

## THIRTIETH DAY

St. Paul, Minnesota, Thursday, March 15, 2007

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

**CALL OF THE SENATE**

Senator Clark 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. Mark I. Wegener.

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

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

The President declared a quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

March 14, 2007

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The enclosed Notaries Public for 2006 are hereby respectfully submitted to the Senate for

confirmation as required by Article V, Section 3 of the Minnesota Constitution.

Sincerely,  
Tim Pawlenty, Governor

Senator Pogemiller moved that Notaries Public be laid on the table. The motion prevailed.

March 14, 2007

The Honorable Margaret Anderson Kelliher  
Speaker of the House of Representatives

The Honorable James P. Metzen  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2007 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2007	Date Filed 2007
	160	5	11:50 a.m. March 14	March 14

Sincerely,  
Mark Ritchie  
Secretary of State

### MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 736.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 14, 2007

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 230, 448, 539, 1008 and 878.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 14, 2007

**FIRST READING OF HOUSE BILLS**

The following bills were read the first time.

**H.F. No. 230:** A bill for an act relating to crime; amending the predatory offender registration law for other offenses; amending Minnesota Statutes 2006, section 243.167, subdivision 1.

Referred to the Committee on Judiciary.

**H.F. No. 448:** A bill for an act relating to public safety; repealing the program that involved mailed demands that vehicle owners provide verification of auto insurance; repealing Minnesota Statutes 2006, section 169.796, subdivision 3; Laws 2005, First Special Session chapter 6, article 3, section 91.

Referred to the Committee on Transportation.

**H.F. No. 539:** A bill for an act relating to highways; authorizing changes to trunk highway system; amending Minnesota Statutes 2006, section 161.115, subdivision 76; repealing Minnesota Statutes 2006, section 161.115, subdivision 193.

Referred to the Committee on Transportation.

**H.F. No. 1008:** A bill for an act relating to public safety; changing certain background check requirements; amending Minnesota Statutes 2006, section 260C.209, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 985.

**H.F. No. 878:** A bill for an act relating to agriculture; authorizing the commissioner of agriculture to serve as a consultant to the Board of Animal Health; amending Minnesota Statutes 2006, section 35.02, subdivision 1.

Referred to the Committee on Agriculture and Veterans.

**REPORTS OF COMMITTEES**

Senator Pogemiller moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 1085. The motion prevailed.

**Senator Chaudhary from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 1085:** A bill for an act relating to health and the environment; prohibiting the sale of certain mercury-containing products; modifying restrictions on the sale, use, and disposal of certain mercury-containing products; requiring certain consumer information; modifying lamp recycling facility operation requirements; providing for mercury reduction at crematoriums; requiring a report; amending Minnesota Statutes 2006, sections 115A.932, subdivision 1; 116.92, subdivisions 3, 7a, by adding subdivisions; 116.93, subdivision 2; 149A.95, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 121A; 325E.

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

Page 4, line 4, delete "mercury-containing" and insert "mercury"

Page 4, line 5, before "relay" insert "mercury"

Page 4, line 21, delete "mercury" and insert "mercury-containing"

Page 5, line 11, delete "product"

Page 5, line 12, delete "product means any" and insert " or "containing mercury" means that the"

Page 5, line 13, delete "that"

Page 5, line 23, before "an" insert "by March 1 each year, beginning in 2008,"

Page 5, after line 25, insert:

"The agency shall specify the format for the report under clause (4) and make the reported information available on the agency's Web site."

Page 6, lines 7 and 8, delete ", store,"

Page 6, after line 10, insert:

"(c) After December 31, 2009, a school shall not:

(1) store elemental mercury for any purpose; and

(2) store an instrument of measurement that contains mercury, including, but not limited to, a thermometer, barometer, sphygmomanometer, or a manometer containing mercury.

(d) This section does not apply to thermostats for heating, ventilation, and air conditioning in the school."

Page 6, delete section 15

Page 7, delete section 17

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete "providing"

Page 1, line 6, delete everything before "amending"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Health, Housing and Family Security.

Senator Koering questioned the reference thereon and, under Rule 21, the bill was referred to the Committee on Rules and Administration.

**Senator Chaudhary from the Committee on Environment and Natural Resources, to which**

**was referred**

**S.F. No. 651:** A bill for an act relating to the environment; restricting the manufacture and sale of certain polybrominated diphenyl ethers; requiring a report; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Page 1, after line 17, insert:

"Subd. 4. **Computer.** "Computer" means an electronic, magnetic, optical, electrochemical, or other high-speed data processing device performing logical, arithmetic, or storage functions, but does not include an automated typewriter or typesetter, a portable hand-held calculator or device, or other similar device."

Page 1, line 18, delete "Subd. 4." and insert "Subd. 5."

Page 1, line 19, delete "such as" and insert "including, but not limited to,"

Page 1, line 20, delete "Subd. 5." and insert "Subd. 6."

Page 2, line 4, delete "Subd. 6." and insert "Subd. 7."

Page 2, line 9, delete "Subd. 7." and insert "Subd. 8."

Page 2, after line 14, insert:

"Subd. 9. **Television.** "Television" means an electronic device that is a cathode-ray tube or flat panel display primarily intended to receive video programming via broadcast, cable, or satellite transmission or video from surveillance or other similar cameras."

Page 2, line 15, delete "Subd. 8." and insert "Subd. 10."

Page 2, line 18, delete "Subd. 9." and insert "Subd. 11."

Page 2, line 28, delete "2010" and insert "2012"

Page 3, line 12, after the second comma, insert "public entity,"

Page 3, line 22, delete "such" and insert "the"

Page 4, line 6, delete the colon

Page 4, delete lines 7 and 8

Page 4, line 9, delete "(2)"

Page 4, line 10, after "ethers" insert ", unless exempted under section 325E.386, subdivision 3, or section 325E.388, subdivision 1"

Page 4, delete subdivision 1 and insert:

"Subdivision 1. **Exemption process.** (a) A manufacturer or user of a product prohibited from manufacture, sale, or distribution under section 325E.386, subdivision 2, who has not received an exemption under section 325E.386, subdivision 3, may apply for an exemption for a specific

use of commercial decabromodiphenyl ether under this section by filing a written request with the commissioner. The commissioner may grant an exemption for a term not to exceed three years. The exemption is renewable upon written request. An initial or renewal request for exemption must include at least the following:

(1) a policy statement articulating upper management support for eliminating or reducing to the maximum feasible extent the use of commercial decabromodiphenyl ether;

(2) a description of the product and the amount of commercial decabromodiphenyl ether distributed for sale and use in the state on an annual basis;

(3) a description of the recycling and disposal system used for the product in the state and an estimate of the amount of product and/or commercial decabromodiphenyl ether recycled or disposed of in the state on an annual basis;

(4) a description of the manufacturer's or user's past and ongoing efforts to eliminate or reduce the amount of commercial decabromodiphenyl ether used in the product;

(5) an assessment of options available to reduce or eliminate the use of commercial decabromodiphenyl ether, including any alternatives that do not contain commercial decabromodiphenyl ether, perform the same technical function, are commercially available, and are economically practicable;

(6) a statement of objectives in numerical terms and a schedule for achieving the elimination of commercial decabromodiphenyl ether and an environmental assessment of alternative products, including, but not limited to, human health, solid waste, hazardous waste, and waste water impacts associated with production, use, recycling, and disposal of the alternatives;

(7) a listing of options considered not to be technically or economically practicable; and

(8) certification of the accuracy of the information contained in the request, signed and dated by an official of the manufacturer or user.

(b) The commissioner may grant an initial or renewal exemption for a specific use of commercial decabromodiphenyl ether, with or without conditions, upon finding that the applicant has demonstrated that there is no alternative that performs the same technical function, is commercially available, is economically practicable, and provides net health and environmental benefits to the state."

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

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

**S.F. No. 1014:** A bill for an act relating to children's environmental health; modifying the lead abatement program; appropriating money; amending Minnesota Statutes 2006, section 144.9512.

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

Page 1, line 18, delete the new language

Page 2, line 7, reinstate "Interested eligible organizations may apply to the"

Page 2, line 8, reinstate "commissioner for grants under this section."

Page 6, line 24, delete "operating"

Page 6, line 25, delete "the CLEARCorps" and insert "that receives AmeriCorps designation for" and delete "project"

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

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

**S.F. No. 276:** A bill for an act relating to insurance; creating a statewide health insurance pool for school district employees; appropriating money; amending Minnesota Statutes 2006, sections 13.203; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 5; 297I.05, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Page 2, line 15, after the period, insert "No eligible employer is liable for the debts, liabilities, or obligations of this public corporation."

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

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

**S.F. No. 1015:** A bill for an act relating to children's environmental health; allowing filter paper testing for blood lead levels; lowering the blood lead level threshold for reporting and risk assessments; prohibiting the sale of children's items containing lead; requiring medical assistance coverage to cover environmental investigations for children with elevated blood lead levels; and requiring landlords to know and disclose whether their properties contain lead hazards; amending Minnesota Statutes 2006, sections 144.9501, by adding a subdivision; 144.9502, subdivisions 3, 4, 8; 144.9503, subdivision 2; 144.9504, subdivision 2; 144.9507, by adding a subdivision; 256B.0625, subdivision 14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 325E; 504B.

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

Page 6, after line 34, insert:

"Sec. 8. **[144.9513] WINDOW REPLACEMENT PROGRAM.**

Subdivision 1. **Account establishment.** The commissioner of finance shall establish and implement a revolving account in the state government special revenue fund to provide loans to property owners to assist in the cost of replacing lead painted windows.

Subd. 2. **Eligibility.** (a) To be eligible for a loan under this program, an applicant must own the

property and the property must:

- (1) have been built prior to 1960;
- (2) contain wooden frame interior windows with lead-based paint; and
- (3) have no more than four units.

(b) Loans obtained through the program must be used for window replacement, including installation, cavity insulation, and frame repairs. Replacement windows must have a U rating from the National Fenestration Rating Council no greater than 35 and must be purchased from a Minnesota-based manufacturer.

Subd. 3. **Application.** An applicant must submit a loan application to the commissioner of health on forms prescribed by the commissioner. The application must include, at the minimum:

- (1) the amount of the loan requested with a description of the replacement project;
- (2) a legal description of the property; and
- (3) a signed contract with a certified contractor for window replacement.

Subd. 4. **Duties of local agencies.** The commissioner of health shall designate local administrative agencies, including, but not limited to, community action partnership agencies, tribal, city or county housing agencies, and nonprofit organizations to be responsible for:

- (1) qualifying properties as eligible for the program;
- (2) filing a lien on each property receiving a loan through the program;
- (3) certifying installation contractors; and
- (4) conducting program outreach to eligible property owners, with priority given to properties where young children reside.

Subd. 5. **Loans.** (a) The commissioner of health shall make a no-interest loan to property owners who are eligible under subdivision 2. Priority shall be given to properties where young children reside on a first-come basis provided that the property owner complies with this section. The total accumulative loan principal must not exceed \$..... per loan.

(b) The commissioner may prescribe forms and establish an application process and may impose an administrative fee not to exceed ten percent of the amount of the loan to cover the cost of administering the loan program.

(c) The borrower must begin repaying the principal no later than two years from the date of the loan. Loans must be amortized no later than 15 years from the date of the loan.

(d) The principal becomes due upon the sale of the property or upon the refinancing of the current mortgage on the property.

(e) Repayments must be credited to the account."



Page 8, line 7, delete "medical assistance" and insert "Medicaid"

Page 8, line 8, delete "statewide"

Page 8, line 13, delete the comma

Page 8, line 14, delete "except as allowed for Indian tribes under federal law"

Page 9, delete section 12

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 4, delete "prohibiting the sale of children's items containing lead;"

Page 1, line 6, delete everything after the semicolon

Page 1, line 7, delete everything before "amending"

Amend the title numbers accordingly

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

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

**S.F. No. 1387:** A bill for an act relating to human services; allowing incarcerated individuals remain eligible for medical assistance until conviction; amending Minnesota Statutes 2006, section 256B.055, subdivision 14.

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

Page 1, line 17, delete "until the individual is convicted"

Page 1, line 23, strike "medical assistance" and insert "federal funds under the Medicaid program"

Page 1, after line 23, insert:

"Sec. 2. **FEDERAL WAIVER.**

The commissioner of human services shall request a federal waiver to implement Minnesota Statutes, section 256B.055, subdivision 14, paragraph (b).

**EFFECTIVE DATE.** This section is effective July 1, 2007, or upon federal approval, whichever is later."

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

**Senator Prettner Solon from the Committee on Energy, Utilities, Technology and Communications, to which was referred**

**S.F. No. 1490:** A bill for an act relating to property tax; exempting personal property of a proposed electric generation peaking plant; amending Minnesota Statutes 2006, section 272.02, by adding a subdivision.

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

**Senator Prettner Solon from the Committee on Energy, Utilities, Technology and Communications, to which was referred**

**S.F. No. 252:** A bill for an act relating to energy; designating Elk River as Minnesota's energy city; proposing coding for new law in Minnesota Statutes, chapter 1.

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

**Senator Prettner Solon from the Committee on Energy, Utilities, Technology and Communications, to which was referred**

**S.F. No. 1019:** A bill for an act relating to utilities; making technical change relating to ex parte rules of Public Utilities Commission; amending Minnesota Statutes 2006, section 216A.037, subdivision 1.

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

Page 1, line 11, reinstate the stricken "participant" and before "party" insert "or"

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

**Senator Prettner Solon from the Committee on Energy, Utilities, Technology and Communications, to which was referred**

**S.F. No. 1294:** A bill for an act relating to utilities; authorizing electronic filing with Public Utilities Commission; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 216.15; 216.17; 216.18; 216B.18; 216B.26; 216B.33; 216B.62, subdivisions 3, 4, 6; 216B.63; 216E.07; 237.295.

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

Page 3, after line 4, insert:

"Sec. 5. Minnesota Statutes 2006, section 216B.241, is amended by adding a subdivision to read:

Subd. 1e. **Manner of filing and service.** (a) A public utility, generation and transmission cooperative electric association, municipal power agency, cooperative electric association, and municipal utility shall submit filings to the department via the department's electronic filing system. The commissioner may approve an exemption from this requirement in the event an affected utility or association is unable to submit filings via the department's electronic filing system. All other interested parties shall submit filings to the department via the department's electronic filing system whenever practicable but may also file by personal delivery or by mail.

(b) Submission of a document to the department's electronic filing system constitutes service on the department. Where department rule requires service of a notice, order, or other document by the department, utility, association, or interested party upon persons on a service list maintained by the department, service may be made by personal delivery, mail, or electronic service, except that electronic service may only be made upon persons on the service list who have previously agreed in writing to accept electronic service at an electronic address provided to the department for electronic service purposes.

**EFFECTIVE DATE.** The electronic filing requirement of paragraph (a) is effective January 1, 2008."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be placed on the Consent Calendar. Amendments adopted. Report adopted.

**Senator Moua from the Committee on Judiciary, to which was re-referred**

**S.F. No. 1103:** A bill for an act relating to employment; requiring independent contractor exemption certificates; providing penalties; authorizing notice to the commissioners of revenue and employment and economic development; requiring the commissioner of revenue to review certifications of independent contractor status; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 181; repealing Minnesota Statutes 2006, section 181.722.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2006, section 13.7905, is amended by adding a subdivision to read:

Subd. 4a. **Independent contractor exemption certificates.** Section 181.723, subdivision 15, governs data related to independent contractor exemption certificates.

