

## THIRTY-FIRST DAY

St. Paul, Minnesota, Monday, March 19, 2007

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

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. John Ward.

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

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

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

The President declared a quorum present.

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

## 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. 1499.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 15, 2007

Mr. President:

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

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

Senate File No. 60 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 15, 2007

Senator Prettner Solon moved that the Senate do not concur in the amendments by the House to S.F. No. 60, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 736 and 122.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 15, 2007

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 736:** A bill for an act relating to emergency medical services; changing the name of an award and incentive program.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 636, now on General Orders.

**H.F. No. 122:** A bill for an act relating to commerce; regulating sales of American flags; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Consumer Protection.

### REPORTS OF COMMITTEES

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

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

**S.F. No. 1696:** A bill for an act relating to energy; specifying criteria for affordability programs for low-income residential customers; amending Minnesota Statutes 2006, section 216B.16, subdivision 15.

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

Page 1, line 8, reinstate the stricken "Low-income"

Page 1, line 14, before the period, insert "from the low-income home energy assistance program (LIHEAP)"

Page 1, line 19, before the semicolon, insert "over time by increasing the frequency of payments"

Page 2, after line 16, insert:

"(d) Public utilities may use information collected or created for the purpose of administering energy assistance to administer affordability programs."

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

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

**S.F. No. 1200:** A bill for an act relating to energy; requiring monthly reports from utilities to the Public Utilities Commission regarding residential accounts; proposing coding for new law in Minnesota Statutes, chapter 216B.

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. 1335:** A bill for an act relating to utilities; modifying conditions for disconnecting and reconnecting utility service; amending Minnesota Statutes 2006, section 216B.097, subdivisions 1, 3.

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

Page 1, line 20, strike "automatically eligible for" and insert "to meet the income requirements of this clause"

Page 1, line 21, strike "protection" and delete "under this section"

Page 2, line 4, reinstate the stricken "; and" and delete the period

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

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

**S.F. No. 1363:** A bill for an act relating to utilities; modifying payment arrangements for current and past due bills and undercharges; amending Minnesota Statutes 2006, sections 216B.098, subdivisions 3, 4; 504B.215, subdivision 3.

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

Page 1, delete section 1

Page 1, line 17, after "that" insert "the duration of"

Page 2, delete section 3

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to utilities; regulating payment agreements for undercharges; amending Minnesota Statutes 2006, section 216B.098, subdivision 4."

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

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

**S.F. No. 1105:** A bill for an act relating to health; requiring the commissioner of health to develop health risk limits for perfluorooctanoic acid, perfluorooctane sulfonate, and perfluorobutanoic acid.

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

Delete everything after the enacting clause and insert:

"Section 1. **HEALTH RISK LIMITS REQUIRED.**

By August 1, 2007, the commissioner of health shall develop and adopt by rule, pursuant to Minnesota Statutes, section 14.388, subdivision 1, clause (1), health risk limits, as defined in Minnesota Statutes, section 103H.005, subdivision 3, for perfluorooctanoic acid, and perfluorooctane sulfonate. The commissioner shall develop and adopt the health risk limits according to Minnesota Statutes, section 144.0751, and ensure that the health risk limits are based on currently available toxicity and exposure data.

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

Sec. 2. **HEALTH RISK LIMITS FOR PERFLUORO CHEMICALS; REPORT.**

By January 15, 2008, the commissioner of health shall provide a report to the house of representatives and senate committees with jurisdiction over health and environmental policy on the commissioner's progress in determining the health effects and the development of the health risk limits, as defined in Minnesota Statutes, section 103H.005, subdivision 3, for perfluorochemicals. By September 30, 2007, the commissioner shall provide an interim status report to the committees. The report shall include, but is not limited to:

(1) the health effects and health risk limits adopted for perfluorooctanoic acid and perfluorooctane sulfonate;

(2) the health effects and the need to develop health risk limits for perfluorobutanoic acid and other perfluorochemicals;

(3) the health effects and the need to develop health risk limits for combinations of perfluorochemicals; and

(4) a comparison of health-based values for perfluorochemicals established in Minnesota and the values established for those chemicals in other states including the state of New Jersey.

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

Delete the title and insert:

"A bill for an act relating to health; requiring the commissioner of health to develop health risk limits for certain perfluorochemicals; requiring a report on the health effects and health risk limits for perfluorochemicals."

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

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

**H.F. No. 1008** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		1008	985		

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

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

**S.F. No. 1262:** A bill for an act relating to commerce; regulating the manufacture and sale of jewelry products containing lead; 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 7, delete subdivision 6

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. 1441:** A bill for an act relating to children's environmental health; prohibiting the sale of children's items containing lead; establishing requirements for paint retailers; 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, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the first semicolon

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

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. 504:** A bill for an act relating to insurance; requiring coverage for amino-based acid elemental formulas; amending Minnesota Statutes 2006, section 256B.0625, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62A.

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 62A.26, is amended to read:

**62A.26 COVERAGE FOR ~~PHENYLKETONURIA TREATMENT~~ CERTAIN DIETARY FORMULAS.**

Subdivision 1. **Scope of coverage.** This section applies to all policies of accident and health insurance regulated under this chapter, health maintenance contracts regulated under chapter 62D, health benefit certificates offered through a fraternal benefit society regulated under chapter 64B, and ~~group~~ subscriber contracts offered by nonprofit health service plan corporations regulated under chapter 62C, but does not apply to policies designed primarily to provide coverage payable on a per diem, fixed indemnity or nonexpense incurred basis, or policies that provide only accident coverage.

Subd. 2. **Required coverage for special dietary formulas for inborn errors of metabolism.** Every policy, plan, certificate, or contract referred to in subdivision 1 ~~issued or renewed after August 1, 1985,~~ must provide coverage for special dietary formulas essential to the treatment of inborn errors of metabolism, including treatment for phenylketonuria when recommended by a physician.

Subd. 3. **Required coverage for amino-acid-based elemental formulas for certain conditions.** (a) Every policy, plan, certificate, or contract referred to in subdivision 1 must provide coverage for amino-acid-based elemental formulas when ordered by a physician for diagnosed cases of cystic fibrosis; amino acid, organic acid, and fatty acid metabolic and malabsorption disorders; IgE mediated allergies to food proteins; food protein-induced enterocolitis syndrome; eosinophilic esophagitis; eosinophilic gastroenteritis; and eosinophilic colitis, when those conditions are

diagnosed by an allergist, gastroenterologist, or pediatrician. Coverage of amino-acid-based elemental formulas for enrollees diagnosed with an IgE mediated condition is limited to enrollees age five years and under.

(b) A policy, plan, certificate, or contract described in paragraph (a) may require that an enrollee obtain prior authorization for the coverage described in this subdivision. When requesting coverage, ordering physicians may be required to submit documentation of diagnosis, expected course of treatment, and duration of use of amino-acid-based elemental formulas. Coverage may be provided for up to 90 days when requested by a physician while actively seeking diagnosis. Documentation of symptoms and referral for diagnosis may be required.

(c) No special deductible, co-payment, waiting period, or other special restriction for the coverage specified in this subdivision may be imposed if not imposed under the policy, plan, certificate, or contract for nonpreventive treatment or prescription drugs in general.

**EFFECTIVE DATE.** This section is effective for policies, plans, certificates, and contracts issued on or after August 1, 2007.

Sec. 2. Minnesota Statutes 2006, section 256B.0625, is amended by adding a subdivision to read:

Subd. 3g. **Amino-acid-based elemental formulas.** Medical assistance covers amino-acid-based elemental formulas on the same terms and conditions required of policies, plans, and certificates under section 62A.26."

Delete the title and insert:

"A bill for an act relating to insurance; requiring coverage for amino-acid-based elemental formulas; amending Minnesota Statutes 2006, sections 62A.26; 256B.0625, by adding a subdivision."

