduced—

S.F. No. 3346: A bill for an act relating to human services; modifying the food stamp asset limit; proposing coding for new law in Minnesota Statutes, chapters 256; 256D.

Referred to the Committee on Finance.

Senators Gerlach, McGinn, Belanger, Pariseau and Bakk introduced—

S.F. No. 3347: A bill for an act relating to employment; regulating eligibility for unemployment and dislocated worker benefits.

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

Senator Ruud introduced—

S.F. No. 3348: A bill for an act relating to natural resources; modifying provisions for youth operation of all-terrain vehicles; amending Minnesota Statutes 2005 Supplement, section 84.9256, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senator Ranum introduced—

S.F. No. 3349: A bill for an act relating to domestic abuse; providing for enforcement of foreign protective orders; amending Minnesota Statutes 2004, section 518B.01, by adding a subdivision.

Referred to the Committee on Judiciary.

Senator Kierlin introduced—

S.F. No. 3350: A bill for an act relating to capital improvements; appropriating money for projects at Winona State University; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Hottinger introduced—

S.F. No. 3351: A bill for an act relating to elections; campaign finance; providing contribution limits for judicial candidates; amending Minnesota Statutes 2005 Supplement, section 10A.27, subdivision 1.

Referred to the Committee on Elections.

Senator Higgins introduced–

S.F. No. 3352: A bill for an act relating to human services; providing medical assistance coverage for certain lead risk assessments; amending Minnesota Statutes 2004, sections 144.9507, by adding a subdivision; 256B.0625, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Ranum, McGinn, Berglin, Betzold and Ortman introduced–

S.F. No. 3353: A bill for an act relating to public safety; authorizing a grant for mentoring children of incarcerated parents; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Crime Prevention and Public Safety.

Senator Wiger introduced–

S.F. No. 3354: A bill for an act relating to taxation; property; advancing the date for mailing out the property tax statements; amending Minnesota Statutes 2004, section 276.04, subdivision 3.

Referred to the Committee on Taxes.

Senators Lourey, Kiscaden, Dille, Foley and Higgins introduced–

S.F. No. 3355: A bill for an act relating to health; modifying the definition of governmental unit; amending Minnesota Statutes 2004, section 145.925, by adding a subdivision.

Referred to the Committee on Health and Family Security.

Senators Olson and Hann introduced–

S.F. No. 3356: A bill for an act relating to education; no longer requiring school superintendents to report certain basic skills data to the education commissioner; amending Minnesota Statutes 2004, section 123B.143, subdivision 1.

Referred to the Committee on Education.

Senators Hann and Olson introduced–

S.F. No. 3357: A bill for an act relating to education; eliminating staff development program; modifying revenue for staff development; making conforming cross-reference changes; amending Minnesota Statutes 2004, sections 122A.40, subdivision 7a; 122A.41, subdivision 4a; 122A.61, subdivision 1; 126C.15, subdivision 1; Minnesota Statutes 2005 Supplement, sections 120B.11, subdivision 5; 122A.413, subdivision 2; 122A.414, subdivisions 1a, 2; repealing Minnesota Statutes 2004, sections 122A.60, subdivisions 2, 3; 122A.61, subdivision 2; Minnesota Statutes 2005 Supplement, section 122A.60, subdivisions 1, 1a, 4.

Referred to the Committee on Education.

Senator Bachmann introduced–

S.F. No. 3358: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the acquisition of undeveloped land from the St. Paul Board of Water Commissioners by the city of Centerville for lake access preservation.

Referred to the Committee on Finance.

Senators Senjem and Michel introduced—

S.F. No. 3359: A bill for an act relating to public employees; modifying public employee insurance provisions; appropriating money; amending Minnesota Statutes 2004, section 43A.316, subdivisions 1, 2, 3, 4, 5, 10, by adding subdivisions.

Referred to the Committee on State and Local Government Operations.

Senators Wiger and Vickerman introduced—

S.F. No. 3360: A bill for an act relating to elections; regulating interpreter services; modifying the requirements for communicatively impaired individuals; amending Minnesota Statutes 2004, section 202A.155.