**EFFECTIVE DATE.** This section is effective June 1, 2008."

Page 5, line 34, after "(5)" insert "subject to paragraph (c),"

Page 7, delete subdivision 15 and insert:

"Subd. 15. **Data.** Data in applications for an independent contractor exemption certificate and any required documentation submitted to the commissioner are private data on individuals as defined in section 13.02. Data in exemption certificates issued by the commissioner are public data. Data that document a revocation or cancellation of an exemption certificate are public data. Upon request of the Department of Revenue or the Department of Employment and Economic Development, the commissioner may release to the requesting department data classified as private under this subdivision or investigative data that are not public under section 13.39 that relate to the issuance or denial of applications or revocations of certificates."

Renumber the sections in sequence

Amend the title numbers accordingly

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

**Senator Moua from the Committee on Judiciary, to which was re-referred**

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

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

Page 1, line 11, delete "\$30,000" and insert "\$25,000"

Page 2, after line 7, insert:

"(d) The database must include information on grants and contracts entered into beginning with fiscal year 2008 funds, and must retain that data for ten years."

Page 2, line 12, delete everything after "2008"

Page 2, line 13, delete everything before the period

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

**Senator Moua from the Committee on Judiciary, to which was re-referred**

**S.F. No. 1539:** A bill for an act relating to state government; establishing a grants management process, governance, and structure; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 13; 16B.

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

Page 1, line 11, delete "means the document that details the responsibilities of the"

Page 1, line 12, delete everything before the period and insert "has the meaning given in section 16B.97, subdivision 1"

Page 1, line 14, before "government" and insert "state"

Page 5, line 32, delete "expressed or implied"

Page 6, line 2, after the period, insert "If a grant agreement does not include an express audit clause, the audit authority under this subdivision is implied."

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

**Senator Moua from the Committee on Judiciary, to which was referred**

**S.F. No. 985:** A bill for an act relating to public safety; changing certain background check

requirements; amending Minnesota Statutes 2006, section 260C.209, subdivision 3.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

**Senator Moua from the Committee on Judiciary, to which was referred**

**S.F. No. 1540:** A bill for an act relating to public safety; adding legislators as nonvoting members of the Gang and Drug Oversight Council; amending Minnesota Statutes 2006, section 299A.641, subdivision 2.

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

Page 2, after line 16, insert:

"Sec. 2. Minnesota Statutes 2006, section 299A.681, subdivision 2, is amended to read:

Subd. 2. **Membership.** The oversight council consists of the following individuals, or their designees:

- (1) the commissioner of public safety;
- (2) the attorney general;
- (3) two chiefs of police, selected by the Minnesota Chiefs of Police Association from police departments that participate in the Minnesota Financial Crimes Task Force;
- (4) two sheriffs, selected by the Minnesota Sheriffs Association from sheriff departments that participate in the task force;
- (5) the United States attorney for the district of Minnesota;
- (6) a county attorney, selected by the Minnesota County Attorneys Association;
- (7) a representative from the United States Postal Inspector's Office, selected by the oversight council;
- (8) a representative from a not-for-profit retail merchants industry, selected by the oversight council;
- (9) a representative from a not-for-profit banking and credit union industry, selected by the oversight council;
- (10) a representative from a not-for-profit association representing senior citizens, selected by the oversight council;
- (11) the statewide commander of the task force;
- (12) a representative from the Board of Public Defense, selected by the board; ~~and~~
- (13) two additional members selected by the oversight council;
- (14) a senator who serves on the committee having jurisdiction over criminal justice policy, chosen by the Subcommittee on Committees of the senate Committee on Rules and Administration;

and

(15) a representative who serves on the committee having jurisdiction over criminal justice policy, chosen by the speaker of the house of representatives.

The oversight council may adopt procedures to govern its conduct and shall select a chair from among its members. The legislative members of the council may not vote on matters before the council.

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

Sec. 3. Minnesota Statutes 2006, section 299A.681, is amended by adding a subdivision to read:

Subd. 13. **Required report.** By February 1 of each year, the oversight council shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding on the activities of the council and task force. At a minimum, this annual report must include:

(1) a description of the council's and task force's goals for the previous year and for the coming year;

(2) a description of the outcomes the council and task force achieved or did not achieve during the preceding year and a description of the outcomes they will seek to achieve during the coming year;

(3) any legislative recommendations the council or task force has including, where necessary, a description of the specific legislation needed to implement the recommendations;

(4) a detailed accounting of how appropriated money, grants, and in-kind contributions were spent; and

(5) a detailed accounting of the grants awarded under this section.

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

Amend the title as follows:

Page 1, line 3, before the semicolon, insert "and the Financial Crimes Oversight Council; requiring annual reports from the Financial Crimes Oversight Council"

Amend the title numbers accordingly

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

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

**S.F. No. 744:** A bill for an act relating to insurance; regulating certain rental vehicle coverage; amending Minnesota Statutes 2006, section 65B.49, subdivision 5a.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 65B.49, subdivision 5a, is amended to read:

Subd. 5a. **Rental vehicles.** (a) Every plan of reparation security, wherever issued, insuring a natural person as named insured, covering private passenger vehicles as defined under section 65B.001, subdivision 3, and pickup trucks and vans as defined under section 168.011 must: (1) provide that all of the obligation for damage and loss of use to a rented private passenger vehicle, including pickup trucks and vans as defined under section 168.011, and rented trucks with a registered gross vehicle weight of 26,000 pounds or less would be covered by the property damage liability portion of the plan; and (2) extend the plan's basic economic loss benefits, residual liability insurance, and uninsured and underinsured motorist coverages to the operation or use of the rented motor vehicle. This subdivision does not apply to plans of reparation security covering only motor vehicles registered under section 168.10, subdivision 1a, 1b, 1c, or 1d, or recreational vehicles as defined under section 168.011. The obligation of the plan must not be contingent on fault or negligence. In all cases where the plan's property damage liability coverage is less than \$35,000, the coverage available under the subdivision must be \$35,000. Other than as described in this paragraph ~~or in~~; paragraph (i), clause (2); or paragraph (j), nothing in this section amends or alters the provisions of the plan of reparation security as to primacy of the coverages in this section.

(b) A vehicle is rented for purposes of this subdivision:

(1) if the rate for the use of the vehicle is determined on a monthly, weekly, or daily basis; or

(2) during the time that a vehicle is loaned as a replacement for a vehicle being serviced or repaired regardless of whether the customer is charged a fee for the use of the vehicle.

A vehicle is not rented for the purposes of this subdivision if the rate for the vehicle's use is determined on a period longer than one month or if the term of the rental agreement is longer than one month. A vehicle is not rented for purposes of this subdivision if the rental agreement has a purchase or buyout option or otherwise functions as a substitute for purchase of the vehicle.

(c) The policy or certificate issued by the plan must inform the insured of the application of the plan to private passenger rental vehicles, including pickup trucks and vans as defined under section 168.011, and that the insured may not need to purchase additional coverage from the rental company.

(d) Where an insured has two or more vehicles covered by a plan or plans of reparation security containing the rented motor vehicle coverage required under paragraph (a), the insured may select the plan the insured wishes to collect from and that plan is entitled to a pro rata contribution from the other plan or plans based upon the property damage limits of liability. If the person renting the motor vehicle is also covered by the person's employer's insurance policy or the employer's automobile self-insurance plan, the reparation obligor under the employer's policy or self-insurance plan has primary responsibility to pay claims arising from use of the rented vehicle.

(e) A notice advising the insured of rental vehicle coverage must be given by the reparation obligor to each current insured with the first renewal notice after January 1, 1989. The notice must be approved by the commissioner of commerce. The commissioner may specify the form of the notice.

(f) When a motor vehicle is rented in this state, there must be attached to the rental contract a separate form containing a written notice in at least 10-point bold type, if printed, or in capital

letters, if typewritten, which states:

Under Minnesota law, a personal automobile insurance policy issued in Minnesota must: (1) cover the rental of this motor vehicle against damage to the vehicle and against loss of use of the vehicle; and (2) extend the policy's basic economic loss benefits, residual liability insurance, and uninsured and underinsured motorist coverages to the operation or use of a rented motor vehicle. Therefore, purchase of any collision damage waiver or similar insurance affected in this rental contract is not necessary if your policy was issued in Minnesota. In addition, purchase of any additional liability insurance is not necessary if your policy was issued in Minnesota unless you wish to have coverage for liability that exceeds the amount specified in your personal automobile insurance policy.

No collision damage waiver or other insurance offered as part of or in conjunction with a rental of a motor vehicle may be sold unless the person renting the vehicle provides a written acknowledgment that the above consumer protection notice has been read and understood.

(g) When damage to a rented vehicle is covered by a plan of reparation security as provided under paragraph (a), the rental contract must state that payment by the reparation obligor within the time limits of section 72A.201 is acceptable, and prior payment by the renter is not required.

(h) Compensation for the loss of use of a damaged rented motor vehicle is limited to a period no longer than 14 days.

(i)(1) For purposes of this paragraph subdivision, "rented motor vehicle" means a rented vehicle described in paragraph (a), using the definition of "rented" provided in paragraph (b).

(2) Notwithstanding section 169.09, subdivision 5a, an owner of a rented motor vehicle is not vicariously liable for legal damages resulting from the operation of the rented motor vehicle in an amount greater than \$100,000 because of bodily injury to one person in any one accident and, subject to the limit for one person, \$300,000 because of injury to two or more persons in any one accident, and \$50,000 because of injury to or destruction of property of others in any one accident, if the owner of the rented motor vehicle has in effect, at the time of the accident, a policy of insurance or self-insurance, as provided in section 65B.48, subdivision 3, covering losses up to at least the amounts set forth in this paragraph. Nothing in this paragraph alters or affects the obligations of an owner of a rented motor vehicle to comply with the requirements of compulsory insurance through a policy of insurance as provided in section 65B.48, subdivision 2, or through self-insurance as provided in section 65B.48, subdivision 3, which policy of insurance or self-insurance must apply whenever the operator is not covered by a plan of reparation security as provided under paragraph (a); or with the obligations arising from section 72A.125 for products sold in conjunction with the rental of a motor vehicle. Nothing in this paragraph alters or affects liability, other than vicarious liability, of an owner of a rented motor vehicle.

(3) The dollar amounts stated in this paragraph shall be adjusted for inflation based upon the Consumer Price Index for all urban consumers, known as the CPI-U, published by the United States Bureau of Labor Statistics. The dollar amounts stated in this paragraph are based upon the value of that index for July 1995, which is the reference base index for purposes of this paragraph. The dollar amounts in this paragraph shall change effective January 1 of each odd-numbered year based upon the percentage difference between the index for July of the preceding year and the reference base index, calculated to the nearest whole percentage point. The commissioner shall announce and publish, on or before September 30 of the preceding year, the changes in the dollar amounts required



by this paragraph to take effect on January 1 of each odd-numbered year. The commissioner shall use the most recent revision of the July index available as of September 1. Changes in the dollar amounts must be in increments of \$5,000, and no change shall be made in a dollar amount until the change in the index requires at least a \$5,000 change. If the United States Bureau of Labor Statistics changes the base year upon which the CPI-U is based, the commissioner shall make the calculations necessary to convert from the old base year to the new base year. If the CPI-U is discontinued, the commissioner shall use the available index that is most similar to the CPI-U.

(j) The plan of reparation security covering the owner of a rented motor vehicle is excess of any residual liability coverage insuring an operator of a rented motor vehicle ~~if the vehicle is loaned as a replacement for a vehicle being serviced or repaired, regardless of whether a fee is charged for use of the vehicle, provided that the vehicle so loaned is owned by the service or repair business.~~

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

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

**S.F. No. 816:** A bill for an act relating to health; expanding private health insurance coverage of young adult dependents by including those not enrolled as full-time students; amending Minnesota Statutes 2006, sections 62E.02, subdivision 7; 62L.02, subdivision 11; repealing Minnesota Statutes 2006, section 62A.301.

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

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

**S.F. No. 1628:** A bill for an act relating to commerce; providing a payment mechanism for technology used by the Department of Commerce in connection with licensing requirements for mortgage originators and servicers, insurance agents, real estate agents, real estate closing agents, real estate appraisers, debt collection agencies, and real estate abstractors; appropriating money; amending Minnesota Statutes 2006, sections 58.10, subdivision 1; 60K.55, subdivision 2; 82.24, subdivisions 1, 4; 82B.09, subdivision 1; 332.33, subdivisions 3, 6; 386.68; proposing coding for new law in Minnesota Statutes, chapter 45.

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

Delete everything after the enacting clause and insert:

"Section 1. **[45.24] LICENSE TECHNOLOGY FEES.**

(a) The commissioner may establish and maintain an electronic licensing database system for license origination, renewal, tracking the completion of continuing education requirements by individual licensees who have continuing education requirements, and other related purposes.

(b) The commissioner shall pay for the cost of operating and maintaining the electronic database system described in paragraph (a) through a technology surcharge imposed upon the fee for license origination and renewal, for individual licenses that require continuing education.

(c) The surcharge permitted under paragraph (b) shall be up to \$40 for each two-year licensing period, except as otherwise provided in paragraph (f), and shall be payable at the time of license origination and renewal.

(d) The Commerce Department technology account is hereby created as an account in the special revenue fund.

(e) The commissioner shall deposit the surcharge permitted under this section in the account created in paragraph (d), and funds in the account are appropriated to the commissioner in the amounts needed for purposes of this section.

(f) The commissioner shall temporarily reduce or suspend the surcharge as necessary if the balance in the account created in paragraph (d) exceeds \$2,000,000 as of the end of any calendar year and shall increase or decrease the surcharge as necessary to keep the fund balance at an adequate level but not in excess of \$2,000,000.

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

**Sec. 2. [60K.365] PRODUCER TRAINING REQUIREMENTS FOR LONG-TERM CARE PARTNERSHIP PROGRAM INSURANCE PRODUCTS.**

(a) An individual may not sell, solicit, or negotiate long-term care insurance unless the individual is licensed as an insurance producer for accident and health or sickness insurance or life insurance and has completed an initial training course and ongoing training every 24 months thereafter. The training shall meet the requirements of paragraph (b).

(b) The initial training course required by this subdivision shall be no less than eight hours and the ongoing training courses required by this subdivision shall be no less than four hours every 24 months. The courses shall be approved by the Department of Commerce and may be approved as continuing education courses under section 60K.56. The courses shall consist of topics related to long-term care insurance, long-term care services, and, if applicable, qualified state long-term care insurance partnership programs, including, but not limited to:

(1) state and federal regulations and requirements and the relationship between qualified state long-term care insurance partnership programs and other public and private coverage of long-term care services, including Medicaid;

(2) available long-term care services and providers;

(3) changes or improvements in long-term care services or providers;

(4) alternatives to the purchase of private long-term care insurance;

(5) the effect of inflation on benefits and the importance of inflation protection; and

(6) consumer suitability standards and guidelines.

The training required by this subdivision shall not include training that is insurer or company product specific or that includes any sales or marketing information, materials, or training, other than those required by state or federal law.

(c) Insurers shall obtain verification that a producer has received the training required by this

subdivision before a producer is permitted to sell, solicit, or negotiate the insurer's long-term care insurance products. Insurers shall maintain records verifying that the producer has received the training contained in this subdivision and make that verification available to the commissioner upon request.

(d) Currently licensed producers must complete the initial training course by January 1, 2008.

Sec. 3. Minnesota Statutes 2006, section 60K.55, subdivision 2, is amended to read:

Subd. 2. **Licensing fees.** (a) In addition to fees provided for examinations and the technology surcharge required under paragraph (d), each insurance producer licensed under this chapter shall pay to the commissioner a fee of:

(1) \$50 for an initial life, accident and health, property, or casualty license issued to an individual insurance producer, and a fee of \$50 for each renewal;

(2) \$50 for an initial variable life and variable annuity license issued to an individual insurance producer, and a fee of \$50 for each renewal;

(3) \$50 for an initial personal lines license issued to an individual insurance producer, and a fee of \$50 for each renewal;

(4) \$50 for an initial limited lines license issued to an individual insurance producer, and a fee of \$50 for each renewal;

(5) \$200 for an initial license issued to a business entity, and a fee of \$200 for each renewal; and

(6) \$500 for an initial surplus lines license, and a fee of \$500 for each renewal.