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. 1581:** A bill for an act relating to insurance; regulating continuation coverage for life insurance; authorizing the use of certain mortality tables to calculate reserves for certain life policies; regulating life insurance policy illustrations and interest rate disclosures; requiring auto insurers to notify the commissioner of decision to withdraw from the market; regulating certain notices of cancellation and certain policy renewals; modifying a definition; amending Minnesota Statutes 2006, sections 60A.351; 61A.092, subdivision 6; 61A.25, subdivision 4; 65B.17, by adding a subdivision; 72A.52, subdivision 1; 72B.02, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 61A; repealing Minnesota Statutes 2006, section 45.025, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, 10; Minnesota Rules, parts 2790.1750; 2790.1751.

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

Page 2, after line 2, insert:

"Sec. 2. Minnesota Statutes 2006, section 61A.072, is amended to read:

**61A.072 POLICIES WITH ACCELERATED BENEFITS.**

Subdivision 1. **Disclosure.** A life insurance contract or supplemental contract that contains a provision to permit the accelerated payment of benefits as authorized under section 60A.06, subdivision 1, clause (4), must contain the following disclosure: "This is a life insurance policy which pays accelerated death benefits at your option under conditions specified in the policy. This policy is not a long term care policy meeting the requirements of sections 62A.46 to 62A.56 or chapter 62S."

Subd. 4. **Long-term care expenses.** If the right to receive accelerated benefits is contingent upon the insured receiving long-term care services, the contract or supplemental contract shall include the following provisions:

(1) the minimum accelerated benefit shall be \$1,200 per month if the insured is receiving nursing facility services and \$750 per month if the insured is receiving home services with a minimum lifetime benefit limit of \$50,000;

(2) coverage is effective immediately and benefits shall commence with the receipt of services as defined in section 62A.46, subdivision 3, 4, or 5, or 62S.01, subdivision 25, but may include a waiting period of not more than 90 days, provided that no more than one waiting period may be required per benefit period as defined in section 62A.46, subdivision 11;

(3) premium shall be waived during any period in which benefits are being paid to the insured during confinement to a nursing home facility;

(4) coverage may not be canceled or renewal refused except on the grounds of nonpayment of premium;

(5) coverage must include preexisting conditions during the first six months of coverage if the insured was not diagnosed or treated for the particular condition during the 90 days immediately preceding the effective date of coverage;

(6) coverage must include mental or nervous disorders which have a demonstrable organic cause such as Alzheimer's and related dementias;

(7) no prior hospitalization requirement shall be allowed unless a similar requirement is allowed by section 62A.48, subdivision 1, or 62S.06; and

(8) the contract shall include a cancellation provision that meets the requirements of section 62A.50, subdivision 2, or 62S.07.

Subd. 5. **Exclusion.** Subdivision 4 does not apply to contracts or supplemental contracts granting the right to receive accelerated benefits if (1) one of the options for payment provides for lump-sum payment; (2) no conditions or restrictions are imposed on the use of the funds by the insured; and (3) the offeree or insured is given written notice at the time the contract or supplemental contract is offered or sold that (i) Minnesota law sets minimum requirements for life insurance contracts where the right to receive accelerated benefits is contingent upon the insured receiving long-term care services, and (ii) the contract or supplemental contract being offered or sold does not meet those minimum requirements.

Subd. 6. **Accelerated benefits Definitions.** (a) "Accelerated benefits" covered under this section

are benefits payable under the life insurance contract:

(1) to a policyholder or certificate holder, during the lifetime of the insured, in the anticipation of death or upon the occurrence of a specified life-threatening or catastrophic condition as defined by the policy or rider;

(2) that reduce the death benefit otherwise payable under the life insurance contract; and

(3) that are payable upon the occurrence of a single qualifying event that results in the payment of a benefit amount fixed at the time of acceleration.

(b) "Qualifying event" means one or more of the following:

(1) a medical condition that would result in a drastically limited life span as specified in the contract;

(2) a medical condition that has required or requires extraordinary medical intervention, such as, but not limited to, major organ transplant or continuous artificial life support without which the insured would die;

(3) a condition that usually requires continuous confinement in an eligible institution as defined in the contract if the insured is expected to remain there for the rest of the insured's life;

~~(4) a long term care illness or physical condition that results in cognitive impairment or the inability to perform the activities of daily life or the substantial and material duties of any occupation~~ medical condition that would, in the absence of extensive or extraordinary medical treatment, result in a drastically limited life span. Such conditions may include, but are not limited to, one or more of the following:

(i) coronary artery disease resulting in an acute infarction or requiring surgery;

(ii) permanent neurological deficit resulting from cerebral vascular accident;

(iii) end stage renal failure;

(iv) Acquired Immune Deficiency Syndrome; or

(v) other medical conditions that the commissioner shall approve for any particular filing; or

(5) other qualifying events that the commissioner approves for a particular filing.

**Subd. 2. Type of product.** Accelerated benefit riders and life insurance policies with accelerated benefit provisions are primarily mortality risks rather than morbidity risks. They are life insurance benefits subject to this chapter.

**Subd. 3. Assignee or beneficiary.** Before paying the accelerated benefit, the insurer is required to obtain from an assignee or irrevocable beneficiary a signed acknowledgment of concurrence for payout. If the insurer making the accelerated benefit is itself the assignee under the policy, no acknowledgment is required.

**Subd. 4. Criteria for payment.** (a) Contract payment options shall include the option to take the benefit as a lump sum. The benefit shall not be made available as an annuity contingent upon the life of the insured.

(b) No restrictions are permitted on the use of the proceeds.

(c) If any death benefit remains after payment of an accelerated benefit, the accidental death benefit provision, if any, in the policy or rider shall not be affected by the payment of the accelerated benefit.

Subd. 5. **Disclosures.** (a) The terminology "accelerated benefit" shall be included in the descriptive title. Products regulated under this section shall not be described or marketed as long-term care insurance or as providing long-term care benefits.

(b) A disclosure statement is required at the time of application for the policy or rider and at the time the accelerated benefit payment request is submitted that receipt of these accelerated benefits may be taxable and that assistance should be sought from a personal tax advisor. The disclosure statement shall be prominently displayed on the first page of the policy or rider and any other related documents.

(c)(1) A written disclosure including, but not necessarily limited to, a brief description of the accelerated benefit and definitions of the conditions or occurrences triggering payment of the benefits shall be given to the applicant. The description shall include an explanation of any effect of the payment of a benefit on the policy's cash value, accumulation account, death benefit, premium, policy loans, and policy liens.

(i) In the case of agent solicited insurance, the agent shall provide the disclosure form to the applicant prior to or concurrently with the application. Acknowledgment of the disclosure shall be signed by the applicant and writing agent.

(ii) In the case of a solicitation by direct response methods, the insurer shall provide the disclosure form to the applicant at the time the policy is delivered, with a notice that a full premium refund shall be received if the policy is returned to the company within the free look period.

(iii) In the case of group insurance policies, the disclosure form shall be contained as part of the certificate of coverage or any related document furnished by the insurer for the certificate holder.

(2) If there is a premium or cost of insurance charge, the insurer shall give the applicant a generic illustration numerically demonstrating any effect of the payment of a benefit on the policy's cash value, accumulation account, death benefit, premium, policy loans, and policy liens.

(i) In the case of agent-solicited insurance, the agent shall provide the illustration to the applicant prior to or concurrently with the application.

(ii) In the case of a solicitation by direct response methods, the insurer shall provide the illustration to the applicant at the time the policy is delivered.

(iii) In the case of group insurance policies, the disclosure form shall be contained as part of the certificate of coverage or any related document furnished by the insurer for the certificate holder.

(3) Disclosure of premium charge.

(i) An insurer with financing options other than as described in subdivision 9, paragraph (a), clauses (2) and (3), shall disclose to the policy owner any premium or cost of insurance charge for the accelerated benefit. The insurer shall make a reasonable effort to assure that the certificate holder is aware of any additional premium or cost of insurance charge if the certificate holder is required

to pay a charge.

(ii) An insurer shall furnish an actuarial demonstration to the state insurance department when filing the product disclosing the method of arriving at its cost for the accelerated benefit.

(4) The insurer shall disclose to the policy owner any administrative expense charge. The insurer shall make a reasonable effort to assure that the certificate holder is aware of any administrative expense charge if the certificate holder is required to pay the charge.