Referred to the Committee on Elections.

Senator Wiger introduced—

S.F. No. 3361: A bill for an act relating to elections; eliminating the requirement to provide interpreter assistance to deaf voters; amending Minnesota Statutes 2004, section 204C.15, subdivision 1.

Referred to the Committee on Elections.

Senator Higgins introduced—

S.F. No. 3362: A bill for an act relating to watershed districts; setting the requirements for request by residents of a watershed district for an audit of a watershed district by the state auditor; amending Minnesota Statutes 2004, section 103D.355, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senator Higgins introduced—

S.F. No. 3363: A bill for an act relating to elections; regulating township elections and absentee balloting; requiring that a town clerk maintain office hours on the day before a town election; amending Minnesota Statutes 2004, section 203B.085.

Referred to the Committee on Elections.

Senator Higgins introduced—

S.F. No. 3364: A bill for an act relating to elections; moving the state primary from September to August and making conforming changes; amending Minnesota Statutes 2004, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 204B.33; 204D.03, subdivision 1; 205.065, subdivision 1; 205A.03, subdivision 2.

Referred to the Committee on Elections.

Senators Chaudhary and Marty introduced—

S.F. No. 3365: A bill for an act relating to natural resources; providing for abandonment of public drainage systems in the seven-county metropolitan area; amending Minnesota Statutes 2004,

section 103E.811, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators Hann, Olson and Michel introduced—

S.F. No. 3366: A bill for an act relating to education; authorizing charter schools to lease or purchase district buildings; authorizing use of state money to purchase land and buildings; amending Minnesota Statutes 2004, sections 123B.51, subdivision 5; 124D.10, subdivision 17; 124D.11, subdivision 7.

Referred to the Committee on Education.

Senators Hann, Olson and Michel introduced—

S.F. No. 3367: A bill for an act relating to education; eliminating teacher majority requirement on board of directors; extending admission preference to children of teachers, staff, and board members; extending conflict of interest provisions to nonprofit entities; authorizing use of state money to purchase land and buildings; amending Minnesota Statutes 2004, sections 124D.10, subdivisions 4a, 9, 23a; 124D.11, subdivision 7; Minnesota Statutes 2005 Supplement, section 124D.10, subdivision 4.

Referred to the Committee on Education.

Senator Kubly introduced—

S.F. No. 3368: A bill for an act relating to agriculture; appropriating money for a grant to Second Harvest food banks for the purchase of milk.

Referred to the Committee on Finance.

Senator Kubly introduced—

S.F. No. 3369: A bill for an act relating to public safety; requiring peace officers to renew their first responder certification once every four years; proposing coding for new law in Minnesota Statutes, chapter 626.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Robling, Dibble, Tomassoni, Metzen and Solon introduced—

S.F. No. 3370: A bill for an act relating to taxes; extending the eligibility period for the commencement of construction of small biomass electric generation facilities that qualify for property tax exemptions; amending Minnesota Statutes 2004, section 272.02, subdivision 54.

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

Senators Scheid, Wergin, Fischbach and Wiger introduced—

S.F. No. 3371: A bill for an act relating to education; appropriating money to evaluate student assessment and achievement.

Referred to the Committee on Finance.

Senator Dille introduced—

S.F. No. 3372: A bill for an act relating to the environment; appropriating money for the Cedar Mills wastewater treatment system.

Referred to the Committee on Finance.

Senator Higgins introduced—

S.F. No. 3373: A bill for an act relating to health; requiring coverage for, or provision of language interpreter services for, health plan and medical assistance enrollees; amending Minnesota Statutes 2004, section 256B.0625, subdivision 18a; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Family Security.

Senators Ranum and Neuville introduced—

S.F. No. 3374: A bill for an act relating to driving while impaired; creating a felony penalty for impaired driving following a prior conviction for criminal vehicular homicide involving impaired driving; amending Minnesota Statutes 2004, section 169A.24, subdivision 1.

Referred to the Committee on Crime Prevention and Public Safety.