(b) Initial licenses issued under this chapter are valid for a period not to exceed 24 months and expire on October 31 of the renewal year assigned by the commissioner. Each renewal insurance producer license is valid for a period of 24 months. Licensees who submit renewal applications postmarked or delivered on or before October 15 of the renewal year may continue to transact business whether or not the renewal license has been received by November 1. Licensees who submit applications postmarked or delivered after October 15 of the renewal year must not transact business after the expiration date of the license until the renewal license has been received.

(c) All fees are nonreturnable, except that an overpayment of any fee may be refunded upon proper application.

(d) In addition to the fees required under paragraph (a), individual insurance producers shall pay, for each initial license and renewal, a technology surcharge of up to \$40 under section 45.24, unless the commissioner has adjusted the surcharge as permitted under that section.

**EFFECTIVE DATE.** This section is effective October 1, 2007.

Sec. 4. Minnesota Statutes 2006, section 82.24, subdivision 1, is amended to read:

Subdivision 1. **Amounts.** The following fees shall be paid to the commissioner:

(a) a fee of \$150 for each initial individual broker's license, and a fee of \$100 for each renewal thereof;

(b) a fee of \$70 for each initial salesperson's license, and a fee of \$40 for each renewal thereof;

(c) a fee of \$85 for each initial real estate closing agent license, and a fee of \$60 for each renewal thereof;

(d) a fee of \$150 for each initial corporate, limited liability company, or partnership license, and a fee of \$100 for each renewal thereof;

(e) a fee for payment to the education, research and recovery fund in accordance with section 82.43;

(f) a fee of \$20 for each transfer;

(g) a fee of \$50 for license reinstatement; and

(h) a fee of \$20 for reactivating a corporate, limited liability company, or partnership license without land; and

(i) in addition to the fees required under this subdivision, individual licensees under clauses (a) and (b) shall pay, for each initial license and renewal, a technology surcharge of up to \$40 under section 45.24, unless the commissioner has adjusted the surcharge as permitted under that section.

**EFFECTIVE DATE.** This section is effective June 1, 2007.

Sec. 5. Minnesota Statutes 2006, section 82.24, subdivision 4, is amended to read:

Subd. 4. **Deposit of fees.** Unless otherwise provided by this chapter, all fees collected under this chapter shall be deposited in the state treasury. The technology surcharge shall be deposited as required under section 45.24.

**EFFECTIVE DATE.** This section is effective June 1, 2007.

Sec. 6. Minnesota Statutes 2006, section 82B.09, subdivision 1, is amended to read:

Subdivision 1. **Amounts.** (a) The following fees must be paid to the commissioner:

(1) \$150 for each initial individual real estate appraiser's license; and

(2) \$100 for each renewal.

(b) In addition to the fees required under this subdivision, individual real estate appraisers shall pay a technology surcharge of up to \$40 under section 45.24, unless the commissioner has adjusted the surcharge as permitted under that section.

**EFFECTIVE DATE.** This section is effective August 1, 2007."

Delete the title and insert:

"A bill for an act relating to commerce; establishing producer training requirements for long-term care insurance; providing a payment mechanism for technology used by the Department of Commerce in connection with licensing of insurance agents, real estate brokers and salespersons, and real estate appraisers; appropriating money; amending Minnesota Statutes 2006, sections 60K.55, subdivision 2; 82.24, subdivisions 1, 4; 82B.09, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 45; 60K."

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

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 252, 1019, 1294, 985, 744 and 816 were read the second time.

### **MOTIONS AND RESOLUTIONS**

Senator Rummel moved that the name of Senator Olson, G. be added as a co-author to S.F. No. 503. The motion prevailed.

Senator Higgins moved that the name of Senator Sieben be added as a co-author to S.F. No. 799. The motion prevailed.

Senator Higgins moved that the name of Senator Sieben be added as a co-author to S.F. No. 1014. The motion prevailed.

Senator Higgins moved that the name of Senator Sieben be added as a co-author to S.F. No. 1015. The motion prevailed.

Senator Wiger moved that the name of Senator Sieben be added as a co-author to S.F. No. 1618. The motion prevailed.

Senator Rest moved that the name of Senator Sieben be added as a co-author to S.F. No. 1620. The motion prevailed.

Senator Higgins moved that S.F. No. 1709 be withdrawn from the Committee on Health, Housing and Family Security and re-referred to the Committee on Finance. The motion prevailed.

#### **Senator Wiger introduced –**

**Senate Resolution No. 55:** A Senate resolution honoring Bruce Bodelson for dedication to teaching.

Referred to the Committee on Rules and Administration.

#### **Senator Dibble introduced –**

**Senate Resolution No. 56:** A Senate resolution honoring Ann C. Peters on her 100th birthday.

Referred to the Committee on Rules and Administration.

Senator Higgins moved that S.F. No. 971, No. 10 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Senator Dibble moved that S.F. No. 1673 be withdrawn from the Committee on Finance and re-referred to the Committee on Education. The motion prevailed.

**CONFIRMATION**

Senator Moua moved that the appointments of notaries public, received March 15, 2007, be taken from the table. The motion prevailed.

Senator Moua moved that the Senate do now consent to and confirm the appointments of the notaries public. The motion prevailed. So the appointments were confirmed.

**MOTIONS AND RESOLUTIONS - CONTINUED**

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

**GENERAL ORDERS**

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

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

S.F. Nos. 470, 538 and 1168, which the committee recommends to pass.

S.F. No. 81, which the committee reports progress, after the following motions:

Senator Limmer moved to amend S.F. No. 81 as follows:

Page 17, after line 4, insert:

"Sec. 30. Minnesota Statutes 2006, section 473.13, subdivision 1, is amended to read:

Subdivision 1. **Budget.** (a) On or before December 20 of each year the council, after the public hearing required in section 275.065, shall adopt a final budget covering its anticipated receipts and disbursements for the ensuing year ~~and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget.~~ The budget shall state in detail the expenditures for each program to be undertaken, including the expenses for salaries, consultant services, overhead, travel, printing, and other items. The budget shall state in detail the capital expenditures of the council for the budget year, based on a five-year capital program adopted by the council and transmitted to the legislature. ~~After adoption of the budget and no later than five working days after December 20, the council shall certify to the auditor of each metropolitan county the share of the tax to be levied within that county, which must be an amount bearing the same proportion to the total levy agreed on by the council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area. The maximum amount of any levy made for the purpose of this chapter may not exceed the limits set by the statute authorizing the levy.~~

(b) Each even-numbered year the council shall prepare for its transit programs a financial plan for the succeeding three calendar years, in half-year segments. The financial plan must contain schedules of user charges and any changes in user charges planned or anticipated by the council during the period of the plan. The financial plan must contain a proposed request for state financial assistance for the succeeding biennium.

(c) In addition, the budget must show for each year:

(1) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service;

(2) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year, all in such detail and form as the council may prescribe; and

(3) the estimated source and use of pass-through funds.

**Sec. 31. TERMINATION OF METROPOLITAN COUNCIL LEVY AUTHORITY.**

Notwithstanding any other law to the contrary, beginning with taxes levied in 2008, payable in 2009, and thereafter, the authority of the Metropolitan Council to levy property taxes is abolished, except to the extent necessary to pay debt service on obligations issued under Minnesota Statutes, chapter 473, prior to July 1, 2007, or on obligations issued to refund them."

Page 17, after line 13, insert:

"(b) Minnesota Statutes 2006, sections 473.13, subdivision 2; 473.249, are repealed."

Page 17, line 14, delete "(b)" and insert "(c)"

Page 17, line 18, after "thereafter" insert ", and sections 30, 31, and 34, paragraph (b), are effective for taxes levied in 2008, payable in 2009, and thereafter"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 42, as follows:

Those who voted in the affirmative were:

Day	Gimse	Koch	Neuville	Robling
Fischbach	Hann	Koering	Olson, G.	Rosen
Frederickson	Ingebrigtsen	Limmer	Ortman	Senjem
Gerlach	Jungbauer	Michel	Pariseau	Vanderveer

Those who voted in the negative were:

Anderson	Dibble	Lourey	Rest	Sparks
Bakk	Doll	Lynch	Rummel	Stumpf
Berglin	Erickson Ropes	Metzen	Saltzman	Tomassoni
Betzold	Foley	Moua	Saxhaug	Torres Ray
Bonoff	Higgins	Murphy	Scheid	Vickerman
Carlson	Kubly	Olseen	Sheran	Wiger
Chaudhary	Langseth	Olson, M.	Sieben	
Clark	Larson	Pogemiller	Skoe	
Cohen	Latz	Prettner Solon	Skogen	

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

The question was taken on the recommendation to pass S.F. No. 81.

The roll was called, and there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Dibble	Latz	Saxhaug	Vickerman
Bakk	Erickson Ropes	Lourey	Scheid	Wiger
Berglin	Foley	Lynch	Sieben	
Carlson	Higgins	Moua	Stumpf	
Chaudhary	Langseth	Olseen	Tomassoni	
Cohen	Larson	Rest	Torres Ray	

Those who voted in the negative were:

Betzold	Gimse	Metzen	Pogemiller	Skoe
Bonoff	Hann	Michel	Prettner Solon	Skogen
Clark	Ingebrigtsen	Murphy	Robling	Sparks
Day	Jungbauer	Neuville	Rosen	Vandevveer
Doll	Koch	Olson, G.	Rummel	
Fischbach	Koering	Olson, M.	Saltzman	
Frederickson	Kubly	Ortman	Senjem	
Gerlach	Limmer	Pariseau	Sheran	

The motion did not prevail. S.F. No. 81 was then progressed.

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

### REPORTS OF COMMITTEES

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

**Senator Pogemiller from the Committee on Rules and Administration, to which was re-referred**

**S.F. No. 15:** A bill for an act relating to human services; creating a children's health security account; establishing the children's health security program; specifying eligibility criteria, covered services, and administrative procedures; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16A; proposing coding for new law as Minnesota Statutes, chapter 256N.

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

Page 7, delete section 15 and insert:

"Sec. 15. **TASK FORCE ON CHILDREN'S HEALTH CARE COVERAGE.**

Subdivision 1. **Establishment; membership.** (a) A Task Force on Children's Health Care Coverage is established to provide recommendations to the Legislative Commission on Health



Care Access. The task force consists of six voting members and six nonvoting members.

(b) The voting members are:

(1) three members of the house of representatives, one of whom must be a member of the minority, appointed by the speaker of the house of representatives; and

(2) three members of the senate, one of whom must be a member of the minority, appointed by the Subcommittee on Committees of the Committee on Rules and Administration.

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

(1) the American Academy of Pediatrics, Minnesota Chapter;

(2) the Minnesota Nurses Association;

(3) the Minnesota Council of Health Plans;

(4) the Minnesota Children's Platform Coalition;

(5) the Minnesota Universal Health Care Coalition; and

(6) the Minnesota Business Partnership.

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

Subd. 2. **Study; staff support.** (a) The task force shall study health care reform and cost-containment options for the children's health security program coverage to all children as provided in Minnesota Statutes, section 256N.05, subdivision 2, paragraph (b), and provide recommendations to the Legislative Commission on Health Care Access. The study must:

(1) examine health care reform and cost-containment methods that will contain costs and increase access and improve health outcomes;

(2) examine how to increase access to, and utilization of preventive care and health care services;

(3) examine how to reduce health disparities among minority populations; and

(4) examine best practices in health care delivery and achieving healthy outcomes.

(b) The task force, through the Legislative Coordinating Commission, may hire staff or contract for staff support for the study.

Subd. 3. **Recommendations.** The task force shall report its recommendations to the Legislative Commission on Health Care Access by January 15, 2009.

Subd. 4. **Expiration.** This section expires January 16, 2009."

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

**Senator Pogemiller from the Committee on Rules and Administration, to which was re-referred**

**S.F. No. 1081:** A bill for an act relating to state government; establishing the Minnesota Commission on New Americans; providing appointments; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Page 1, delete section 1 and insert:

"Section 1. MINNESOTA COMMISSION ON NEW AMERICANS.

Subdivision 1. **Commission established.** The Minnesota Commission on New Americans is established to identify the strengths of the immigrant community in Minnesota. The commission shall identify the underutilized resources within the immigrant community and make recommendations to the legislature and state agencies to facilitate the full participation of immigrants in social, cultural, and economic life in this state.

Subd. 2. **Membership.** (a) The Minnesota Commission on New Americans consists of ten members. The governor shall appoint two public members; the Subcommittee on Committees of the Committee on Rules and Administration of the senate shall appoint two public members and two senators, one from the majority party and one from the minority party; and the speaker of the house of representatives shall appoint two public members and two members of the house of representatives, one from the majority party and one from the minority party.

(b) Public members must have experience in working with the immigrant community, including training, special skills, and experience that would benefit the commission, such as training and experience in business, management, economics, public policy, legal affairs, and social work. The appointing authorities are encouraged to consult with business and business trade organizations in the state and appoint public members who include:

(1) a business executive or employer with policy making or hiring authority, including the owner, chief executive, or operating officer of a business in this state; or

(2) a representative of a private business with employment opportunities that reflect the employment opportunities available within the state.

The appointing authorities shall seek to collaborate with each other and with the councils established in Minnesota Statutes, sections 3.9223, 3.9225, and 3.9226, to ensure that the public membership of the commission is ethnically and geographically diverse and is reasonably balanced by gender.

(c) Compensation and expenses for public members are as provided in Minnesota Statutes, section 15.0575.

(d) The appointments required under this subdivision must be completed no later than September 1, 2007.

Subd. 3. **Organization.** As soon as possible after the appointments under subdivision 2 have been completed, the executive director of the Legislative Coordinating Commission shall convene the first meeting of the commission. The members of the commission shall select their chairperson at the first meeting.

Subd. 4. **Assistance.** The Legislative Coordinating Commission shall provide the administrative and clerical support services necessary for the operation of the Minnesota Commission on New Americans.

Subd. 5. **Duties.** The Minnesota Commission on New Americans shall study and consider opportunities to:

(1) take steps to address the underutilization of the New American workforce in the state's economy;

(2) develop entrepreneurial and business opportunities to enhance and promote the current and future economic endeavors of New Americans;

(3) identify means to enhance and expand the state's trade relations with other regions and countries through the relationship, language, and cultural assets of New Americans; and

(4) improve the economic and social condition of Minnesota's newest Americans including, but not limited to, education for New American children and adults, access to state and nonprofit programs and services, and integration into civic life in the state.

By December 1, 2008, the commission shall report to the chairs of the legislative committees and divisions with jurisdiction over issues affecting immigrants. The report must include a discussion of the items listed in this subdivision together with recommendations for state agencies and the legislature, including any proposed legislation necessary to accomplish the recommendations. The executive director of the Legislative Coordinating Commission shall ensure that copies of the report are available on the Legislative Coordinating Commission's Web site.

Subd. 6. **Expiration.** This section expires on June 30, 2009."

Amend the title numbers accordingly

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

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

**S.F. No. 1251:** A bill for an act relating to natural resources; providing for the protection and restoration of water quality in lakes and bodies of water of regional significance; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 383B.

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

Page 1, delete lines 19 to 22

Page 1, line 23, delete "(5)" and insert "(4)"

Page 2, line 1, delete "(6)" and insert "(5)"

Page 2, line 3, delete "(7)" and insert "(6)"

Page 2, line 7, delete "(8)" and insert "(7)"

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

Page 2, line 11, delete "(10)" and insert "(9)"

Page 2, line 17, delete "(11)" and insert "(10)"

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

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

**S.F. No. 1073:** A bill for an act relating to state government; ratifying certain labor agreements and compensation plans.