(d) When a policy owner or certificate holder requests an acceleration, the insurer shall send a statement to the policy owner or certificate holder and irrevocable beneficiary showing any effect that the payment of the accelerated benefit will have on the policy's cash value, accumulation account, death benefit, premium, policy loans, and policy liens. The statement shall disclose that receipt of accelerated benefit payments may adversely affect the recipient's eligibility for Medicaid or other government benefits or entitlements. In addition, receipt of an accelerated benefit payment may be taxable and assistance should be sought from a personal tax advisor. When a previous disclosure statement becomes invalid as a result of an acceleration of the death benefit, the insurer shall send a revised disclosure statement to the policy owner or certificate holder and irrevocable beneficiary. When the insurer agrees to accelerate death benefits, the insurer shall issue an amended schedule page to the policy holder or notify the certificate holder under a group policy to reflect any new reduced in-force face amount of the contract.

Subd. 6. **Effective date of accelerated benefits.** The accelerated benefit provision shall be effective for accidents on the effective date of the policy or rider. The accelerated benefit provision shall be effective for illness no more than 30 days following the effective date of the policy or rider.

Subd. 7. **Waiver of premiums.** The insurer may offer a waiver of premium for the accelerated benefit provision in the absence of a regular waiver of premium provision being in effect. At the time the benefit is claimed, the insurer shall explain any continuing premium requirement to keep the policy in force.

Subd. 8. **Discrimination.** An insurer shall not unfairly discriminate among insureds with differing qualifying events covered under the policy or among insureds with similar qualifying events covered under the policy. An insurer shall not apply further conditions on the payment of the accelerated benefits other than those conditions specified in the policy or rider.

Subd. 9. **Actuarial standards.** (a) The issuer may use the following financing options:

(1) requiring a premium charge or cost of insurance charge for the accelerated benefit. This charge shall be based on sound actuarial principles. In the case of group insurance, the additional cost may also be reflected in the experience rating.

(2) paying a present value of the face amount. The calculation shall be based on any applicable actuarial discount appropriate to the policy design. The interest rate or interest rate methodology used in the calculation shall be based on sound actuarial principles and disclosed in the contract or actuarial memorandum. The maximum interest rate used shall be no greater than the greater of:

(i) current yield on 90-day treasury bills; or

(ii) current maximum statutory adjustable policy loan interest rate.

(b) The insurer may accrue an interest charge on the amount of the accelerated benefits. The interest rate or interest rate methodology used in the calculation shall be based on sound actuarial principles and disclosed in the contract or actuarial memorandum. The maximum interest rate shall be no greater than the greater of:

- (1) current yield on 90-day treasury bills; or
- (2) current maximum statutory adjustable policy loan interest rate.

The interest rate accrued on the portion of the lien that is equal in amount to the cash value of the contract at the time of the benefit acceleration shall be no more than the policy loan interest rate stated in the contract.

(c)(1) Except as provided in clause (2), when an accelerated benefit is payable, there shall be no more than a pro rata reduction in the cash value based on the percentage of death benefits accelerated to produce the accelerated benefit payment.

(2) Alternatively, the payment of accelerated benefits, any administrative expense charges, any future premiums, and any accrued interest can be considered a lien against the death benefit of the policy or rider and the access to the cash value may be restricted to any excess of the cash value over the sum of any other outstanding loans and the lien. Future access to additional policy loans could also be limited to any excess of the cash value over the sum of the lien and any other outstanding policy loans.

(d) When payment of an accelerated benefit results in a pro rata reduction in the cash value, the payment may not be applied toward repaying an amount greater than a pro rata portion of any outstanding policy loans.

**Subd. 10. Actuarial disclosure and reserves.** (a) A qualified actuary should describe the accelerated benefits, the risks, the expected costs, and the calculation of statutory reserves in an actuarial memorandum accompanying each state filing. The insurer shall maintain in its files descriptions of the bases and procedures used to calculate benefits payable under these provisions. These descriptions shall be made available for examination by the commissioner upon request.

(b)(1) When benefits are provided through the acceleration of benefits under group or individual life policies or riders to such policies, policy reserves shall be determined in accordance with the Standard Valuation Law. All valuation assumptions used in constructing the reserves shall be determined as appropriate for statutory valuation purposes by a member in good standing of the American Academy of Actuaries. Mortality tables and interest currently recognized for life insurance reserves by the National Association of Insurance Commissioners (NAIC) may be used as well as appropriate assumptions for the other provisions incorporated in the policy form. The actuary shall follow both actuarial standards and certification for good and sufficient reserves. Reserves in the aggregate should be sufficient to cover:

- (i) policies upon which no claim has yet arisen; and
- (ii) policies upon which an accelerated claim has arisen;

(2) For policies and certificates that provide actuarially equivalent benefits, no additional reserves need to be established.

(3) Policy liens and policy loans, including accrued interest, represent assets of the company for statutory reporting purposes. For a policy on which the policy lien exceeds the policy's statutory reserve liability, the excess shall be held as a nonadmitted asset.

Subd. 11. **Filing requirement.** The filing and prior approval of forms containing an accelerated benefit is required."

Page 20, after line 8, insert:

"Notice given by mail and return of the policy or contract by mail are effective on being postmarked, properly addressed and postage prepaid."

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "regulating accelerated benefits, enacting the National Association of Insurance Commissioners model regulation;"

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 referred**

**S.F. No. 1651:** A bill for an act relating to elections; requiring certain voting materials to be printed in languages other than English; amending Minnesota Statutes 2006, section 204B.27, subdivisions 3, 11.

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

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

**S.F. No. 1098:** A bill for an act relating to counties; providing a process for making the Office of County Recorder appointive in Beltrami County.

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. 1350:** A bill for an act relating to education; clarifying the requirements for petitioning a school board to hold a special election; amending Minnesota Statutes 2006, section 205A.05, subdivision 1.

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

Page 1, line 12, strike "regular" and after "district" insert "general"

And when so amended the bill do pass and be placed on the Consent Calendar. 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. 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; amending Minnesota Statutes 2006, section 13.7905, by adding a subdivision; 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 8, line 6, delete "This section is effective June" and insert "Subdivision 12 is effective the day following final enactment. The remainder of this section is effective July"

Page 8, line 9, delete "June 1, 2008" and insert "January 1, 2009"

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. 1558:** A bill for an act relating to elections; campaign finance; providing contribution limits for certain candidates; amending Minnesota Statutes 2006, section 10A.27, subdivision 1.

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

Page 1, line 19, after the semicolon, insert "and"

Page 1, delete line 20 and insert:

"(6) to a candidate for judicial office, \$2,000 in an election year for the office sought and \$500 in other years."

Page 1, delete lines 21 to 23

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. 170:** A bill for an act relating to the military; authorizing deferment of special assessments for certain members of the armed forces; amending Minnesota Statutes 2006, section 435.193.

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

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

**S.F. No. 1483:** A bill for an act relating to state government; eliminating the Minnesota Council on Disability sunset; amending Minnesota Statutes 2006, section 256.482, subdivisions 1, 8.

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

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

**S.F. No. 439:** A bill for an act relating to health; requiring disclosure of employers of applicants for publicly funded health programs.

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

Page 1, line 5, delete "EMPLOYER DISCLOSURE FOR THE"

Page 1, line 6, delete "PROGRAMS" and insert "REPORT"

Amend the title as follows:

Page 1, line 2, delete "disclosure" and insert "report"

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. 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, after line 5, insert:

"Section 1. Minnesota Statutes 2006, section 13.381, is amended by adding a subdivision to read:

Subd. 16a. Prescription electronic reporting system. Access to data in the prescription electronic reporting system is governed by section 152.126."

Page 2, line 3, delete "4" and insert "3"

Page 2, delete subdivision 3

Page 2, line 28, delete "Subd. 4." and insert "Subd. 3." and after "requirements" insert "; notice"

Page 2, line 29, before the colon, insert ", subject to the notice required under paragraph (d)"

Page 3, after line 9, insert:

"(d) A dispenser must not submit data under this subdivision unless a conspicuous notice is given to the patient for whom the prescription was written of the reporting requirements of this section."