Senators Chaudhary, Murphy, Skoglund and Ortman introduced—

S.F. No. 3375: A bill for an act relating to privacy; prohibiting bulk distribution of personal information in driver's license and motor vehicle records; requiring consent for Internet or electronic access to records; specifying system security requirements; prohibiting further use or release of records; establishing fees; providing for remedies and imposing civil fines; establishing the public safety and financial crimes account; appropriating money; amending Minnesota Statutes 2004, section 13.6905, subdivision 10; Minnesota Statutes 2005 Supplement, sections 13.6905, subdivision 3; 168.346, subdivision 1; 171.12, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Transportation.

Senator Berglin introduced—

S.F. No. 3376: A bill for an act relating to human services; limiting the use of prior authorization under medical assistance program for certain prescription drugs; amending Minnesota Statutes 2005 Supplement, section 256B.0625, subdivision 13f.

Referred to the Committee on Health and Family Security.

Senator Pappas introduced—

S.F. No. 3377: A bill for an act relating to capital investment; appropriating money for purposes relating to restoration of the State Capitol Building and the Ford Building; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Marty introduced—

S.F. No. 3378: A bill for an act relating to natural resources; repealing a policy provision relating

to the operation of off-highway vehicles in state forests north of U.S. Highway 2 that was inserted into a finance bill during special session; repealing Laws 2005, First Special Session chapter 1, article 2, section 152.

Referred to the Committee on Environment and Natural Resources.

Senator Pappas introduced—

S.F. No. 3379: A bill for an act relating to consumer protection; prohibiting Bisphenol-A and Phthalates in products for young children; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce.

Senator Pappas introduced—

S.F. No. 3380: A bill for an act relating to insurance; requiring mental health parity in group disability income insurance; amending Minnesota Statutes 2004, section 72A.20, by adding a subdivision.

Referred to the Committee on Commerce.

Senator LeClair introduced—

S.F. No. 3381: A bill for an act relating to insurance; health; regulating loss ratios; regulating small employer coverages; establish a state match for certain health savings plans; appropriating money; amending Minnesota Statutes 2004, sections 62A.02, subdivision 3, by adding a subdivision; 62A.021, subdivision 1; 62L.03, subdivision 3; 290.0672, subdivision 1; Minnesota Statutes 2005 Supplement, section 62L.12, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 62Q; repealing Minnesota Statutes 2004, section 62E.11, subdivisions 9, 10.

Referred to the Committee on Health and Family Security.

Senator Fischbach introduced—

S.F. No. 3382: A bill for an act relating to waters; modifying provisions for watershed districts; providing for election of managers; amending Minnesota Statutes 2004, section 103D.271, subdivision 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103D; repealing Minnesota Statutes 2004, sections 103D.271, subdivision 6; 103D.301; 103D.305; 103D.311; 103D.315, subdivisions 6, 7; Minnesota Statutes 2005 Supplement, section 103D.315, subdivision 8.

Referred to the Committee on Environment and Natural Resources.

Senator Dibble introduced—

S.F. No. 3383: A bill for an act relating to school transportation; amending the reporting requirements for school transportation services contracts; modifying the taxation of school buses of contract carriers that do not comply with the requirements; amending Minnesota Statutes 2004, sections 123B.88, subdivision 3; 168.013, subdivision 18.

Referred to the Committee on Education.

Senators Pogemiller, Stumpf and Hottinger introduced–

S.F. No. 3384: A bill for an act relating to early childhood; establishing an allowance for early childhood learning preparedness and enrichment expenses; reducing class sizes for K-3 to meet the statutory state standard; creating a fourth individual income tax bracket and increasing the rate of taxes on that income, subject to reduction if the tax compliance gap is reduced; adjusting the income limits for the education credit; appropriating money; amending Minnesota Statutes 2004, sections 126C.05, subdivision 1; 126C.12, subdivision 1; 290.06, subdivision 2d; Minnesota Statutes 2005 Supplement, sections 290.06, subdivision 2c; 290.0674, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Finance.