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

Page 1, after line 17, insert:

"Subd. 4. **Gambling Control Board.** The proposal to increase the salary of the director of the Gambling Control Board, as approved by the Legislative Coordinating Commission Subcommittee on Employee Relations on August 7, 2006, is ratified."

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

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

**S.F. No. 380:** A bill for an act relating to elections; changing certain school district election provisions; eliminating an approval requirement for mail elections; authorizing certain school board primary elections; amending Minnesota Statutes 2006, sections 204B.46; 205A.03, subdivision 1; 205A.06, subdivision 1a; 205A.12, by adding a subdivision.

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

Page 2, line 21, before "subdivision" insert "section 206.58,"

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

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

**S.F. No. 124:** 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 2006, sections 375.101, by adding a subdivision; 375A.10, subdivision 5; 375A.12,

subdivision 2, by adding a subdivision; 382.01; repealing Minnesota Statutes 2006, section 375.101, subdivisions 1, 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 375.101, subdivision 1, is amended to read:

Subdivision 1. **Option for filling vacancies; election in 30 to 60 90 days.** Except as provided in subdivision 3, a vacancy in the office of county commissioner ~~shall~~ may be filled as provided in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to be filled under this subdivision and subdivision 2, it must be filled at a special election not less than 30 nor more than 60 90 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election but the special election shall be held not less than 14 days after the special primary. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

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

Sec. 2. Minnesota Statutes 2006, section 375.101, is amended by adding a subdivision to read:

Subd. 4. **Option for filling vacancies; appointment.** Except as provided in subdivision 3, and as an alternative to the procedure provided in subdivisions 1 and 2, any other vacancy in the office of county commissioner may be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall continue until an election is held under this subdivision. All elections to fill vacancies shall be for the unexpired term. If the vacancy occurs before the first day to file affidavits of candidacy for the next county general election and more than two years remain in the unexpired term, a special election shall be held in conjunction with the county general election. The appointed person shall serve until the qualification of the successor elected to fill the unexpired part of the term at that special election. If the vacancy occurs on or after the first day to file affidavits of candidacy for the county general election, or when less than two years remain in the unexpired term, there shall be no special election to fill the vacancy and the appointed person shall serve the remainder of the unexpired term and until a successor is elected and qualifies at the county general election.

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

Sec. 3. Minnesota Statutes 2006, section 375A.10, subdivision 5, is amended to read:

Subd. 5. **Auditor-treasurer.** In any county exercising the option provided in subdivision 2, clause (c), the office shall be known thereafter as the office of auditor-treasurer, if the office is to remain elective. If the board chooses to make the office of auditor-treasurer elective, and not require a referendum, it must act with the concurrence of 80 percent of its members.

In the exercise of this option, the county board shall direct which of the offices of auditor or treasurer shall be terminated for the purpose of providing for the election to the single office of auditor-treasurer. The duties, functions and responsibilities which have been heretofore and

which shall hereafter be required by statute to be performed by the county auditor and the county treasurer shall be vested in and performed by the auditor-treasurer without diminishing, prohibiting or avoiding those specific duties required by statute to be performed by the county auditor and the county treasurer.

Nothing in this subdivision shall preclude the county from exercising the option to make the combined office of auditor-treasurer appointive as if it had been specifically enumerated in subdivision 2. If the combined office is to be appointive, a referendum under section 375A.12 shall be necessary, except as provided by section 375A.12, subdivision 2a.

If the combined office is to be elective, a referendum under section 375A.12 shall be necessary if:

(a) the county board requires a referendum; or

(b) a referendum is required by a petition of a number of voters equal to ten percent of those voting in the county at the last general election that is received by the county auditor within 30 days after the second publication of the board resolution that orders the combination.

The persons last elected to the positions of auditor and treasurer before adoption of the resolution shall serve in those offices and perform the duties of those offices until the completion of the terms to which they were elected.

Sec. 4. Minnesota Statutes 2006, section 375A.12, subdivision 2, is amended to read:

Subd. 2. **Form of government options.** Except as provided in subdivision 2a, the options provided in sections 375A.01 to 375A.10 shall be adopted in any county only after an affirmative vote of the voters in the county on the question of the adoption of the option. Except as provided in section 375A.01, only one such plan may be submitted at any one election.

Sec. 5. Minnesota Statutes 2006, section 375A.12, is amended by adding a subdivision to read:

Subd. 2a. **Publishing resolution; hearing; petition; referendum.** An option provided in section 375A.10, subdivision 2, clause (a), for the appointment of the county auditor, county treasurer, or county recorder; or for the appointment of the auditor-treasurer under section 375A.10, subdivision 5, may be adopted by the county board by resolution if the option is approved by at least 80 percent of the members of the county board. Before the adoption of the resolution, the county board must publish a resolution notifying the public of its intent to consider the option once each week for two consecutive weeks in the official publication of the county. Following the publication, the county board shall provide an opportunity at its next regular meeting for public comment relating to the option, prior to formally adopting the option. The resolution may be adopted and implemented without the submission of the question to the voters of the county unless, within 30 days after the board meeting at which the public is provided an opportunity to comment on the proposal, a petition requesting a referendum, signed by at least ten percent of the registered voters of the county, is filed with the county auditor. The petition must meet the requirements of the secretary of state, as provided in section 204B.071 and any rules adopted to implement that section. If a petition is filed, the resolution may be implemented unless disapproved by a majority of the voters of the county voting on the question at a regular or special election.

A county must not begin the process authorized in this subdivision if a proposed resolution could be subject to a referendum that would be held at the same election as an election to fill the affected

county offices.

Sec. 6. Minnesota Statutes 2006, section 382.01, is amended to read:

**382.01 OFFICERS ELECTED; TERMS.**

In every county in this state there shall be elected at the general election in 1918 a county auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner.

The terms of office of these officers shall be four years and shall begin on the first Monday in January next succeeding their election. They shall hold office until their successors are elected and qualified. Each of these offices shall must be filled by election every four years thereafter after 1918, unless an office is consolidated with another county office, or made appointive under chapter 375A or some other general or special law."

Amend the title numbers accordingly

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

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

**S.F. No. 1095:** A bill for an act relating to health; establishing the Early Hearing Detection and Intervention Act; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Page 2, line 2, delete "appoint" and insert "establish"

Page 2, line 17, delete "Membership of the committee shall include" and insert "The commissioner of health shall appoint"

Page 3, before line 13, insert:

"The commissioner must complete the appointments required under this subdivision by September 1, 2007."

Page 3, line 21, after "reimbursed" insert "as provided in section 15.059"

Page 4, after line 34, insert:

"Subd. 8. **Expiration.** This section expires June 30, 2013."

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

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

**S.F. No. 641:** A bill for an act relating to health; establishing a Health Care Access Fund Oversight Commission; proposing coding for new law in Minnesota Statutes, chapter 62J.

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

Page 1, line 12, delete "and"

Page 1, line 14, delete "legislature" and insert "chairs of the legislative committees and divisions with jurisdiction over health care policy"

Page 1, line 15, delete the period and insert "; and"

Page 1, after line 15, insert:

"(3) Report to the chairs of the legislative committees and divisions with jurisdiction over health care policy by January 15 each year regarding the activities of the commission in the previous year."

Page 2, delete lines 1 to 7 and insert:

"(5) one member who is an advocate for children enrolled in MinnesotaCare, appointed by the Children's Defense Fund;

(6) one member who is an advocate for adults enrolled in MinnesotaCare, appointed by Legal Services Advocacy Project, giving preference to an enrollee;

(7) two members of the house of representatives, one appointed by the speaker and one appointed by the minority leader of the house of representatives;

(8) two members of the senate, one from the majority party and one from the minority party, appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration; and

(9) the commissioner of human services, or the commissioner's designee."

Page 2, after line 7, insert:

"The appointments required by this subdivision must be completed by September 1, 2007."

Page 2, line 9, after "for" insert "and convene the first meeting of" and after the period, insert "The commission shall select a chair from its membership at the first meeting."

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

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

**S.F. No. 1311:** A bill for an act relating to local government; authorizing cities to operate preventive health services programs; amending Minnesota Statutes 2006, section 15.46.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

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

**S.F. No. 248:** A bill for an act relating to elections; changing a prohibition on certain expenditures; amending Minnesota Statutes 2006, section 211B.12.



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

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

**S.F. No. 92:** A bill for an act relating to early childhood education; establishing an advisory school readiness board to make recommendations to the governor and the legislature on developing a coordinated, efficient, and cost-effective system for delivering early childhood programs throughout the state; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Delete everything after the enacting clause and insert:

**"Section 1. [124D.141] STATE ADVISORY BOARD ON SCHOOL READINESS.**

Subdivision 1. **Establishment.** A 13-member State Advisory Board on School Readiness is established in the Office of the Governor to advise the governor and the legislature on developing a coordinated, efficient, and cost-effective system for delivering throughout Minnesota early childhood programs that focus on early care and education, health care, and family support.

Subd. 2. **Board members; terms.** (a) The advisory board includes the following 13 members:

(1) the commissioner of employment and economic development or the commissioner's designee;

(2) the commissioner of health or the commissioner's designee;

(3) the commissioner of education or the commissioner's designee;

(4) the commissioner of human services or the commissioner's designee;

(5) four public members with experience in early childhood care and school counseling and administration, appointed as follows: one by the senate majority leader and one by the senate minority leader, one by the speaker and one by the minority leader of the house of representatives;

(6) one representative from the Minnesota Early Learning Foundation; and

(7) four public members who are community or business leaders, appointed as follows: one by the senate majority leader and one by the senate minority leader, one by the speaker and one by the minority leader of the house of representatives.

The appointments required under this paragraph must be completed by September 1, 2007.

(b) The commissioner of education shall convene the first meeting of the board. Board members must nominate and elect a chairperson and other officers from among the public members. Members shall serve a term of two years and may be reappointed for subsequent terms. The board shall meet regularly at the times and places the board determines. Meetings shall be called by the chair or at the written request of any three members. The removal of members and vacancies on the board are governed by section 15.059.

Subd. 3. **Duties.** (a) As conclusive evidence becomes available, the board shall make periodic reports and recommendations to the governor and the chairs of the legislative committees and

divisions with jurisdiction over education policy and finance regarding:

(1) the most effective method to improve the coordination and delivery of early care and education services that integrates child care, preschools, and family support services and programs;

(2) a multiyear plan for effectively and efficiently coordinating and integrating state services for early care and education, improving service delivery and standards of care, avoiding duplication and fragmentation of service, and enhancing public and private investment;

(3) methods for measuring the quality, quantity, and effectiveness of early care and education programs throughout the state;

(4) how to identify and measure school readiness indicators on a regular basis;

(5) how to track, enhance, integrate, and coordinate federal, state, and local funds allocated for early care and education and related family support services;

(6) policy changes to improve children's ability to start school ready to learn; and

(7) how to provide technical assistance to community efforts that promote school readiness and encourage community organizations to collaborate in promoting school readiness.

(b) The board shall convene separate policy work groups to make recommendations to the governor and the legislature on:

(1) financing early childhood programs;

(2) building a coordinated service delivery system based on an assessment of early childhood systems and available state and federal funding;

(3) integrating a coordinated, collaborative health care component, including medical homes, parent education, family support, health and early education, into early childhood programs and avoiding duplication of services;

(4) enhancing the quality and measuring the cost of child care and preschool programs; and

(5) improving the wages, benefits, and supply of early childhood professionals.

(c) By January 15 each year, the board shall report to the chairs of the legislative committees and divisions with jurisdiction over education policy and finance regarding its activities and progress and forward the recommendations required under paragraph (a).

Subd. 4. **Expiration.** This section expires January 1, 2013.

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

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

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

**S.F. No. 218:** A bill for an act relating to airport zoning regulations; establishing disclosure

duties regarding airport zoning; amending Minnesota Statutes 2006, sections 82.22, subdivision 8; 513.56, subdivision 3; repealing Minnesota Statutes 2006, section 360.065, subdivision 3.

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

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

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

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 256.01, is amended by adding a subdivision to read:

Subd. 23. **Administrative simplification; county cost study.** (a) The commissioner shall establish and convene the first meeting of an advisory committee to identify ways to simplify and streamline human services laws and administrative requirements. The advisory committee shall select its chair from its membership at the first meeting.

(b) The committee shall consist of three senators appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration, three state representatives appointed by the speaker of the house of representatives, and nine department staff and county representatives appointed by the commissioner. The appointments required under this paragraph must be completed by September 1, 2007.

(c) The committee shall discuss methods of reducing inconsistency between programs and complexity within programs in order to improve administrative efficiency and reduce the risk of recipient noncompliance. Topics for discussion may include child support enforcement, adoption services, child care licensing, child care assistance, and other programs. The state senators and state representatives on the advisory committee, in consultation with the advisory committee, shall report annually to the chairs of the legislative committees and divisions with jurisdiction over the Department of Human Services, beginning January 15, 2008, with recommendations developed by the advisory group.

(d) The commissioner, in consultation with the advisory committee, shall study and report to the legislature by January 15, 2009, on the transfer of any responsibilities between the department and counties that would result in more efficient and effective administration of human service programs.

**Sec. 2. EXPIRATION.**

Section 1 expires on June 30, 2012."

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

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

**S.F. No. 1025:** A bill for an act relating to human services; modifying mental health provisions; setting aside certain janitorial contracts; clarifying county board duties; instituting mental health service delivery reform; authorizing children's mental health grants; establishing restrictive procedures certification; modifying medical assistance coverage for mental health services; modifying MinnesotaCare coverage; requiring reports; amending Minnesota Statutes 2006, sections 148C.11, subdivision 1; 245.465, by adding a subdivision; 245.4874; 246.54, subdivisions 1, 2; 256.017, subdivision 1; 256B.0625, subdivision 20, by adding a subdivision; 256B.0943, subdivision 8; 256B.0945, subdivision 4; 256B.69, subdivisions 4, 5g, 5h; 256B.763; 256D.03, subdivision 4; 256L.03, subdivision 1; 256L.035; 256L.12, subdivision 9a; 609.115, subdivision 9; Laws 2005, chapter 98, article 3, section 25; proposing coding for new law in Minnesota Statutes, chapters 16C; 245; repealing Minnesota Rules, part 9585.0030.

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

Page 1, line 22, delete "... " and insert "19"

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

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

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

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

Page 1, line 18, before the semicolon, insert ", unless attendance at the regular meeting location is not feasible due to the health pandemic or emergency declaration"

Page 2, after line 15, insert:

"Sec. 2. Minnesota Statutes 2006, section 13D.05, subdivision 2, is amended to read:

Subd. 2. **When meeting must be closed.** (a) Any portion of a meeting must be closed if expressly required by other law or if the following types of data are discussed:

(1) data that would identify alleged victims or reporters of criminal sexual conduct, domestic abuse, or maltreatment of minors or vulnerable adults;

(2) active investigative data as defined in section 13.82, subdivision 7, or internal affairs data relating to allegations of law enforcement personnel misconduct collected or created by a state agency, statewide system, or political subdivision; or

(3) educational data, health data, medical data, welfare data, or mental health data that are not public data under section 13.32, 13.3805, subdivision 1, 13.384, or 13.46, subdivision 2 or 7; or

(4) medical records governed by section 144.335.

(b) A public body shall close one or more meetings for preliminary consideration of allegations or charges against an individual subject to its authority. If the members conclude that discipline of any nature may be warranted as a result of those specific charges or allegations, further meetings or hearings relating to those specific charges or allegations held after that conclusion is reached must be open. A meeting must also be open at the request of the individual who is the subject of the meeting.

Sec. 3. **EFFECTIVE DATE.**

Section 2 is effective the day following final enactment."