Page 3, line 10, delete "Subd. 5." and insert "Subd. 4."

Page 3, lines 11, 26, and 29, delete "4" and insert "3"

Page 3, lines 12 and 19, delete "6" and insert "5"

Page 3, line 25, delete "Subd. 6." and insert "Subd. 5."

Page 3, line 28, delete "5" and insert "4"

Page 4, line 2, delete "4" and insert "3, or a guardian of the individual, parent or guardian of a minor, or health care agent of the individual acting under a health care directive under chapter 145C"

Page 4, line 12, delete everything after "authorities"

Page 4, line 13, delete everything before the semicolon and insert "acting pursuant to a valid search warrant"

Page 4, after line 17, insert:

"For purposes of clause (3), access by an individual includes persons in the definition of an individual under section 13.02."

Page 4, line 28, delete everything after the period

Page 4, delete line 29

Page 5, line 1, delete "Subd. 7." and insert "Subd. 6."

Page 5, line 7, delete "Subd. 8." and insert "Subd. 7."

Page 5, lines 21 and 25, delete "1" and insert "2"

Page 5, line 26, delete "2 and 3" and insert "3 and 4"

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

**S.F. No. 611:** A bill for an act relating to taxation; changing and clarifying certain tax data classification and disclosure provisions; providing for administration and classification of class 1b homestead declarations; amending Minnesota Statutes 2006, sections 270B.01, subdivision 8; 270B.02, subdivision 3; 270B.085, by adding a subdivision; 270B.14, subdivision 3; 273.1315.

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

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2006, section 13.4965, subdivision 3, is amended to read:

Subd. 3. **Homestead applications.** The classification and disclosure of certain information collected to determine homestead classification are governed by ~~section~~ sections 273.124, subdivision 13, and 273.1315, subdivision 2."

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 Taxes. Amendments adopted. Report adopted.

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

**S.F. No. 1799:** A bill for an act relating to public safety; providing for a standard form for the issuance of orders for protection and no contact orders; requiring photographs to be connected with orders in certain cases; requiring preservice and in-service training for peace officers in issues related to domestic abuse orders for protection and no contact orders; amending Minnesota Statutes 2006, sections 299C.46, by adding a subdivision; 518B.01, by adding a subdivision; 629.715, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 626.

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 299C.46, is amended by adding a subdivision to read:

Subd. 6. **Orders for protection and no contact orders.** The data communications network must include orders for protection issued under section 518B.01 and no contact orders issued under section 629.715, subdivision 4. A no contact order must be accompanied by a photograph of the offender for the purpose of enforcement of the order, if a photograph is available and verified by the court to be an image of the defendant.

Sec. 2. **[626.8444] DOMESTIC ABUSE IN-SERVICE TRAINING; MINIMUM REQUIREMENTS.**

(a) The board shall analyze the issuance and enforcement of domestic abuse no contact orders between July 1, 2006, and June 30, 2007. Taking into account this analysis, the board shall determine the items that, at a minimum, must be addressed in in-service training courses that instruct peace officers in issues relating to domestic abuse. At a minimum, the courses must provide instruction in the laws relating to domestic abuse no contact orders and address how best to coordinate law enforcement resources relating to them.

(b) Beginning on January 1, 2008, the board may not approve an in-service training course relating to domestic abuse that does not comply with this section."

Delete the title and insert:

"A bill for an act relating to public safety; requiring orders for protection and no contact orders to be included in the criminal justice data network; requiring photographs to be included with no contact orders in certain cases; providing for minimum requirements for in-service training for peace

officers in issues related to domestic abuse; amending Minnesota Statutes 2006, sections 299C.46, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 626."

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. 1024:** A bill for an act relating to state debt collection; changing certain time limits, collection costs, and referrals relating to debt collection duties of commissioner of revenue; amending Minnesota Statutes 2006, sections 16D.04, subdivisions 1, 2; 16D.11, subdivisions 2, 7; 270C.56, subdivision 1; 270C.63, subdivision 9.

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

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

**S.F. No. 1072:** A bill for an act relating to health; requiring the commissioner of health to conduct a study to determine the extent of prenatal drug exposure in babies born in Minnesota; appropriating money.

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

Page 1, line 15, delete "less" and insert "fewer"

Page 2, line 21, after "(e)" insert "Specimens may be collected under this section only with the informed consent of the mother of the infant, which must meet the informed consent protocols developed by the National Institutes of Health. Specimens may be collected only if a certificate of confidentiality issued by the National Institutes of Health has been obtained."

Page 2, line 27, delete "September 15, 2008" and insert "January 15, 2009"

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. 1378:** A bill for an act relating to taxation; providing for the disposition of contraband cigarettes; amending Minnesota Statutes 2006, section 297F.21, subdivision 3.

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

Page 2, line 14, delete "use the" and insert "authorize the forfeited property to be used for the purpose of enforcing a criminal provision of state or federal law" and strike "forfeited"

Page 2, lines 15 and 16, delete the new language

Page 2, line 18, strike the semicolon and after "and" insert "products used under clause (1) to be destroyed upon the completion of use; and"

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

Amendments adopted. Report adopted.

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

**S.F. No. 1074:** A bill for an act relating to public health; establishing an environmental health tracking and biomonitoring program; appropriating money; 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 11, before the semicolon, insert ", consistent with applicable data practices laws"

Page 2, line 12, after "of" insert "public"

Page 3, line 17, delete "and confidential"

Page 3, line 20, after "minors" insert "on a voluntary basis"

Page 3, delete subdivision 3 and insert:

"Subd. 3. **Consultation.** The commissioner must consult with organizations with a focus on environmental health, environmental justice, children's health, or on specific chronic diseases as well as the commissioner of agriculture, the Pollution Control Agency, and the University of Minnesota in specifying the chemicals and metals to be analyzed under the biomonitoring pilot program, in developing the pilot program's guidelines, and in setting priorities for health tracking and biomonitoring.

Subd. 4. **Health data.** Data collected under the biomonitoring program are health data under section 13.3805."

Page 5, delete lines 27 to 29

Page 6, line 1, delete "confidentiality" and insert "the privacy of information"

Page 6, line 28, after the comma, insert "consistent with applicable data practices laws,"

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. 358:** A bill for an act relating to adoption; providing assistance to genetic siblings; amending Minnesota Statutes 2006, section 259.83, by adding a subdivision.

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

Page 1, line 7, after the second "who" insert "was adopted or"

Page 1, line 16, delete "another sibling's parental rights" and insert "parental rights with respect to another sibling"

Page 1, line 18, delete everything after the period

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

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

**S.F. No. 241:** A bill for an act relating to mortgage lending; prohibiting sale of certain information arising from a mortgage loan application; amending Minnesota Statutes 2006, section 13C.01, by adding a subdivision.

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

Page 1, delete line 18

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

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

**S.F. No. 924:** A bill for an act relating to transportation; requiring commissioner of transportation to file annual report on major highway projects; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Page 2, after line 1, insert:

"Sec. 2. DEPARTMENT RESOURCES.

The commissioner shall prepare and submit the report under section 1 with existing department staff and resources."

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. 1218:** A bill for an act relating to elections; changing certain procedures and requirements for absent voters; providing for certain emergency situations; requiring a study; authorizing rulemaking; amending Minnesota Statutes 2006, sections 203B.16, subdivision 2; 203B.17, subdivision 2; 203B.21, subdivisions 2, 3; 203B.22; 203B.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 203B.

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 201.091, subdivision 9, is amended to read:

Subd. 9. **Restricted data.** A list provided for public inspection or purchase, for jury selection, or in response to a law enforcement inquiry, must not include a voter's date of birth or any part of a voter's Social Security number, driver's license number, ~~or~~ identification card number, military identification card number, or passport number.