Senator Berglin introduced–

S.F. No. 3385: A bill for an act relating to human services; modifying the scholarship program for employees of home and community-based service providers; amending Minnesota Statutes 2005 Supplement, section 256B.0918, subdivisions 1, 3, 4; Laws 2005, First Special Session chapter 4, article 9, section 5, subdivision 8.

Referred to the Committee on Finance.

Senator Neuville introduced–

S.F. No. 3386: A bill for an act relating to family law; clarifying and modifying provisions dealing with the establishment and enforcement of child support and parenting time; amending Minnesota Statutes 2004, sections 518.175, subdivision 1; 518.5513, subdivision 3; Laws 2005, chapter 164, sections 3, subdivision 6; 4; 5; 8, subdivision 5b; 10, subdivision 2; 11, subdivision 7; 14; 15; 16; 17, subdivisions 1, 6; 18, subdivision 2; 20; 22, subdivision 4; 23, subdivisions 1, 2, 4; 24; 25; 26, subdivision 2, as amended; 31; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary.

Senators Clark, Bonoff, Wiger, Koch and Higgins introduced–

S.F. No. 3387: A bill for an act relating to elections; permitting absentee ballots in a special election for Congress or the legislature to be cast in person in any county in the district; prohibiting special elections near national holidays; amending Minnesota Statutes 2004, sections 203B.081; 204D.19, subdivisions 2, 3.

Referred to the Committee on Elections.

Senators Metzen and Tomassoni introduced–

S.F. No. 3388: A bill for an act relating to lawful gambling; modifying certain requirements relating to bar bingo and pull-tab games; amending Minnesota Statutes 2004, section 349.211, subdivision 2a; Minnesota Statutes 2005 Supplement, section 349.17, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 349.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senators Metzen and Tomassoni introduced–

S.F. No. 3389: A bill for an act relating to lawful gambling; authorizing pilot project for sports-themed tipboard games.

Referred to the Committee on Agriculture, Veterans and Gaming.

Senator Nienow introduced—

S.F. No. 3390: A bill for an act relating to state government; providing salary for legislators and the governor be forfeited or delayed upon failure to enact certain budget provisions in a timely manner; proposing coding for new law in Minnesota Statutes, chapter 15A.

Referred to the Committee on Rules and Administration.

Senator Skoe introduced—

S.F. No. 3391: A bill for an act relating to appropriations; appropriating money to the Wild Rice Watershed District for a flood hazard prevention study.

Referred to the Committee on Finance.

Senator Skoe introduced—

S.F. No. 3392: A bill for an act relating to human services; increasing reimbursement rates for critical access dental providers; requiring submittal of budget change requests necessary to maintain reimbursement rates for critical access dental providers; appropriating money; amending Minnesota Statutes 2004, section 256B.76.

Referred to the Committee on Health and Family Security.

Senator Skoe introduced—

S.F. No. 3393: A bill for an act relating to education; directing the Board of Teaching to require additional instruction related to Minnesota American Indian tribes and communities; establishing an advisory task force on Minnesota American Indian tribes and communities and K-12 standards-based reform; amending Minnesota Statutes 2004, section 122A.09, subdivision 4.

Referred to the Committee on Education.

Senator Dille introduced—

S.F. No. 3394: A bill for an act relating to adults-only businesses; requiring notice to be given to a city or county of intent to conduct adults-only businesses in certain circumstances; authorizing cities and counties certain zoning authority as it relates to adults-only businesses; proposing coding for new law in Minnesota Statutes, chapter 617.

Referred to the Committee on State and Local Government Operations.

Senator Kiscaden introduced—

S.F. No. 3395: A bill for an act relating to state government; establishing the Center for Health Care Purchasing Improvement; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 43A.

Referred to the Committee on Health and Family Security.

MEMBERS EXCUSED

Senators Moua and Stumpf were excused from the Session of today.

ADJOURNMENT

Senator Johnson, D.E. moved that the Senate do now adjourn until 8:45 a.m., Wednesday, March 22, 2006. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