Amend the title numbers accordingly

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

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

**S.F. No. 962:** A bill for an act relating to state finance; modifying aircraft facilities state financing to allow flexibility in obtaining a new lessee for the facility; amending Minnesota Statutes 2006, sections 116R.02, subdivision 5; 116R.03; 116R.12, by adding a subdivision; repealing Minnesota Statutes 2006, sections 116R.02, subdivisions 3, 6, 7, 9; 116R.16.

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

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

**S.F. No. 817:** A bill for an act relating to labor; allowing the commissioner of labor and industry to issue orders of compliance relating to overtime for nurses; amending Minnesota Statutes 2006, sections 177.27, subdivision 4; 181.275, subdivisions 1, 2; repealing Minnesota Statutes 2006, section 181.275, subdivision 4.

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

Page 1, line 10, before "and" insert "with respect to nurses described in section 181.275, subdivision 2a,"

Page 2, delete sections 3 and 4 and insert:

"Sec. 3. Minnesota Statutes 2006, section 181.275, is amended by adding a subdivision to read:

Subd. 2a. **State nurses.** Subdivision 2 applies to a nurse employed by the state of Minnesota regardless of the type of facility in which the nurse is employed and regardless of the facility's license, if the nurse is involved in resident or patient care. Nothing in this section shall prevent an employee from utilizing rights or remedies available under a valid collective bargaining agreement."

Amend the title accordingly

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

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

**S.F. No. 1666:** A bill for an act relating to bioscience and technology; establishing a bioscience business promotion and marketing program in the Department of Employment and Economic Development; appropriating money.

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

Page 1, delete line 8 and insert "\$500,000 in fiscal year 2007, \$500,000 in fiscal year 2008, and \$500,000"

Page 1, line 17, delete "and" and insert "or"

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

**Senator Chaudhary from the Committee on Environment and Natural Resources, to which was referred**

**S.F. No. 1119:** A bill for an act relating to state lands; modifying land acquisition requirements; modifying land owners' bill of rights; modifying recordation requirements for mineral interests; adding to and deleting from state parks; authorizing public and private sales and conveyances of certain state lands; amending Minnesota Statutes 2006, sections 84.0272, subdivision 3; 84.0274, subdivision 5; 93.55, subdivision 1.

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

Page 2, line 20, strike "shall allow the owner along" and insert "the owner shall be allowed to accompany the appraiser"

Page 2, line 22, strike "go along" and insert "accompany the appraiser"

Page 3, line 12, strike "such" and insert "the"

Page 3, after line 16, insert:

"Sec. 4. Laws 2006, chapter 236, article 1, section 21, is amended to read:

**Sec. 21. EXCHANGE OF TAX-FORFEITED LAND; PRIVATE SALE; ITASCA COUNTY.**

(a) For the purpose of a land exchange for use in connection with a proposed steel mill in Itasca County referenced in Laws 1999, chapter 240, article 1, section 8, subdivision 3, title examination and approval of the land described in paragraph (b) shall be undertaken as a condition of exchange of the land for class B land, and shall be governed by Minnesota Statutes, section 94.344, subdivisions 9 and 10, and the provisions of this section. Notwithstanding the evidence of title requirements in Minnesota Statutes, section 94.344, subdivisions 9 and 10, the county attorney shall examine one or more title reports or title insurance commitments prepared or underwritten by a title insurer licensed to conduct title insurance business in this state, regardless of whether abstracts were created or updated in the preparation of the title reports or commitments. The opinion of the county attorney, and approval by the attorney general, shall be based on those title reports or commitments.

(b) The land subject to this section is located in Itasca County and is described as:

(1) Sections 3, 4, 7, 10, 14, 15, 16, 17, 18, 20, 21, 22, 23, 26, 28, and 29, Township 56 North, Range 22 West;

(2) Sections 3, 4, 9, 10, 13, and 14, Township 56 North, Range 23 West;

(3) Section 30, Township 57 North, Range 22 West; and

(4) Sections 25, 26, 34, 35, and 36, Township 57 North, Range 23 West.

(c) Riparian land given in exchange by Itasca County for the purpose of the steel mill referenced in paragraph (a), is exempt from the restrictions imposed by Minnesota Statutes, section 94.342, subdivision 3.

(d) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may sell, by private sale, any land received in exchange for the purpose of the steel mill referenced in paragraph (a), under the remaining provisions of Minnesota Statutes, chapter 282. The sale must be in a form approved by the attorney general.

(e) Notwithstanding Minnesota Statutes, section 284.28, subdivision 8, or any other law to the contrary, land acquired through an exchange under this section is exempt from payment of three percent of the sales price required to be collected by the county auditor at the time of sale for deposit in the state treasury.

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

Page 20, after line 22, insert:

"Sec. 29. **TAX-FORFEITED LANDS LEASE; ITASCA COUNTY.**

Notwithstanding Minnesota Statutes, section 282.04, or other law to the contrary, the Itasca County auditor may lease tax-forfeited land to a proposed steel mill in Itasca County for a period of 20 years, for use as a tailings basin and buffer area. A lease entered under this section is renewable.

**Sec. 30. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CROW WING COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Crow Wing County may sell by private sale, under Minnesota Statutes, section 282.01, subdivision 7a, the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. Prior to the sale, the commissioner of revenue shall grant a permanent conservation easement according to Minnesota Statutes, section 282.37, to protect aquatic habitat. The easement must be approved by the Crow Wing County Board and the commissioner of natural resources.

(c) The land to be sold is located in Crow Wing County and is described as: Government Lot 1,

Section 26, Township 138 North, Range 27 West, city of Fifty Lakes.

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

**Sec. 31. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CROW WING COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Crow Wing County may sell to the city of Crosby the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Crow Wing County and is described as:

Of a tract of land lying south of the herein described line and being out of and part of the Southeast Quarter of the Northwest Quarter, Section 11, Township 46 North, Range 29 West, except part to the city of Crosby, Crow Wing County, Minnesota, said line described as follows: Commencing at the center of Section 11, thence South 88 degrees 59 minutes 19 seconds West, coincident with the south line of said Southeast Quarter of the Northwest Quarter, 1291.01 feet to the southwest corner of said Southeast Quarter of the Northwest Quarter; thence North 02 degrees 09 minutes 21 seconds East, coincident with the west line of said Southeast Quarter of the Northwest Quarter, 531.93 feet to the point of beginning of the line herein described; thence through and across said Southeast Quarter of the Northwest Quarter of the following 21 courses and distances:

- (1) South 71 degrees 26 minutes 55 seconds East, 27.36 feet;
- (2) South 33 degrees 07 minutes 48 seconds East, 34.76 feet;
- (3) South 87 degrees 03 minutes 06 seconds East, 64.17 feet;
- (4) South 61 degrees 33 minutes 20 seconds East, 45.74 feet;
- (5) South 72 degrees 07 minutes 59 seconds East, 112.59 feet;
- (6) South 77 degrees 44 minutes 53 seconds East, 56.34 feet;
- (7) North 70 degrees 49 minutes 46 seconds East, 83.42 feet;
- (8) South 76 degrees 32 minutes 31 seconds East, 94.57 feet;
- (9) North 80 degrees 41 minutes 54 seconds East, 33.03 feet;
- (10) North 83 degrees 09 minutes 05 seconds East, 41.90 feet;
- (11) North 68 degrees 51 minutes 01 seconds East, 175.87 feet;
- (12) South 58 degrees 17 minutes 34 seconds East, 54.35 feet;
- (13) South 80 degrees 01 minutes 47 seconds East, 43.42 feet;



- (14) North 36 degrees 43 minutes 03 seconds East, 84.81 feet;
- (15) North 60 degrees 06 minutes 12 seconds East, 57.47 feet;
- (16) South 83 degrees 31 minutes 42 seconds East, 90.21 feet;
- (17) North 73 degrees 59 minutes 37 seconds East, 57.44 feet;
- (18) South 65 degrees 21 minutes 29 seconds East, 81.38 feet;
- (19) North 86 degrees 47 minutes 22 seconds East, 75.46 feet;
- (20) North 47 degrees 10 minutes 02 seconds East, 52.07 feet; and
- (21) North 63 degrees 13 minutes 46 seconds East, 48.20 feet

to the point of termination from which the point of commencing bears South 01 degrees 27 minutes 31 seconds West, 572.34 feet.

(d) The county has determined that the county's land management interests would best be served if the land was sold to the city of Crosby.

**Sec. 32. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Lake County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for a consideration of \$1 and relinquishment of a four-acre parcel of land that Lake County has used for road relocation.

(c) The land to be sold is located in Lake County and is described as: that part of the Southeast Quarter of the Northwest Quarter, north of County State-Aid Highway 14, Section 20, Township 55 North, Range 11 West.

(d) The county has determined that the county's land management interests would best be served if the land was returned to private ownership.

**Sec. 33. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; DAKOTA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Dakota County may sell or convey to the township of Ravenna for no consideration the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the township of Ravenna stops using the land for the public purpose described in paragraph (d). The conveyance is subject to restrictions imposed by the commissioner of natural resources. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Dakota County and is described as: Unplatted, Section 21, Township 114, Range 16, Southeast Quarter of the Southwest Quarter, less various tracts, except West 870 feet of South 729.29 feet, except part of North 594 feet lying west of Ravenna Trail, except South 480 feet lying east of West 870 feet, except beginning at the northwest corner of the Southeast Quarter of the Southwest Quarter East 22R South 20R southwest to point on west line 22R South of beginning North 22R to beginning, except parcels 33-02100-030-53, 33-02100-040-53, 33-02100-050-53, 33-02100-060-53, and 33-02100-080-53. (Dakota County tax identification number 33-02100-018-54).

(d) The county has determined that the land is needed by the township of Ravenna for drainage and access to culverts.

**Sec. 34. CLAIR A. NELSON MEMORIAL FOREST, LAKE COUNTY; TEMPORARY SUSPENSION OF APPORTIONMENT OF PROCEEDS FROM TAX-FORFEITED LANDS.**

(a) Upon approval of an affected political subdivision within Lake County, the Lake County Board may suspend the apportionment of the balance of net proceeds from tax-forfeited lands within the affected political subdivision under Minnesota Statutes, section 282.08, clause (4), item (iii), and retain the net proceeds. The authority under this paragraph is available until Lake County suspends the apportionment of net proceeds subject to item (iii), in the amount of \$2,200,000, plus any interest costs incurred by the county to purchase land described in this section. The money received by Lake County is to reimburse the county for the purchase in 2006 of 6,085 acres of forest land named the Clair A. Nelson Memorial Forest.

(b) Any revenue derived from acquired land that was reimbursed under paragraph (a) is subject to apportionment as provided in Minnesota Statutes, section 282.08.

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2006."

Page 20, line 24, delete "27" and insert "33"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "authorizing a 20-year lease of certain tax-forfeited land; exempting certain exchanged land from the tax-forfeited land assurance fee; providing for temporary suspension of apportionment of certain net proceeds in Lake County;"

Amend the title numbers accordingly

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

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

**S.F. No. 1508:** A bill for an act relating to human services; establishing a child safety system and child safety fund; requiring reports; appropriating money; amending Minnesota Statutes 2006, section 256M.30, subdivisions 1, 2; proposing coding for new law as Minnesota Statutes, chapter

256N.

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

Delete everything after the enacting clause and insert:

"Section 1. LEGISLATIVE FINDINGS AND PURPOSE.

The legislature finds that it is the public policy of the state to ensure that all children are safe from abuse and neglect, live in permanent and stable homes where they are nurtured, and have the opportunity to reach their full potential. To further this public policy, it is the intent of the legislature to establish a child safety system that has, as its goal, three performance-based outcomes: child safety, permanency, and well-being. A child safety fund is created to implement, maintain, and provide incentives to counties for the continuous improvement of the child safety system.

Sec. 2. Minnesota Statutes 2006, section 256M.30, subdivision 1, is amended to read:

Subdivision 1. **Service plan submitted to commissioner.** Effective January 1, 2004, and each two-year period thereafter, each county must have a biennial service plan approved by the commissioner in order to receive funds. Only one biennial service plan is required under this chapter, regardless of whether counties receive funding under this chapter, chapter 256N, or both. Counties may submit multicounty or regional service plans.

Sec. 3. Minnesota Statutes 2006, section 256M.30, subdivision 2, is amended to read:

Subd. 2. **Contents.** The service plan shall be completed in a form prescribed by the commissioner. The plan must include:

(1) a statement of the needs of the children, adolescents, and adults who experience the conditions defined in section 256M.10, subdivision 2, paragraph (a), and strengths and resources available in the community to address those needs;

(2) strategies the county will implement to meet the child safety system performance standards in the child safety system in chapter 256N;

(3) strategies the county will pursue to achieve the performance targets. Strategies must include specification of how funds under this section and other community resources will be used to achieve desired performance targets;

~~(3)~~ (4) a description of the county's process to solicit public input and a summary of that input;

~~(4)~~ (5) beginning with the service plans submitted for the period from January 1, 2006, through December 31, 2007, performance targets on statewide indicators for each county to measure outcomes of children's mental health, and child safety, permanency, and well-being. The commissioner shall consult with counties and other stakeholders to develop these indicators and collect baseline data to inform the establishment of individual county performance targets for the 2006-2007 biennium and subsequent plans; and

~~(5)~~ (6) a budget for services to be provided with funds under this section. The county must budget at least 40 percent of funds appropriated under sections 256M.01 to 256M.80 for services to ensure the mental health, safety, permanency, and well-being of children from low-income families. The commissioner may reduce the portion of child and community services funds that must be budgeted

by a county for services to children in low-income families if:

(i) the incidence of children in low-income families within the county's population is significantly below the statewide median; or

(ii) the county has successfully achieved past performance targets for children's mental health, and child safety, permanency, and well-being and its proposed service plan is judged by the commissioner to provide an adequate level of service to the population with less funding.

Sec. 4. **[256N.01] CITATION.**

Sections 256N.01 to 256N.50 may be cited as the "Child Protection and Safety Act". This act creates a child safety system to establish performance-based accountability for the safety, permanency, and well-being of children and establishes a child safety fund to address the needs of children within each county.

Sec. 5. **[256N.10] DEFINITIONS.**

Subdivision 1. **Scope.** For the purposes of sections 256N.01 to 256N.50, the terms defined in this section have the meanings given.

Subd. 2. **Child safety fund.** "Child safety fund" means funds distributed to the counties under the formula specified in section 256N.30 for the purpose of implementing the child safety system.

Subd. 3. **Child safety system.** "Child safety system" means a performance-based system that ensures the safety, permanency, and well-being of children and is accountable to federal and state performance standards and is funded by the child safety fund.

Subd. 4. **Child safety system performance standards.** "Child safety system performance standards" means the performance standards in section 256N.20, subdivision 2.

Subd. 5. **Commissioner.** "Commissioner" means the commissioner of human services.

Subd. 6. **County board.** "County board" means the board of county commissioners in each county.

Sec. 6. **[256N.20] DUTIES OF COMMISSIONER.**

Subdivision 1. **Allocation of funds.** Each year the commissioner shall allocate funds to each county according to the formula defined in section 256N.30 and based on county compliance with the child safety performance standards.

Subd. 2. **Performance standards and compliance; work group.** (a) The commissioner shall convene a work group to establish:

(1) the child safety system performance standards, including a procedure to review and revise the performance standards every two years to ensure compliance with the federal data measures, data composites, and national standards in United States Code, title 45, section 1355.34(a)(1), and defined in the Federal Register;

(2) a procedure by which the commissioner can measure compliance with the child safety system performance standards;

(3) how a county's compliance with the child safety system performance standards should affect the performance-based funding in section 256N.30; and

(4) whether sanctions or corrective action procedures should be implemented to enhance the county's ability to meet the child safety system performance standards.