Sec. 2. Minnesota Statutes 2006, section 203B.16, subdivision 2, is amended to read:

Subd. 2. **Permanent residence outside United States.** Sections 203B.16 to 203B.27 provide the exclusive voting procedure for United States citizens who are living permanently outside the territorial limits of the United States who meet all the qualifications of an eligible voter except residence in Minnesota, but who are authorized by federal law to vote in Minnesota because they maintained residence in Minnesota for at least 20 days immediately prior to their departure from the United States or because, although they have never resided in the United States, their parent maintained residence in Minnesota for at least 20 days immediately before their parent departed from the United States. Individuals described in this subdivision shall be permitted to vote only for the offices of president, vice-president, senator in Congress, and representative in Congress.

Sec. 3. Minnesota Statutes 2006, section 203B.17, subdivision 2, is amended to read:

Subd. 2. **Required information.** An application shall be accepted if it contains the following information stated under oath:

(a) the voter's name, birthdate, and present address of residence in Minnesota, or former address of residence in Minnesota if the voter is living permanently outside the United States;

(b) a statement indicating that the voter is in the military, or is the spouse or dependent of an individual serving in the military, or is temporarily outside the territorial limits of the United States, or is living permanently outside the territorial limits of the United States and voting under federal law;

(c) a statement that the voter expects to be absent from the precinct at the time of the election;

(d) the address to which absentee ballots are to be mailed;

(e) the voter's signature or the signature and relationship of the individual authorized to apply on the voter's behalf; and

(f) the voter's military identification card number, passport number, or Minnesota driver's license or state identification card number; ~~if the voter does not have a valid passport or identification card, the signed statement of an individual authorized to administer oaths or a commissioned or noncommissioned officer of the military not below the rank of sergeant or its equivalent, certifying that the voter or other individual requesting absentee ballots has attested to the truthfulness of the contents of the application under oath.~~

~~The oath taken must be the standard oath prescribed by section 101(b)(7) of the Uniformed and Overseas Citizens Absentee Voting Act.~~

~~A form for providing this information shall be prepared by each county auditor and shall be furnished to individuals who request it pursuant to this section. access to any of these documents, the voter or other individual requesting absentee ballots may attest to the truthfulness of the contents of the application under penalty of perjury.~~

Sec. 4. Minnesota Statutes 2006, section 203B.19, is amended to read:

#### **203B.19 RECORDING APPLICATIONS.**

Upon accepting an application, the county auditor shall record in the statewide registration system the voter's name, address of present or former residence in Minnesota, mailing address, school district number, military identification card number, passport number, Minnesota driver's

license number or state identification card number, and whether the voter is in the military or the spouse or dependent of an individual serving in the military, is a voter temporarily outside the territorial limits of the United States, or is living permanently outside the territorial limits of the United States and voting under federal law. The county auditor shall retain the record for six years. A voter whose name is recorded as provided in this section shall not be required to register under any other provision of law in order to vote under sections 203B.16 to 203B.27. Persons from whom applications are not accepted must be notified by the county auditor and provided with the reasons for the rejection.

No later than 60 days after the general election, the county auditor shall report to the secretary of state the combined number of absentee ballots transmitted to absent voters described in section 203B.16. No later than 60 days after the general election, the county auditor shall report to the secretary of state the combined number of absentee ballots returned and cast by absent voters described in section 203B.16. The secretary of state may require the information be reported by category under section 203B.16 or by precinct.

No later than 90 days after the general election, the secretary of state shall report to the federal Election Assistance Commission the number of absentee ballots transmitted to voters under section 203B.16.

Sec. 5. Minnesota Statutes 2006, section 203B.21, subdivision 2, is amended to read:

**Subd. 2. Mailing of ballots; return.** Ballots and instructions for marking them, ballot envelopes, and return envelopes shall be sent by first class mail to addresses within the continental United States and by air mail to addresses outside the continental United States, unless the voter requests to have the ballot, instructions, and certificate of voter eligibility sent electronically, as provided for by section 203B.225. The ballot envelope and return envelope shall be marked "Official Ballot," and shall contain sufficient postage to assure proper return delivery. The return envelope shall be addressed to comply with any method for return of absentee ballots as authorized under section 203B.08, subdivision 2.

Sec. 6. Minnesota Statutes 2006, section 203B.21, subdivision 3, is amended to read:

**Subd. 3. Back of return envelope.** On the back of the return envelope an affidavit form shall appear with space for:

- (a) the voter's address of present or former residence in Minnesota;
- (b) a statement indicating the category described in section 203B.16 to which the voter belongs;
- (c) a statement that the voter has not cast and will not cast another absentee ballot in the same election or elections;
- (d) a statement that the voter personally marked the ballots without showing them to anyone, or if physically unable to mark them, that the voter directed another individual to mark them; and
- (e) the same voter's military identification card number, passport number, or, Minnesota driver's license or state identification card number as provided on the absentee ballot application; if the voter does not have a valid passport or identification card, the signature and certification of an individual authorized to administer oaths under federal law or the law of the place where the oath was administered or commissioned or noncommissioned personnel of the military not below the

rank of sergeant or its equivalent access to any of these documents, the voter may attest to the truthfulness of the contents of the affidavit under penalty of perjury.

The affidavit shall also contain a signed and dated oath in the form required by section 705 of the Help America Vote Act, Public Law 107-252, which must read:

"I swear or affirm, under penalty of perjury, that:

I am a member of the uniformed services or merchant marine on active duty or an eligible spouse or dependent of such a member; a United States citizen temporarily residing outside the United States; or other United States citizen residing outside the United States; and I am a United States citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States except the jurisdiction cited in this voting form. In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under state or federal law. I have not been influenced.

My signature and date below indicate when I completed this document.

The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury."

Sec. 7. Minnesota Statutes 2006, section 203B.22, is amended to read:

#### **203B.22 MAILING BALLOTS.**

The county auditor shall mail the appropriate ballots, as promptly as possible, to an absent voter whose application has been recorded under section 203B.19. If the county auditor determines that a voter is not eligible to vote at the primary but will be eligible to vote at the general election, only general election ballots shall be mailed. Only one set of ballots shall be mailed to any applicant for any election, except that the county auditor may mail a replacement ballot to a voter whose ballot has been spoiled or lost in transit or whose mailing address has changed after the date on which the original application was submitted as confirmed by the county auditor. Ballots to be sent outside the United States shall be given priority in mailing. A county auditor may make use of any special service provided by the United States government for the mailing of voting materials under sections 203B.16 to 203B.27.

#### **Sec. 8. [203B.225] TRANSMITTING AND RETURNING BALLOTS.**

Subdivision 1. **Transmitting ballot and voter certification.** Upon receipt of a properly completed application, the county auditor may electronically transmit to the voter the appropriate ballots, instructions, and affidavit form and certification of voter eligibility provided in section 203B.21, subdivision 3.

Subd. 2. **Returning voted ballots.** The voter must return the voted ballots and the certificate of voter eligibility to the county auditor in a sealed envelope. Upon receipt of a ballot, the county auditor must immediately compare the information provided on the absentee ballot application with the information provided on the certificate of voter eligibility. After the information on the certificate

of voter eligibility has been verified, the certificate must be attached to the ballot secrecy envelope and placed with the other absentee ballots for the precinct in which the voter resides.

Subd. 3. **Rejecting transmitted ballots.** If the county auditor cannot verify that the ballots were returned by the same person to whom the absentee ballot application was transmitted, the ballots must be rejected and no votes on the ballots may be counted.

**Sec. 9. [203B.227] WRITE-IN ABSENTEE BALLOT.**

An eligible voter who will be outside the territorial limits of the United States during the 180 days prior to the state general election may use a state write-in absentee ballot to vote in any federal, state, or local election. In a state or local election, a vote for a political party without specifying the name of a candidate must not be counted.

Sec. 10. Minnesota Statutes 2006, section 203B.24, subdivision 1, is amended to read:

Subdivision 1. **Check of voter eligibility; proper execution of affidavit.** Upon receipt of an absentee ballot returned as provided in sections 203B.16 to 203B.27, the election judges shall compare the voter's name with the names appearing on their copy of the application records to insure that the ballot is from a voter eligible to cast an absentee ballot under sections 203B.16 to 203B.27. The election judges shall mark the return envelope "Accepted" and initial or sign the return envelope below the word "Accepted" if the election judges are satisfied that:

(1) the voter's name on the return envelope appears in substantially the same form as on the application records provided to the election judges by the county auditor;

(2) the voter has signed the federal oath prescribed pursuant to section 705(b)(2) of the Help America Vote Act, Public Law 107-252;

(3) the voter has set forth the same voter's military identification number or, passport number, or, if those numbers do not appear, a person authorized to administer oaths under federal law or the law of the place where the oath was administered or a witness who is military personnel with a rank at or above the rank of sergeant or its equivalent has signed the ballot Minnesota driver's license or state identification card number as submitted on the application, if the voter has one of these documents; and

(4) the voter has not already voted at that election, either in person or by absentee ballot.

If the identification number described in clause (3) does not match the number as submitted on the application, the election judges must make a reasonable effort to satisfy themselves through other information provided by the applicant, or by an individual authorized to apply on behalf of the voter, that the ballots were returned by the same person to whom the ballots were transmitted.

An absentee ballot ease cast pursuant to sections 203B.16 to 203B.27 may only be rejected for the lack of one of clauses (1) to (4). In particular, failure to place the ballot within the security envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

Election judges must note the reason for rejection on the back of the envelope in the space provided for that purpose.

Failure to return unused ballots shall not invalidate a marked ballot, but a ballot shall not be counted if the affidavit on the return envelope is not properly executed. In all other respects the

provisions of the Minnesota Election Law governing deposit and counting of ballots shall apply.

Sec. 11. **[203B.28] EMERGENCY POWERS.**

If the governor has declared an emergency and filed the declaration with the secretary of state under section 12.31, or if a natural disaster or armed conflict involving the United States Armed Forces, or mobilization of those forces, including National Guard and reserve components of this state, makes substantial compliance with the Uniformed and Overseas Citizens Absentee Voting Act impossible or unreasonable, the secretary of state may prescribe, by emergency orders, special procedures or requirements necessary to facilitate absentee voting by those citizens directly affected who otherwise are eligible to vote in this state. The secretary of state shall adopt rules describing the emergency powers and the situations in which the powers must be exercised."

Delete the title and insert:

"A bill for an act relating to elections; changing certain procedures and requirements for absent voters; providing for privacy of certain voter registration information; providing for certain emergency situations; authorizing rulemaking; amending Minnesota Statutes 2006, sections 201.091, subdivision 9; 203B.16, subdivision 2; 203B.17, subdivision 2; 203B.19; 203B.21, subdivisions 2, 3; 203B.22; 203B.24, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 203B."

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. 144:** A bill for an act relating to the county of Winona; authorizing ownership of electric power generation facilities and granting related powers.

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

Page 1, delete section 1 and insert:

"Section 1. **WINONA COUNTY; ELECTRIC POWER PLANT.**

The county of Winona may own, construct, acquire, purchase, issue bonds and certificates of indebtedness for, maintain, and operate a renewable electric power generation facility, or a portion of a renewable electric power generation facility, within its corporate limits, and may sell the output from that facility at wholesale on such terms and conditions as the county board deems is in the best interests of the public. With respect to any renewable electric power generation facility, or any portion of a renewable electric power generation facility, the county may exercise the powers granted to a municipal power agency and to a city under Minnesota Statutes, sections 453.52, subdivisions 1, 6, 7, and 9 to 13; 453.54, subdivisions 1, 2, 4 to 6, 10, 11, 14, 15, and 17 to 21; 453.55; 453.57; 453.58, subdivisions 2, 3, and 4; 453.59; 453.60; 453.61; and 453.62, except that output from that facility may not be sold or distributed at retail or provided for end use by the county. Minnesota Statutes, section 453.58, subdivision 3, does not give the county the authority to enter into contracts with a municipal power agency for the purchase, sale, exchange, or transmission of electric energy and other services.

**EFFECTIVE DATE.** This law is effective the day after the governing body of the county of Winona and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

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. 1597:** A bill for an act relating to state employees; streamlining the registration process for organizations to participate in the state employee combined charities campaign; amending Minnesota Statutes 2006, sections 16A.134; 43A.04, subdivision 13; proposing coding for new law in Minnesota Statutes, chapter 43A; repealing Minnesota Statutes 2006, section 309.501.

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

Page 2, line 16, delete "which each devotes" and insert ", each of which must devote"

Page 3, line 14, delete "whereby" and insert "that allows" and delete "may" and insert "to"

Page 3, line 24, delete "will" and insert "must"

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. 1509:** A bill for an act relating to Hennepin County; modifying design-build contract provisions; amending Minnesota Statutes 2006, sections 383B.158, subdivisions 1, 3, 4; 383B.1581, subdivisions 2, 3; 383B.1584; repealing Minnesota Statutes 2006, section 383B.1586.

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

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2006, section 383B.158, subdivision 3, is amended to read:

Subd. 3. **Restriction.** ~~(a) The authority granted in sections 383B.158 to 383B.1586 shall be to evaluate the effectiveness of the design-build process for a county project. The number of design-build contracts awarded by the county board must not be more than ten percent of its total projects in any fiscal year.~~

(b) The board may not enter into a design-build contract under this section unless the county has as employees at least one of each of the following, each of whom must be licensed and registered under state law: an architect, a mechanical engineer, and a civil engineer. In addition, the county must employ a full-time project manager with at least five years of construction management experience."

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. 1310:** A bill for an act relating to elections; clarifying certain procedures and terminology; changing or eliminating certain requirements; changing certain duties; imposing penalties; amending Minnesota Statutes 2006, sections 103C.305, subdivision 3; 201.016, subdivision 1a; 201.054, subdivision 1; 201.056; 201.061, subdivisions 1, 3, 4; 201.071, subdivisions 3, 4; 201.081; 201.091, subdivisions 1, 8; 201.27, subdivision 1; 203B.04, subdivisions 1, 4, 6; 203B.05, subdivision 2; 203B.07, subdivisions 1, 2; 203B.08, subdivision 3; 203B.081; 203B.10; 203B.12, subdivision 4; 203B.13, subdivisions 1, 2; 203B.21, subdivision 3; 204B.06, subdivision 8; 204B.08, subdivision 3; 204B.09, subdivisions 1, 3; 204B.16, subdivision 1; 204B.45, subdivision 2; 205.10, by adding a subdivision; 205.13, by adding a subdivision; 205.16, subdivision 4; 205A.05, by adding a subdivision; 205A.06, by adding a subdivision; 205A.07, subdivisions 3, 3a; 205A.10, subdivision 1; 205A.11, subdivision 2; 206.82, subdivision 2; 211A.02, subdivision 2; 211A.05, subdivisions 1, 2; 211B.11, subdivision 1; 211B.37; 447.32, subdivision 4; Laws 2004, chapter 293, article 1, section 37, subdivision 2; repealing Minnesota Statutes 2006, sections 201.061, subdivision 7; 201.096; 203B.02, subdivision 1a; 203B.13, subdivision 3a; 204D.10, subdivision 2.

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

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

**S.F. No. 758:** A bill for an act relating to elections; exempting lobbying activities related to a ballot question from campaign finance reporting requirements; amending Minnesota Statutes 2006, section 10A.01, subdivision 7.

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

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

**S.F. No. 893:** A bill for an act relating to elections; moving precinct caucuses from March to February; moving the state primary from September to June and making conforming changes; amending Minnesota Statutes 2006, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 202A.14, subdivision 1; 204B.33; 204D.03, subdivision 1; 205.065, subdivision 1; 205A.03, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 10A.31, subdivision 6, is amended to read:

Subd. 6. **Distribution of party accounts.** As soon as the board has obtained from the secretary of state the results of the primary election, but no later than one week after certification by the State Canvassing Board of the results of the primary, the board must distribute the available money in each party account, as certified by the commissioner of revenue ~~on September 4~~ one week before the state primary, to the candidates of that party who have signed a spending limit agreement under section 10A.322 and filed the affidavit of contributions required by section 10A.323, who were opposed in either the primary election or the general election, and whose names are to appear on the ballot

in the general election, according to the allocations set forth in subdivisions 5 and 5a. The public subsidy from the party account may not be paid in an amount greater than the expenditure limit of the candidate or the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision 10. If a candidate files the affidavit required by section 10A.323 ~~after September 1 of the general election year~~ less than one week before the state primary, the board must pay the candidate's allocation to the candidate at the next regular payment date for public subsidies for that election cycle that occurs at least 15 days after the candidate files the affidavit.