(b) The work group shall report back to the chairs of the house and senate committees having jurisdiction over human services by January 1, 2008, with recommendations for potential legislation to be offered in the 2008 legislative session.

(c) The commissioner shall consult with county associations to determine the representatives to the work group.

**Subd. 3. Technical assistance and training.** The commissioner shall:

(1) provide necessary information and assistance to each county for establishing performance baselines and performance targets on safety, permanency, and well-being for children and adolescents;

(2) provide training, technical assistance, and other supports, which may include a qualitative case review, to each county to assist in planning, implementing services, and improving performance;

(3) use data collection to determine county compliance with child safety system performance standards;

(4) specify requirements for reports, including fiscal reports, to account for funds distributed; and

(5) work with counties to correct deficits that are identified in the evaluation of county performance under section 256N.50.

**Sec. 7. [256N.30] CHILD SAFETY ACT GRANT ALLOCATION.**

**Subdivision 1. Child safety fund.** The child safety fund is created for the purposes of sections 256N.01 to 256N.50.

**Subd. 2. Formula.** (a) The commissioner shall allocate funds annually from the child safety fund to each county board on a calendar basis in an amount determined according to this subdivision. Ninety-five percent of available funds must be allocated according to the formula in paragraphs (b) to (f). The remaining five percent of available funds must be allocated to counties through a request for proposal process for projects to meet specific county needs.

(b) By January 1, 2008, the commissioner shall allocate available funds according to the following criteria:

(1) 90 percent must be based on the county's federal child welfare targeted case management (CWTCM) revenue under section 256F.10 for the average of years 2004, 2005, and 2006; and

(2) ten percent must be based on need, calculated as follows:

(i) 50 percent must be based on the three-year average of the percentage of children in poverty in the county; and

(ii) 50 percent must be based on the three-year average of the total number of children in the county.

(c) By January 1, 2009, the commissioner shall allocate available funds according to the following criteria:

(1) 70 percent must be based on the average of the county's federal CWTCM revenue under section 256F.10 for years 2004, 2005, and 2006;

(2) 25 percent must be based on need, calculated as follows:

(i) 50 percent must be based on the three-year average of the percentage of children in poverty in the county; and

(ii) 50 percent must be based on the three-year average of the total number of children in the county; and

(3) five percent must be based on the county's ability to meet the child safety system performance standards in section 256N.20.

(d) By January 1, 2010, the commissioner shall allocate available funds according to the following criteria:

(1) 50 percent must be based on the average of the county's federal CWTCM revenue under section 256F.10 for years 2004, 2005, and 2006;

(2) 35 percent must be based on need, calculated as follows:

(i) 50 percent must be based on the three-year average of the percentage of children in poverty in the county; and

(ii) 50 percent must be based on the three-year average of the total number of children in the county; and

(3) 15 percent must be based on the county's ability to meet the child safety system performance standards in section 256N.20.

(e) By January 1, 2011, the commissioner shall allocate available funds according to the following criteria:

(1) 25 percent must be based on the average of the county's federal CWTCM revenue under section 256F.10 for years 2004, 2005, and 2006;

(2) 55 percent must be based on need, calculated as follows:

(i) 50 percent must be based on the three-year average of the percentage of children in poverty in the county; and

(ii) 50 percent must be based on the three-year average of the total number of children in the county; and

(3) 20 percent must be based on the county's ability to meet the child safety system performance standards in section 256N.20.

(f) By January 1, 2012, and each year thereafter, the commissioner shall allocate available funds according to the following criteria:

(1) 70 percent must be based on need, calculated as follows:

(i) 50 percent must be based on the three-year average of the percentage of children in poverty in the county; and

(ii) 50 percent must be based on the three-year average of the total number of children in the county; and

(2) 30 percent must be based on the county's ability to meet the performance standards in section 256N.20.

Subd. 3. **Tribal participation work group; report.** The commissioner shall convene a work group comprised of tribes, counties, and the Department of Human Services to establish opportunities and mechanisms for tribes to participate in the child safety system to ensure the safety, permanency, and well-being of American Indian children. The work group shall report back to the chairs of the house and senate committees having jurisdiction over health and human services by January 1, 2008, with recommendations for potential legislation to be offered in the 2008 legislative session.

Sec. 8. **[256N.40] COUNTY DUTIES.**

Subdivision 1. **Performance outcomes.** Counties shall use allocated funds from the child safety fund to meet child safety system performance standards, with the overall goal of achieving the three following outcomes:

(1) protecting children from abuse and neglect, including maintaining a safe environment for children in their homes whenever possible;

(2) maintaining permanency and stability in children's living situations, including preserving continuity of family relationships; and

(3) ensuring that families have the capacity to provide for their children's educational, physical, and mental health needs.

Subd. 2. **Duties of county boards.** The county board of each county is responsible for administering and distributing the funding for children services under subdivision 1.

Sec. 9. **[256N.50] EVALUATION OF COUNTY PERFORMANCE.**

Subdivision 1. **County evaluation.** The commissioner shall evaluate the performance of each county in the state to measure compliance with the child safety system performance standards. The commissioner shall annually collect and compile data to determine if standards were met, require sanctions or corrective action procedures as determined by the work group in section 256N.20, and utilize the data collected to determine the county's eligibility for all or part of the child safety fund performance allocation under section 256N.30.

Subd. 2. **Statewide evaluation.** Beginning January 1, 2010, and every two years thereafter, the commissioner shall prepare a report which must include the counties' progress in achieving compliance with the child safety system performance standards. As part of this report, the

commissioner shall evaluate and make changes necessary to amend the child safety system performance standards. This report must be disseminated to county agencies statewide.

Sec. 10. **APPROPRIATION.**

\$...... is appropriated from the general fund to the commissioner of human services for the biennium beginning July 1, 2007, to develop the child safety system in sections 4 to 9."

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

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

**S.F. No. 1535:** A bill for an act relating to human services; requiring initial and continuing training in dementia care and mental illness care for certain direct care staff; requiring employers to maintain training records; establishing employee access to training records; amending Minnesota Statutes 2006, sections 182.653, by adding a subdivision; 182.654, subdivision 10.

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

Page 1, line 10, delete "Dementia care and mental illness care" and insert "Staff safety"

Page 1, line 11, delete "Alzheimer's disease or other"

Page 1, line 12, delete "forms of dementia" and insert "mental illness or severe emotional disturbance"

Page 1, line 13, delete everything after "in"

Page 1, delete lines 14 and 15

Page 1, line 16, delete everything before the period and insert "violence prevention and violence reduction"

Amend the title as follows:

Page 1, line 2, after "continuing" insert "personal safety" and delete "in dementia"

Page 1, line 3, delete "care and mental illness care"

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

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

**S.F. No. 1434:** A bill for an act relating to human services; requiring a quality of care impact statement prior to contracting for basic health care services to persons with disabilities; amending Minnesota Statutes 2006, section 256B.69, subdivision 28.

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



Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 256B.69, subdivision 23, is amended to read:

Subd. 23. **Alternative services; elderly and disabled persons.** (a) The commissioner may implement demonstration projects to create alternative integrated delivery systems for acute and long-term care services to elderly persons and persons with disabilities as defined in section 256B.77, subdivision 7a, that provide increased coordination, improve access to quality services, and mitigate future cost increases. The commissioner may seek federal authority to combine Medicare and Medicaid capitation payments for the purpose of such demonstrations and may contract with Medicare-approved special needs plans to provide Medicaid services. Medicare funds and services shall be administered according to the terms and conditions of the federal contract and demonstration provisions. For the purpose of administering medical assistance funds, demonstrations under this subdivision are subject to subdivisions 1 to 22. The provisions of Minnesota Rules, parts 9500.1450 to 9500.1464, apply to these demonstrations, with the exceptions of parts 9500.1452, subpart 2, item B; and 9500.1457, subpart 1, items B and C, which do not apply to persons enrolling in demonstrations under this section. An initial open enrollment period may be provided. Persons who disenroll from demonstrations under this subdivision remain subject to Minnesota Rules, parts 9500.1450 to 9500.1464. When a person is enrolled in a health plan under these demonstrations and the health plan's participation is subsequently terminated for any reason, the person shall be provided an opportunity to select a new health plan and shall have the right to change health plans within the first 60 days of enrollment in the second health plan. Persons required to participate in health plans under this section who fail to make a choice of health plan shall not be randomly assigned to health plans under these demonstrations. Notwithstanding section 256L.12, subdivision 5, and Minnesota Rules, part 9505.5220, subpart 1, item A, if adopted, for the purpose of demonstrations under this subdivision, the commissioner may contract with managed care organizations, including counties, to serve only elderly persons eligible for medical assistance, elderly and disabled persons, or disabled persons only. For persons with a primary diagnosis of developmental disability, serious and persistent mental illness, or serious emotional disturbance, the commissioner must ensure that the county authority has approved the demonstration and contracting design. Enrollment in these projects for persons with disabilities shall be voluntary. The commissioner shall not implement any demonstration project under this subdivision for persons with a primary diagnosis of developmental disabilities, serious and persistent mental illness, or serious emotional disturbance, without approval of the county board of the county in which the demonstration is being implemented.

(b) Notwithstanding chapter 245B, sections 252.40 to 252.46, 256B.092, 256B.501 to 256B.5015, and Minnesota Rules, parts 9525.0004 to 9525.0036, 9525.1200 to 9525.1330, 9525.1580, and 9525.1800 to 9525.1930, the commissioner may implement under this section projects for persons with developmental disabilities. The commissioner may capitate payments for ICF/MR services, waived services for developmental disabilities, including case management services, day training and habilitation and alternative active treatment services, and other services as approved by the state and by the federal government. Case management and active treatment must be individualized and developed in accordance with a person-centered plan. Costs under these projects may not exceed costs that would have been incurred under fee-for-service. Beginning July 1, 2003, and until two years after the pilot project implementation date, subcontractor participation in the long-term care developmental disability pilot is limited to a nonprofit long-term care system providing ICF/MR services, home and community-based waiver services, and in-home services

to no more than 120 consumers with developmental disabilities in Carver, Hennepin, and Scott Counties. The commissioner shall report to the legislature prior to expansion of the developmental disability pilot project. This paragraph expires two years after the implementation date of the pilot project.

(c) Before implementation of a demonstration project for disabled persons, the commissioner must provide information to appropriate committees of the house of representatives and senate and must involve representatives of affected disability groups in the design of the demonstration projects.

(d) A nursing facility reimbursed under the alternative reimbursement methodology in section 256B.434 may, in collaboration with a hospital, clinic, or other health care entity provide services under paragraph (a). The commissioner shall amend the state plan and seek any federal waivers necessary to implement this paragraph.

(e) The commissioner, in consultation with the commissioners of commerce and health, may approve and implement programs for all-inclusive care for the elderly (PACE) according to federal laws and regulations governing that program and state laws or rules applicable to participating providers. The process for approval of these programs shall begin only after the commissioner receives grant money in an amount sufficient to cover the state share of the administrative and actuarial costs to implement the programs during state fiscal years 2006 and 2007. Grant amounts for this purpose shall be deposited in an account in the special revenue fund and are appropriated to the commissioner to be used solely for the purpose of PACE administrative and actuarial costs. A PACE provider is not required to be licensed or certified as a health plan company as defined in section 62Q.01, subdivision 4. Persons age 55 and older who have been screened by the county and found to be eligible for services under the elderly waiver or community alternatives for disabled individuals or who are already eligible for Medicaid but meet level of care criteria for receipt of waiver services may choose to enroll in the PACE program. Medicare and Medicaid services will be provided according to this subdivision and federal Medicare and Medicaid requirements governing PACE providers and programs. PACE enrollees will receive Medicaid home and community-based services through the PACE provider as an alternative to services for which they would otherwise be eligible through home and community-based waiver programs and Medicaid State Plan Services. The commissioner shall establish Medicaid rates for PACE providers that do not exceed costs that would have been incurred under fee-for-service or other relevant managed care programs operated by the state.

(f) The commissioner shall seek federal approval to expand the Minnesota disability health options (MnDHO) program established under this subdivision in stages, first to regional population centers outside the seven-county metro area and then to all areas of the state. Until January 1, 2008, expansion for MnDHO projects that include home and community-based services is limited to the two projects and service areas in effect on March 1, 2006. Enrollment in integrated MnDHO programs that include home and community-based services shall remain voluntary. Costs for home and community-based services included under MnDHO must not exceed costs that would have been incurred under the fee-for-service program. The commissioner shall develop and issue a quality of care impact statement to include: any resulting reduction in the quality and quantity of county safety net services for disabled persons; any resulting county employee job losses; a comparison of the qualifications and experience of existing county case managers versus contracted vendors; a cost-benefit analysis showing the costs and projected savings of a prepaid medical plan in comparison to fee-paid services; and any conflicts of interest. In developing program

specifications for expansion of integrated programs, the commissioner shall involve and consult the state-level stakeholder group established in subdivision 28, paragraph (d), including consultation on whether and how to include home and community-based waiver programs. Plans for further expansion of MnDHO projects shall be presented to the chairs of the house and senate committees with jurisdiction over health and human services policy and finance by February 1, 2007.

(g) Notwithstanding section 256B.0261, health plans providing services under this section are responsible for home care targeted case management and relocation targeted case management. Services must be provided according to the terms of the waivers and contracts approved by the federal government.

Sec. 2. Minnesota Statutes 2006, section 256B.69, subdivision 28, is amended to read:

Subd. 28. **Medicare special needs plans; medical assistance basic health care.** (a) The commissioner may contract with qualified Medicare-approved special needs plans to provide medical assistance basic health care services to persons with disabilities, including those with developmental disabilities. Basic health care services include:

(1) those services covered by the medical assistance state plan except for ICF/MR services, home and community-based waiver services, case management for persons with developmental disabilities under section 256B.0625, subdivision 20a, and personal care and certain home care services defined by the commissioner in consultation with the stakeholder group established under paragraph (d); and

(2) basic health care services may also include risk for up to 100 days of nursing facility services for persons who reside in a noninstitutional setting and home health services related to rehabilitation as defined by the commissioner after consultation with the stakeholder group.

The commissioner may exclude other medical assistance services from the basic health care benefit set. Enrollees in these plans can access any excluded services on the same basis as other medical assistance recipients who have not enrolled.

Unless a person is otherwise required to enroll in managed care, enrollment in these plans for Medicaid services must be voluntary. For purposes of this subdivision, automatic enrollment with an option to opt out is not voluntary enrollment.

(b) Beginning January 1, 2007, the commissioner may contract with qualified Medicare special needs plans to provide basic health care services under medical assistance to persons who are dually eligible for both Medicare and Medicaid and those Social Security beneficiaries eligible for Medicaid but in the waiting period for Medicare. The commissioner shall consult with the stakeholder group under paragraph ~~(d)~~ (e) in developing program specifications for these services. The commissioner shall report to the chairs of the house and senate committees with jurisdiction over health and human services policy and finance by February 1, 2007, on implementation of these programs and the need for increased funding for the ombudsman for managed care and other consumer assistance and protections needed due to enrollment in managed care of persons with disabilities. Payment for Medicaid services provided under this subdivision for the months of May and June will be made no earlier than July 1 of the same calendar year.

(c) Beginning January 1, 2008, the commissioner may expand contracting under this subdivision to all persons with disabilities not otherwise required to enroll in managed care.

(d) By February 1, 2009, the commissioner shall report to the chairs of the house and senate committees with jurisdiction over health and human services policy and finance on the initial results of implementation of contracts with qualified Medicare special needs plans to provide basic health care services under medical assistance to persons who are dually eligible for both Medicare and Medicaid. This report shall include an overall assessment of the impact on quality of care including actual costs and benefits.

(e) The commissioner shall establish a state-level stakeholder group to provide advice on managed care programs for persons with disabilities, including both MnDHO and contracts with special needs plans that provide basic health care services as described in paragraphs (a) and (b). The stakeholder group shall include representatives of the counties and labor organizations representing county social service workers, members, consumer advocates, and providers, and provide advice on program expansions under this subdivision and subdivision 23, including:

(1) implementation efforts;

(2) consumer protections; and

(3) program specifications such as quality assurance measures, data collection and reporting, and evaluation of costs, quality, and results.

~~(e)~~ (f) Each plan under contract to provide medical assistance basic health care services shall establish a local or regional stakeholder group, including representatives of the counties covered by the plan and labor organizations representing county social service workers, members, consumer advocates, and current providers, for advice on issues that arise in the local or regional area."

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "requiring a quality of care impact statement regarding Minnesota disability health options;"

Amend the title numbers accordingly

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

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

**S.F. No. 1215:** A bill for an act relating to health; making technical changes; eliminating radioactive material license renewal fee; establishing fees for ionizing radiation-producing equipment; modifying requirements for operating x-ray equipment; changing provisions in the lead abatement program; amending Minnesota Statutes 2006, sections 144.1205, subdivision 1; 144.121, subdivisions 1a, 5; 144.9512, subdivisions 1, 2, 3, 10; repealing Minnesota Statutes 2006, sections 144.121, subdivisions 1c, 4; 144.146, subdivision 1; 144.9512, subdivisions 4, 6, 7, 8.

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

Page 4, after line 27, insert:

"Sec. 8. Minnesota Statutes 2006, section 145.881, subdivision 1, is amended to read:

Subdivision 1. **Composition of task force.** The commissioner shall establish and appoint a Maternal and Child Health Advisory Task Force consisting of 15 members who will provide equal representation from:

- (1) professionals with expertise in maternal and child health services;
- (2) representatives of community health boards as defined in section 145A.02, subdivision 5; and
- (3) consumer representatives interested in the health of mothers and children.

No members shall be employees of the state Department of Health. Section 15.059 governs the Maternal and Child Health Advisory Task Force. Notwithstanding section 15.059, the Maternal and Child Health Advisory Task Force expires June 30, ~~2007~~ 2011."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, after the semicolon, insert "extending the expiration date for a task force;"

Amend the title numbers accordingly

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

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

**S.F. No. 1593:** A bill for an act relating to health; changing the public program volume factor for MERC from revenue to charges; amending Minnesota Statutes 2006, section 62J.692, subdivision 4.

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

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

**S.F. No. 570:** A bill for an act relating to human services; modifying competitive bidding for medical assistance nonemergency medical transportation; specifying criteria for level of need determinations for nonemergency medical transportation; modifying criteria and increasing reimbursement for medical assistance special transportation services; amending Minnesota Statutes 2006, sections 256B.04, subdivision 14, by adding a subdivision; 256B.0625, subdivision 17.

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

Page 2, after line 9, insert:

"(c) The commissioner may not utilize volume purchase through competitive bidding and negotiation for special transportation services under the provisions of chapter 16C."

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

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

**S.F. No. 714:** A bill for an act relating to health; establishing a controlled substances prescription electronic reporting system; proposing coding for new law in Minnesota Statutes, chapter 152.

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

Page 1, line 6, delete "SCHEDULE II"

Page 1, line 13, delete "subdivision 3" and insert "subdivisions 3 and 4"

Page 3, line 15, delete "generally recognized standards" and insert "standards accepted by national and international pain management associations"

Page 3, after line 21, insert:

"(c) No personnel of a state or federal occupational licensing board or agency may access the database for the purpose of obtaining information to be used to initiate or substantiate a disciplinary action against a prescriber."

Page 3, line 25, after "(b)" insert "Except as specified in subdivision 5,"

Page 4, delete lines 10 to 12

Page 4, line 13, delete "(8)" and insert "(7)"

Page 4, line 15, delete "(9)" and insert "(8)"

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

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

**S.F. No. 696:** A bill for an act relating to human services; establishing a home care tax credit; appropriating money; amending Minnesota Statutes 2006, sections 256B.0911, subdivision 3; 256B.0917, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 256B.0911, subdivision 3, is amended to read:

**Subd. 3. Long-term care consultation team.** (a) A long-term care consultation team shall be established by the county board of commissioners. Each local consultation team shall consist of at least one social worker and at least one public health nurse from their respective county agencies. The board may designate public health or social services as the lead agency for long-term care

consultation services. If a county does not have a public health nurse available, it may request approval from the commissioner to assign a county registered nurse with at least one year experience in home care to participate on the team. Two or more counties may collaborate to establish a joint local consultation team or teams.

(b) The team is responsible for providing long-term care consultation services to all persons located in the county who request the services, regardless of eligibility for Minnesota health care programs.

(c) For applicants for a credit under section 290.0678, the team must certify in accordance with procedures established by the commissioner that the care provided by the caregiver:

- (1) qualifies as personal care assistant services under section 256B.0655, subdivision 2;
- (2) is needed and provided in person on a daily basis; and
- (3) is appropriate based on the service recipient's needs and is likely to delay or avoid transferring the person to an out-of-home placement.

**Sec. 2. [290.0678] MINNESOTA HOME CARE CREDIT.**

Subdivision 1. **Definitions.** The terms used in this section have the following meanings unless otherwise provided for by text.

Subd. 2. **Caregiver.** "Caregiver" means an individual who provides unpaid assistance on a daily basis that qualifies as personal care assistant services under section 256B.0655, subdivision 2, to a service recipient in either the individual's principal residence or the service recipient's principal residence.

Subd. 3. **Service recipient.** "Service recipient" means an individual who:

- (1) is the spouse, parent, stepparent, sibling, stepsibling, child, stepchild, grandparent, or stepgrandparent of the taxpayer;
- (2) does not reside in a setting licensed or registered by the commissioner of health or human services; and
- (3) has been screened by a county long-term care consultation team and determined by that team to be eligible for placement in a nursing home or other long-term care facility.

Subd. 4. **Credit allowed.** (a) An individual is allowed a credit against the tax imposed by this chapter equal to \$200 for each month during the tax year that the individual is a caregiver for a service recipient. The maximum credit in a tax year shall be \$2,400.

(b) The commissioner shall require individuals claiming the credit to certify that the individual and the service recipient satisfy all the requirements of this section.

(c) Only one credit may be claimed for each service recipient in any tax year.

(d) For a nonresident or part-year resident, the credit must be allocated based on the percentage calculated under section 290.06, subdivision 2c, paragraph (e).

Subd. 5. **Credit limitations.** (a) Eligibility for the credit in subdivision 4 is limited to persons

with total household income, as defined in section 290A.03, subdivision 5, that does not exceed the maximum household income level eligible for a refund under section 290A.04, subdivision 2.

(b) Eligibility for the credit in subdivision 4 is limited to persons who have been certified by a long-term care consultation team under section 256B.0911, subdivision 3, paragraph (c).

(c) The credit in subdivision 4 is reduced to \$100 for any month in which a service recipient receives more than four hours per day on average of federal, state, or county-funded home care services as specified in section 256B.0651, subdivision 2.

Subd. 6. **Credit refundable.** If the amount of the credit under this section exceeds the individual's tax liability under this chapter, the commissioner shall refund the excess amount to the claimant.

Subd. 7. **Caregiver training.** For each year in which a credit is claimed under this section, the caregiver must participate in at least eight hours of (1) caregiver training, education, or counseling, or (2) caregiver support group sessions.

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2007."

Delete the title and insert:

"A bill for an act relating to human services; establishing a home care tax credit; amending Minnesota Statutes 2006, section 256B.0911, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 290."

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

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

**S.F. No. 1753:** A bill for an act relating to airports; creating an advisory task force to study airport funding issues and the state airports fund; requiring a report; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. **AIRPORT FUNDING ADVISORY TASK FORCE.**

Subdivision 1. **Task force established.** An advisory task force on airport funding issues is established to study and make recommendations regarding the best methods for funding airports in the state and the state airports fund. The task force shall study:

- (1) the adequacy of current sources of revenue for the state airports fund and airports in the state;
- (2) policy considerations regarding the use of the sales tax on aircraft as a potential source of revenue for airports;
- (3) how other states fund airports;



(4) projected aviation needs of the future, including required investments in aviation infrastructure;

(5) aircraft registration taxes; and

(6) other issues relating to the funding of airports as determined by the task force.

Subd. 2. **Membership.** (a) The task force is comprised of the following members:

(1) three members of the senate, including at least one member from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate; and

(2) three members of the house of representatives, two appointed by the speaker of the house and one appointed by the minority leader.

The appointing authorities must select members based on knowledge and experience in aviation funding issues. All appointments required by this paragraph must be completed by September 1, 2007.

(b) The chair of the task force may appoint additional nonvoting members to the task force, including, but not limited to, representatives of the following organizations:

(1) the Department of Transportation Aeronautics Office;

(2) the Aircraft Owners and Pilots Association;

(3) the Experimental Aircraft Association/ACAA;

(4) the Metropolitan Airports Commission;

(5) the Minnesota Aviation Trades Association;

(6) the Minnesota Business Aviation Association;

(7) the Minnesota Council of Airports;

(8) the Minnesota Seaplane Pilots Association;

(9) the National Business Aviation Association; and

(10) the Minnesota Wing, Civil Air Patrol.

(c) The director of the aeronautics office in the Department of Transportation shall convene the first meeting of the task force within two weeks after the legislative members have been appointed to the task force. The members shall elect a chairperson from their membership at the first meeting.

Subd. 3. **Report.** By February 15, 2008, the task force shall report its recommendations to the chairs of the legislative committees with jurisdiction over airports and aviation issues and to the legislature as required by Minnesota Statutes, section 3.195.

Subd. 4. **Expenses.** Per diem and expenses for members of the task force are as provided for under Minnesota Statutes, section 15.059.

Subd. 5. **Expiration.** This section expires after the submission of the report as required under

subdivision 3.

Sec. 2. **APPROPRIATION.**

\$200,000 is appropriated from the state airports fund in fiscal year 2008 to the Legislative Coordinating Commission for the administrative expenses of the task force created in section 1 and for other costs relating to the preparation of the report required under section 1, including the costs of hiring a consultant, if needed. Any remaining amount of this appropriation shall revert to the state airports fund.

Sec. 3. **EFFECTIVE DATE.**

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

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

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

**S.F. No. 148:** A bill for an act relating to human services; changing mental health provisions; requiring mental health assessments for certain inmates; establishing children's mental health grants and training; requiring a study to determine the feasibility of requiring students of higher education to carry health insurance; creating a loan forgiveness program; establishing the Crisis Intervention Team State Council; making changes to mental health funding provisions; establishing pilot projects; authorizing grant funding; requiring reports; appropriating money; amending Minnesota Statutes 2006, sections 245.4712, subdivision 1; 245.50, subdivision 5; 256B.038; 256B.0623, subdivision 8; 256B.0625, subdivisions 38, 43, 46; 256B.0943, by adding subdivisions; 256B.69, subdivisions 5g, 5h; 256B.763; 256D.03, subdivisions 3, 4; 256D.44, subdivision 5; 256L.03, subdivisions 1, 5; 256L.035; 256L.07, subdivision 3; 256L.12, subdivision 9a; 641.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144; 245; 245A; 256; 626; 641.

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

Page 1, delete section 1 and insert:

"Section 1. **[626.96] CRISIS INTERVENTION TEAM GRANTS.**

Subdivision 1. **Request for proposals.** The commissioner of public safety shall create a competitive grant process using request for proposals for crisis intervention team training for local police and sheriff departments. Before making grants under this section, the commissioner shall consult with the following organizations or individuals regarding the development of the request for proposals:

- (1) the Barbara Schneider Foundation;
- (2) the National Alliance on Mental Illness;
- (3) the Minnesota Mental Health Association; and
- (4) national experts on crisis intervention team training.

Subd. 2. **Training requirements.** The training provided with grants made under this section must include, but is not limited to, the following components:

- (1) an overview of mental illnesses and the mental health system;
- (2) site visits to psychiatric receiving facilities;
- (3) an overview of mental health courts;
- (4) an overview of specific psychiatric conditions, their manifestations, and treatment; and
- (5) crisis intervention team reporting and data collection.

At least 20 percent of each training must involve scenario-based role play training with the use of a professional acting company with crisis intervention team training experience. Training provided under this subdivision must be at least 40 hours. The training must encourage and support the statewide development of crisis intervention teams for law enforcement. The training must promote the development of local collaboration among public safety professionals, community mental health and emergency medicine providers, and members of the public."

Page 5, line 20, after the period, insert "The commissioner may use up to 2.5 percent of the amount appropriated under this subdivision for costs of administering this grant program."

Amend the title numbers accordingly

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

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

**S.F. No. 753:** A bill for an act relating to elections; permitting appointment of election judges not affiliated with a major political party; amending Minnesota Statutes 2006, section 204B.21, subdivision 2.

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 2006, section 204B.21, subdivision 2, is amended to read:

**Subd. 2. **Appointing authority; powers and duties.**** Election judges for precincts in a municipality shall be appointed by the governing body of the municipality. Election judges for precincts in unorganized territory and for performing election-related duties assigned by the county auditor shall be appointed by the county board. Election judges for a precinct composed of two or more municipalities must be appointed by the governing body of the municipality or municipalities responsible for appointing election judges as provided in the agreement to combine for election purposes. Appointments shall may be made from lists furnished pursuant to subdivision 1 subject to the eligibility requirements and other qualifications established or authorized under section 204B.19. At least two election judges in each precinct must be affiliated with different major political parties. If no lists have been furnished or if additional election judges are required after all listed names have been exhausted, the appointing authority may appoint any other individual

~~to serve as an election judge subject to the same requirements and qualifications~~ individuals who meet the qualifications to serve as an election judge, including persons who are not affiliated with a major political party. The appointments shall be made at least 25 days before the election at which the election judges will serve.

Sec. 2. Minnesota Statutes 2006, section 205.075, is amended by adding a subdivision to read:

Subd. 4. **Election judges; party balance.** The provisions of sections 204B.19, subdivision 5; 204B.21, subdivision 2; 204C.15; 204C.19; 206.83; and 206.86, subdivision 2, relating to party balance in the appointment of judges and to duties to be performed by judges of different major political parties do not apply to a town election not held in conjunction with a statewide election.

Sec. 3. Minnesota Statutes 2006, section 205A.10, subdivision 2, is amended to read:

Subd. 2. **Election, conduct.** A school district election must be by secret ballot and must be held and the returns made in the manner provided for the state general election, as far as practicable. The vote totals from an absentee ballot board established pursuant to section 203B.13 may be tabulated and reported by the school district as a whole rather than by precinct. For school district elections not held in conjunction with a statewide election, the school board shall appoint election judges as provided in section 204B.21, subdivision 2. The provisions of sections 204B.19, subdivision 5; 204B.21, subdivision 2; 204C.15; 204C.19; ~~206.64, subdivision 2;~~ 206.83; and 206.86, subdivision 2, relating to party balance in appointment of judges and to duties to be performed by judges of different major political parties do not apply to school district elections not held in conjunction with a statewide election."

Amend the title numbers accordingly

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 380, 124, 1311, 248, 1165, 817 and 753 were read the second time.

## MOTIONS AND RESOLUTIONS - CONTINUED

Senator Hann moved that S.F. No. 1814 be withdrawn from the Committee on Finance and referred to the Committee on Education. The motion prevailed.

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

### Senator Dibble introduced—

**S.F. No. 1874:** A bill for an act relating to energy; appropriating money to Linden Hills Power and Light for a community digester and neighborhood district heating and cooling demonstration project.

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

**Senators Erickson Ropes, Clark, Dille, Prettner Solon and Jungbauer introduced—**

**S.F. No. 1875:** A bill for an act relating to the military; improving access to counseling services for returning soldiers and veterans; requiring a report; appropriating money.