Sec. 2. Minnesota Statutes 2006, section 10A.321, is amended to read:

**10A.321 ESTIMATES OF MINIMUM AMOUNTS TO BE RECEIVED.**

Subdivision 1. **Calculation and certification of estimates.** The commissioner of revenue must calculate and certify to the board one week before July 1 the first day for filing for office in each election year an estimate of the total amount in the state general account of the state elections campaign fund and the amount of money each candidate who qualifies, as provided in section 10A.31, subdivisions 6 and 7, may receive from the candidate's party account in the state elections campaign fund. This estimate must be based upon the allocations and formulas in section 10A.31, subdivisions 5 and 5a, any necessary vote totals provided by the secretary of state to apply the formulas in section 10A.31, subdivisions 5 and 5a, and the amount of money expected to be available after 100 percent of the tax returns have been processed.

Subd. 2. **Publication, certification, and notification procedures.** Before the first day of filing for office, the board must publish and forward to all filing officers the estimates calculated and certified under subdivision 1 along with a copy of section 10A.25, subdivision 10. ~~Within seven days one week after the last day for filing for office,~~ the secretary of state must certify to the board the name, address, office sought, and party affiliation of each candidate who has filed with that office an affidavit of candidacy or petition to appear on the ballot. The auditor of each county must certify to the board the same information for each candidate who has filed with that county an affidavit of candidacy or petition to appear on the ballot. ~~By August 15~~ Within two weeks after the last day for filing for office, the board must notify all candidates of their estimated minimum amount. The board must include with the notice a form for the agreement provided in section 10A.322 along with a copy of section 10A.25, subdivision 10.

Sec. 3. Minnesota Statutes 2006, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. **Agreement by candidate.** (a) As a condition of receiving a public subsidy, a candidate must sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25; 10A.27, subdivision 10; 10A.31, subdivision 7, paragraph (c); and 10A.324.

(b) Before the first day of filing for office, the board must forward agreement forms to all filing officers. The board must also provide agreement forms to candidates on request at any time. The candidate must file the agreement with the board ~~by September 1 preceding the candidate's general election or a special election held at the general election~~ at least one week before the candidate's state primary. An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board must notify the commissioner of revenue of any agreement signed under this

subdivision.

(d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement not later than the day after the candidate files the affidavit of candidacy or nominating petition for the office.

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

**10A.323 AFFIDAVIT OF CONTRIBUTIONS.**

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

- (1) candidates for governor and lieutenant governor running together, \$35,000;
- (2) candidates for attorney general, \$15,000;
- (3) candidates for secretary of state and state auditor, separately, \$6,000;
- (4) candidates for the senate, \$3,000; and
- (5) candidates for the house of representatives, \$1,500.

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

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

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

Sec. 5. Minnesota Statutes 2006, section 202A.14, subdivision 1, is amended to read:

Subdivision 1. **Time and manner of holding; postponement.** At 7:00 p.m. on the ~~first~~ third Tuesday in ~~March~~ February in every state general election year there shall be held for every election precinct a party caucus in the manner provided in sections 202A.14 to 202A.19, except that in the event of severe weather a major political party may request the secretary of state to postpone caucuses. If a major political party makes a request, or upon the secretary of state's own initiative, after consultation with all major political parties and on the advice of the federal Weather Bureau and the Department of Transportation, the secretary of state may declare precinct caucuses to be postponed for a week in counties where weather makes travel especially dangerous. The secretary of state shall submit a notice of the postponement to news media covering the affected counties by 6:00 p.m. on the scheduled day of the caucus. A postponed caucus may also be postponed pursuant to this subdivision.

Sec. 6. Minnesota Statutes 2006, section 203B.081, is amended to read:

**203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.**

An eligible voter may vote by absentee ballot during the ~~30~~ 45 days before the election in the office of the county auditor and at any other polling place designated by the county auditor. The county auditor shall make such designations at least 90 days before the election. At least one voting booth in each polling place must be made available by the county auditor for this purpose.

Sec. 7. Minnesota Statutes 2006, section 204B.14, subdivision 2, is amended to read:

Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute at least one election precinct:

- (1) each city ward; and
- (2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than June 1 of ~~any~~ an odd-numbered year and no later than 14 weeks before the state primary in an even-numbered year:

- (1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;
- (2) for two contiguous precincts in the same municipality that have a combined total of fewer than 500 registered voters;
- (3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or
- (4) for noncontiguous precincts located in one or more counties.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than May 1 of ~~any~~ an odd-numbered year and no later than 18 weeks before the state primary in an even-numbered year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

Sec. 8. Minnesota Statutes 2006, section 204B.14, subdivision 4, is amended to read:

Subd. 4. **Boundary change procedure.** Any change in the boundary of an election precinct shall be adopted at least 90 days before the date of the next election and, for the state primary and general election, no later than ~~June 1~~ 14 weeks before the state primary in the year of the state general election. The precinct boundary change shall not take effect until notice of the change has been posted in the office of the municipal clerk or county auditor for at least 60 days.

The county auditor must publish a notice illustrating or describing the congressional, legislative, and county commissioner district boundaries in the county in one or more qualified newspapers in the county at least 14 days prior to the first day to file affidavits of candidacy for the state general election in the year ending in two.

Alternate dates for adopting changes in precinct boundaries, posting notices of boundary changes, and notifying voters affected by boundary changes pursuant to this subdivision, and procedures for coordinating precinct boundary changes with reestablishing local government election district boundaries may be established in the manner provided in the rules of the secretary of state.

Sec. 9. Minnesota Statutes 2006, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. **Appointment lists; duties of political parties and county auditor.** ~~On July 1~~ Within two weeks after the precinct caucuses in a year in which there is an election for a partisan political office, the county or legislative district chairs of each major political party, whichever is designated by the state party, shall prepare a list of eligible voters to act as election judges in each election precinct in the county or legislative district. The chairs shall furnish the lists to the county auditor of the county in which the precinct is located.

~~By July 15~~ Within four weeks after the precinct caucuses, the county auditor shall furnish to the appointing authorities a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority. Separate lists shall be submitted by the county auditor for each major political party.

Sec. 10. Minnesota Statutes 2006, section 204B.33, is amended to read:

**204B.33 NOTICE OF FILING.**

(a) ~~Between June 1 and July 1 in each even-numbered year~~ At least 15 weeks before the state primary, the secretary of state shall notify each county auditor of the offices to be voted for in that county at the next state general election for which candidates file with the secretary of state. The notice shall include the time and place of filing for those offices. Within ten days after notification by the secretary of state, each county auditor shall notify each municipal clerk in the county of all the offices to be voted for in the county at that election and the time and place for filing for those offices. The county auditors and municipal clerks shall promptly post a copy of that notice in their offices.

(b) At least two weeks before the first day to file an affidavit of candidacy, the county auditor shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the county auditor's office and the closing time for filing on the last day for filing. The county auditor shall post a similar notice at least ten days before the first day to file affidavits of candidacy.

Sec. 11. Minnesota Statutes 2006, section 204B.35, subdivision 4, is amended to read:

Subd. 4. **Absentee ballots; preparation; delivery.** Ballots necessary to fill applications of absentee voters shall be prepared and delivered at least ~~30~~ 45 days before the election to the officials who administer the provisions of chapter 203B.

This section applies to school district elections held on the same day as a statewide election or an election for a county or municipality located partially or wholly within the school district.