Referred to the Committee on Agriculture and Veterans.

**Senator Anderson introduced—**

**S.F. No. 1876:** A bill for an act relating to state government; modifying the structure of the Pollution Control Agency; amending Minnesota Statutes 2006, sections 116.02, subdivisions 1, 4; 116.03, subdivisions 1, 2; repealing Minnesota Statutes 2006, section 116.02, subdivisions 6, 7, 8, 9, 10.

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

**Senator Anderson introduced—**

**S.F. No. 1877:** A bill for an act relating to retirement; specifying eligibility for a surviving spouse benefit from the Minneapolis Firefighters Relief Association.

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

**Senator Anderson introduced—**

**S.F. No. 1878:** A bill for an act relating to health; appropriating money from petroleum tank fund for lead cleanup; amending Minnesota Statutes 2006, section 115C.08, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

**Senator Koering introduced—**

**S.F. No. 1879:** A bill for an act relating to human services; changing the pharmacy dispensing fee; requiring a report on changes to pharmacy dispensing service fees; amending Minnesota Statutes 2006, section 256B.0625, subdivision 13e; Laws 2006, chapter 282, article 16, section 15, subdivision 6.

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

**Senators Latz and Rest introduced—**

**S.F. No. 1880:** A bill for an act relating to human services; requiring a study on the density of residential programs.

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

**Senator Pogemiller introduced–**

**S.F. No. 1881:** A bill for an act relating to human services; appropriating money to the International Adoption Project.

Referred to the Committee on Finance.

**Senators Olseen and Erickson Ropes introduced–**

**S.F. No. 1882:** A bill for an act relating to property taxation; providing a valuation exclusion for homesteads of certain disabled military veterans; amending Minnesota Statutes 2006, section 273.13, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Olseen and Erickson Ropes introduced–**

**S.F. No. 1883:** A bill for an act relating to veterans; broadening the eligibility criteria for peace officer reciprocity licensing exam to include certain persons in active military service; amending Minnesota Statutes 2006, section 626.8517.

Referred to the Committee on Judiciary.

**Senators Fischbach, Hann and Wergin introduced–**

**S.F. No. 1884:** A bill for an act relating to education; requiring school districts to fully inform parents of their ability to refuse an early childhood developmental screening because of conscientiously held beliefs; amending Minnesota Statutes 2006, section 121A.17, subdivision 5.

Referred to the Committee on Education.

**Senator Larson introduced–**

**S.F. No. 1885:** A bill for an act relating to public employment; providing for offers of settlement prior to arbitration; providing for the assessment of costs in certain cases; amending Minnesota Statutes 2006, section 179A.21, by adding a subdivision.

Referred to the Committee on Business, Industry and Jobs.

**Senators Torres Ray, Prettner Solon, Scheid and Koering introduced–**

**S.F. No. 1886:** A bill for an act relating to health; establishing a work group to study the provision of interpreter services to health care patients.

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

**Senators Koering, Metzen, Skogen, Kubly and Day introduced–**

**S.F. No. 1887:** A bill for an act relating to highways; designating the "Dallas Sams Memorial Highway"; amending Minnesota Statutes 2006, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation.

**Senators Koch and Dille introduced—**

**S.F. No. 1888:** A bill for an act relating to human services; establishing a board of oversight of human services appeals; amending Minnesota Statutes 2006, section 14.63; proposing coding for new law in Minnesota Statutes, chapter 245A.

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

**Senator Wiger introduced—**

**S.F. No. 1889:** A bill for an act relating to public safety; modifying nuisance law provisions; amending Minnesota Statutes 2006, section 617.81, subdivision 2.

Referred to the Committee on Judiciary.

**Senators Sparks, Metzen, Murphy, Langseth and Frederickson introduced—**

**S.F. No. 1890:** A bill for an act relating to motor fuels; regulating biodiesel fuel sales; amending Minnesota Statutes 2006, section 239.77, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Erickson Ropes, Dille, Sheran, Prettner Solon and Lourey introduced—**

**S.F. No. 1891:** A bill for an act relating to human services; establishing community initiatives to cover the uninsured and underinsured; appropriating money.

Referred to the Committee on Finance.

**Senators Pappas and Larson introduced—**

**S.F. No. 1892:** A bill for an act relating to retirement; modifying adjustments by the commissioner of education to aid payments for Special School District No. 625; increasing direct state supplemental contributions to the St. Paul Teachers Retirement Fund Association; removing the sunset and redistributive provisions on direct state supplemental aids to teacher retirement funds; increasing employer contribution rates; repealing language on administrative cost-related member contribution surcharges; eliminating an investment-related postretirement increase for the St. Paul Teachers Retirement Fund Association; providing for a limited cost-of-living increase; establishing a new amortization target date for the St. Paul Teachers Retirement Fund Association; appropriating money; amending Minnesota Statutes 2006, sections 127A.50, subdivision 1; 354A.12, subdivisions 2a, 3a, 3c; 354A.29, subdivisions 3, 4; 356.215, subdivision 11; repealing Minnesota Statutes 2006, sections 127A.50, subdivision 5; 354A.12, subdivision 3d; 354A.29, subdivision 6.

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

**Senators Lynch and Bakk introduced—**

**S.F. No. 1893:** A bill for an act relating to taxation; individual income; providing for the phaseout threshold for the alternative minimum tax exemption to be adjusted for inflation; amending Minnesota Statutes 2006, section 290.091, subdivision 3.

Referred to the Committee on Taxes.

**Senators Moua, Bakk, Pogemiller, Sieben and Ortman introduced—**

**S.F. No. 1894:** A bill for an act relating to life insurance taxation; exempting certain group term contracts from the premiums tax; amending Minnesota Statutes 2006, section 297I.15, by adding a subdivision.

Referred to the Committee on Taxes.

**Senators Bakk, Saxhaug and Lourey introduced—**

**S.F. No. 1895:** A bill for an act relating to education finance; increasing funding for low referendum districts; amending Minnesota Statutes 2006, section 126C.10, subdivision 24.

Referred to the Committee on Finance.

**Senator Dibble introduced—**

**S.F. No. 1896:** A bill for an act relating to finance; changing the computation of the tobacco tax and tobacco health impact fee on moist snuff; amending Minnesota Statutes 2006, sections 297F.01, subdivision 19, by adding a subdivision; 297F.05, subdivisions 3, 4.

Referred to the Committee on Taxes.

**Senators Erickson Ropes; Prettner Solon; Olson, M. and Torres Ray introduced—**

**S.F. No. 1897:** A bill for an act relating to human services; expanding state direct contracting with providers for health care delivery under medical assistance, general assistance medical care, and MinnesotaCare; eliminating delivery of services to state health care program enrollees by prepaid health plans; proposing coding for new law in Minnesota Statutes, chapter 256; repealing Minnesota Statutes 2006, sections 256B.031; 256B.69, subdivisions 1, 2, 3, 3a, 3b, 4, 4b, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 6, 6a, 6b, 6c, 6d, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21, 22, 23, 24a, 25, 26, 27; 256L.12.

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

**Senators Sieben, Rummel and Saltzman introduced—**

**S.F. No. 1898:** A bill for an act relating to environment; creating an ombudsman in the Pollution Control Agency for water pollution education and assistance; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.



**Senator Jungbauer introduced–**

**S.F. No. 1899:** A bill for an act relating to bioenergy production; appropriating money for study of plasma gasification process to convert cellulose, plastics, and other components of municipal solid waste into methanol for use in biodiesel production.

Referred to the Committee on Finance.

**Senators Senjem and Lynch introduced–**

**S.F. No. 1900:** A bill for an act relating to highways; directing commissioner of transportation to issue necessary permits for construction by city of Rochester of interchange at highway 52 and 65th Street NW.

Referred to the Committee on Finance.

**Senator Senjem introduced–**

**S.F. No. 1901:** A bill for an act relating to transportation; authorizing Minnesota state transportation bonds and appropriating money for local bridge replacement and maintenance and for the local road improvement program.

Referred to the Committee on Finance.

**Senator Olseen introduced–**

**S.F. No. 1902:** A bill for an act relating to state government; including definition terms for energy forward pricing mechanisms; amending Minnesota Statutes 2006, section 16C.143, subdivision 1.

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

**Senators Rummel, Saltzman and Clark introduced–**

**S.F. No. 1903:** A bill for an act relating to education; providing funding for a school district with average general revenue below the state average; amending Minnesota Statutes 2006, section 126C.10, by adding a subdivision.

Referred to the Committee on Finance.

**Senators Rummel and Clark introduced–**

**S.F. No. 1904:** A bill for an act relating to education; appropriating money to the independent Office of Educational Accountability through the University of Minnesota; directing the Office of Educational Accountability to convene measurement experts to consider how school performance report card data are most usefully displayed; amending Minnesota Statutes 2006, sections 120B.31, subdivision 3; 120B.36, subdivision 1.

Referred to the Committee on Education.

**Senator Bonoff introduced—**

**S.F. No. 1905:** A bill for an act relating to property taxation; providing for a supplemental refund under the additional property tax refund program; amending Minnesota Statutes 2006, section 290A.04, subdivision 2h.

Referred to the Committee on Taxes.

**Senators Skoe and Stumpf introduced—**

**S.F. No. 1906:** A bill for an act relating to education finance; increasing the number of schools eligible for elementary sparsity revenue by lowering the minimum qualifying mileage from 19 to 17 miles; amending Minnesota Statutes 2006, section 126C.10, subdivision 6.

Referred to the Committee on Finance.

**Senator Stumpf introduced—**

**S.F. No. 1907:** A bill for an act relating to education; providing support to newly licensed teachers teaching in high-need subject areas and schools; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Finance.

**Senators Latz and Marty introduced—**

**S.F. No. 1908:** A bill for an act relating to health; requiring hospital reporting of charity care, bad debt, and community benefit; proposing coding for new law in Minnesota Statutes, chapter 144.

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

**Senator Larson introduced—**

**S.F. No. 1909:** A bill for an act relating to taxation; exempting construction material and equipment used to construct a new city hall and maintenance facility in Richfield; amending Minnesota Statutes 2006, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Rest introduced—**

**S.F. No. 1910:** A bill for an act relating to taxation; property tax refunds; removing the maximum from the homeowner refund; implementing an income phaseout for the special refund; amending Minnesota Statutes 2006, section 290A.04, subdivisions 2, 2h, 4.

Referred to the Committee on Taxes.

**Senators Michel and Rest introduced—**

**S.F. No. 1911:** A bill for an act relating to health; establishing the Minnesota Medical

Information Council; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

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

**Senator Senjem introduced—**

**S.F. No. 1912:** A bill for an act relating to public safety; repealing the program that involved mailed demands that vehicle owners provide verification of auto insurance; repealing Minnesota Statutes 2006, section 169.796, subdivision 3; Laws 2005, First Special Session chapter 6, article 3, section 91.

Referred to the Committee on Transportation.

**Senators Sheran, Rosen, Vickerman and Senjem introduced—**

**S.F. No. 1913:** A bill for an act relating to capital improvements; appropriating money for the Mankato Civic Center Arena and Women's Hockey Development Center.

Referred to the Committee on Finance.

**Senator Olseen introduced—**

**S.F. No. 1914:** A bill for an act relating to education finance; increasing the compensatory pilot grants for Independent School District No. 15, St. Francis, for two years; appropriating money.

Referred to the Committee on Finance.

**Senator Scheid introduced—**

**S.F. No. 1915:** A bill for an act relating to taxation; requiring certain low-income rental housing to participate in the crime free multihousing program to receive a reduced property tax class rate; amending Minnesota Statutes 2006, section 273.128, subdivision 1, by adding a subdivision.

Referred to the Committee on Taxes.

**Senator Sheran introduced—**

**S.F. No. 1916:** A bill for an act relating to historic preservation; appropriating money.

Referred to the Committee on Finance.

**Senator Sheran introduced—**

**S.F. No. 1917:** A bill for an act relating to the Minnesota Historical Society; appropriating money for a grant-in-aid program for county and local historical societies.

Referred to the Committee on Finance.

**Senator Prettner Solon introduced—**

**S.F. No. 1918:** A bill for an act relating to telecommunications; setting certain goals; providing for a broadband policy director and advisory board; amending Minnesota Statutes 2006, sections 237.011; 237.082; 237.16, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 237.

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

**Senators Gimse, Day, Jungbauer, Erickson Ropes and Dille introduced—**

**S.F. No. 1919:** A bill for an act relating to capital improvements; appropriating money for a historic military airplane enclosure and visitor center in the city of Spicer; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senators Sparks, Metzen, Scheid, Gerlach and Skogen introduced—**

**S.F. No. 1920:** A bill for an act relating to financial institutions; regulating certain charges, expenses, electronic financial terminals, and investments; amending Minnesota Statutes 2006, sections 47.59, subdivision 6; 47.60, subdivision 2; 47.62, subdivision 1; 47.75, subdivision 1; 48.15, subdivision 4; 118A.03, subdivision 2; 332.54, subdivision 7; repealing Minnesota Statutes 2006, sections 46.043; 47.62, subdivision 5.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Lynch, Saltzman and Michel introduced—**

**S.F. No. 1921:** A bill for an act relating to education; providing conditions for the continued implementation of No Child Left Behind; amending Minnesota Statutes 2006, section 127A.095, subdivision 2.

Referred to the Committee on Education.

**Senators Skoe, Scheid, Wiger, Prettner Solon and Senjem introduced—**

**S.F. No. 1922:** A bill for an act relating to insurance; creating a statewide health insurance program for school district employees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Education.

**Senator Murphy introduced—**

**S.F. No. 1923:** A bill for an act relating to transportation; amending requirements for expedited extinguishment of interest in a town road; nullifying such extinguishments under certain circumstances; amending Minnesota Statutes 2006, section 164.06, subdivision 2.

Referred to the Committee on Transportation.

**Senators Hann and Ortman introduced–**

**S.F. No. 1924:** A bill for an act relating to education; clarifying eligibility for extended time revenue; amending Minnesota Statutes 2006, section 126C.10, subdivision 2a.

Referred to the Committee on Education.

**Senators Vickerman, Kubly, Skogen, Dille and Koering introduced–**

**S.F. No. 1925:** A bill for an act relating to state government; appropriating money for agricultural, veterans, and military affairs purposes; establishing and modifying certain programs; modifying certain accounts and fees; amending Minnesota Statutes 2006, sections 17.03, subdivision 3; 17.101, subdivision 2; 17.102, subdivisions 1, 3, 4, by adding subdivisions; 17.117, subdivisions 5a, 5b; 18B.33, subdivision 1; 18B.34, subdivision 1; 18B.345; 18C.305, by adding a subdivision; 18E.03, subdivision 4; 28A.082, subdivision 1; 41B.043, subdivisions 2, 3, 4; 41B.047; 41B.055; 41B.06; 41C.05, subdivision 2; 168.1255, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 35; 41A; 192; repealing Minnesota Statutes 2006, sections 17.109; 18B.315; 18C.425, subdivision 5; 41B.043, subdivision 1a.

Referred to the Committee on Finance.

**Senators Neville; Hann; Michel; Olson, G. and Scheid introduced–**

**S.F. No. 1926:** A bill for an act relating to education; permitting charter school students to participate in high school league activities in the resident school district; amending Minnesota Statutes 2006, section 128C.02, subdivision 5.

Referred to the Committee on Education.

**MEMBERS EXCUSED**

Senators Johnson, Marty, Pappas and Wergin were excused from the Session of today. Senator Vandever was excused from the Session of today from 11:00 to 11:40 a.m. Senator Dille was excused from the Session of today at 11:35 a.m. Senator Michel was excused from the Session of today at 12:05 p.m.

**ADJOURNMENT**

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Monday, March 19, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate



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