Sec. 12. Minnesota Statutes 2006, section 204C.26, subdivision 3, is amended to read:

Subd. 3. **Secretary of state.** ~~On or before July 1 of~~ No later than ten weeks before the state primary in each even-numbered year, the secretary of state shall prescribe the form for summary statements of election returns and the methods by which returns for the state primary and state general election shall be recorded by precinct, county, and state election officials. Each county auditor and municipal or school district clerk required to furnish summary statements shall prepare them in the manner prescribed by the secretary of state. The summary statement of the primary returns shall be in the same form as the summary statement of the general election returns except that a separate part of the summary statement shall be provided for the partisan primary ballot and a separate part for the nonpartisan primary ballot.

Sec. 13. Minnesota Statutes 2006, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. **State primary.** The state primary shall be held on the first Tuesday after the ~~second~~ first Monday in ~~September~~ June in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.

Sec. 14. Minnesota Statutes 2006, section 205.065, subdivision 1, is amended to read:

Subdivision 1. **Establishing primary.** A municipal primary for the purpose of nominating elective officers may be held in any city on the first Tuesday after the second Monday in September of ~~any~~ an odd-numbered year or on the date of the state primary in an even-numbered year. The municipal primary must be held in the same year in which a municipal general election is to be held for the purpose of electing officers.

Sec. 15. Minnesota Statutes 2006, section 205.13, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In municipalities nominating candidates at a municipal primary, an affidavit of candidacy for a city office or town office voted on in November must be filed not more than 70 days nor less than 56 days before ~~the first Tuesday after the second Monday in September~~ preceding the municipal general election primary. In all other municipalities, an affidavit of candidacy must be filed not more than 70 days and not less than 56 days before the municipal general election.

Sec. 16. Minnesota Statutes 2006, section 205A.03, subdivision 2, is amended to read:

Subd. 2. **Date.** The school district primary must be held on the first Tuesday after the second Monday in September of an odd-numbered year or on the date of the state primary in an even-numbered year. The primary must be held in the year when the school district general election is held. The clerk shall give notice of the primary in the manner provided in section 205A.07.

Sec. 17. Minnesota Statutes 2006, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** Affidavits of candidacy must be filed with the school district clerk no earlier than the 70th day and no later than the 56th day before the first Tuesday after the second Monday in September in the year when the school district general election is held in an odd-numbered year or before the state primary when the school district general election is held in an even-numbered year.

Sec. 18. Minnesota Statutes 2006, section 206.82, subdivision 2, is amended to read:

Subd. 2. **Plan.** (a) Subject to paragraph (b), the municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which an electronic voting system is used in more than one municipality and the county auditor of a county in which a counting center serving more than one municipality is located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system. ~~Prior to July 1 of~~ No later than ten weeks before the state primary in each subsequent general election year, the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the Department of Administration or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill duties imposed by this subdivision or by rules promulgated pursuant to this section.

(b) Systems implemented by counties and municipalities in calendar year 2006 are exempt from paragraph (a) and section 206.58, subdivision 4, if:

- (1) the municipality has fewer than 10,000 residents; and
- (2) a valid county plan was filed by the county auditor of the county in which the municipality is located.

Sec. 19. Minnesota Statutes 2006, section 211B.045, is amended to read:

**211B.045 NONCOMMERCIAL SIGNS EXEMPTION.**

In any municipality, whether or not the municipality has an ordinance that regulates the size or number of noncommercial signs, all noncommercial signs of any size may be posted in any number from ~~August 1~~ 45 days before the state primary in a state general election year until ten days following the state general election.

Sec. 20. Minnesota Statutes 2006, section 447.32, subdivision 4, is amended to read:

Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate for the hospital board shall file an affidavit of candidacy for the election either as member at large or as a member representing the city or town where the candidate resides. The affidavit of candidacy must be filed with the city or town clerk not more than 70 days nor less than 56 days before the ~~first Tuesday after the first Monday in November of the year in which the general election is held~~ state

primary. The city or town clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk of the most populous city or town immediately after the last day of the filing period. A candidate may withdraw from the election by filing an affidavit of withdrawal with the clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers. Ballots must be printed on tan paper and prepared as provided in the rules of the secretary of state. The ballots must be marked and initialed by at least two judges as official ballots and used exclusively at the election. Any proposition to be voted on may be printed on the ballot provided for the election of officers. The hospital board may also authorize the use of voting systems subject to chapter 206. Enough election judges may be appointed to receive the votes at each polling place. The election judges shall act as clerks of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate who received the largest number of votes cast for each office. The clerk shall deliver the certificate to the person entitled to it in person or by certified mail. Each person certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office as provided in subdivision 1 if the person elected fails to qualify within 30 days, but qualification is effective if made before the board acts to fill the vacancy.

**Sec. 21. EFFECTIVE DATE.**

This act is effective for the precinct caucuses and state primary in 2010 and thereafter."

Delete the title and insert:

"A bill for an act relating to elections; moving precinct caucuses from March to February; moving the state primary from September to June and making conforming changes; amending Minnesota Statutes 2006, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 202A.14, subdivision 1; 203B.081; 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204B.33; 204B.35, subdivision 4; 204C.26, subdivision 3; 204D.03, subdivision 1; 205.065, subdivision 1; 205.13, subdivision 1a; 205A.03, subdivision 2; 205A.06, subdivision 1a; 206.82, subdivision 2; 211B.045; 447.32, subdivision 4."

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1696, 1200, 1335, 1363, 1105, 1262, 1441, 504, 1581, 1098, 1350, 1558, 1483, 358, 241, 924, 144, 1597, 1509, 1310, 758 and 893 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. No. 1008 was read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Dibble moved that his name be stricken as a co-author to S.F. No. 19. The motion prevailed.

Senator Dibble moved that his name be stricken as a co-author to S.F. No. 41. The motion prevailed.

Senator Dibble moved that his name be stricken as a co-author to S.F. No. 53. The motion prevailed.

Senator Latz moved that the name of Senator Michel be added as a co-author to S.F. No. 203. The motion prevailed.

Senator Clark moved that the names of Senators Robling and Bonoff be added as co-authors to S.F. No. 839. The motion prevailed.

Senator Carlson moved that the name of Senator Michel be added as a co-author to S.F. No. 897. The motion prevailed.

Senator Larson moved that the name of Senator Michel be added as a co-author to S.F. No. 1089. The motion prevailed.

Senator Betzold moved that the name of Senator Ortman be added as a co-author to S.F. No. 1149. The motion prevailed.

Senator Pogemiller moved that the name of Senator Michel be added as a co-author to S.F. No. 1216. The motion prevailed.

Senator Clark moved that the name of Senator Michel be added as a co-author to S.F. No. 1590. The motion prevailed.

Senator Berglin moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 1728. The motion prevailed.

Senator Skogen moved that the name of Senator Ingebrigtsen be added as a co-author to S.F. No. 1742. The motion prevailed.

Senator Bakk moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 1795. The motion prevailed.

Senator Prettner Solon moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 1796. The motion prevailed.

Senator Bonoff moved that the name of Senator Saltzman be added as a co-author to S.F. No. 1799. The motion prevailed.

Senator Bonoff moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 1800. The motion prevailed.

Senator Dibble moved that his name be stricken as a co-author to S.F. No. 1812. The motion prevailed.

Senator Bonoff moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 1840. The motion prevailed.

**Senator Olseen introduced –**

**Senate Resolution No. 57:** A Senate resolution honoring Ray "Amador Ray" Johnson for his 36 years of dedication in serving the township of Amador, Minnesota.

Referred to the Committee on Rules and Administration.

Senator Sheran moved that S.F. No. 1452 be withdrawn from the Committee on Health, Housing and Family Security and re-referred to the Committee on Finance. The motion prevailed.

Senator Rest moved that S.F. No. 1377 be withdrawn from the Committee on Judiciary, given a second reading, and placed on General Orders.

S.F. No. 1377 was read the second time.

**RECESS**

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

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

**APPOINTMENTS**

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

S.F. No. 60: Senators Prettner Solon, Bakk and Frederickson.

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

**MOTIONS AND RESOLUTIONS - CONTINUED**

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

**CALENDAR**

**S.F. No. 470:** A bill for an act relating to motor vehicles; extending permissible route for three-unit paper products vehicles; allowing certain trucks to qualify for special paper products vehicle permit; changing effective date authorizing permit for special paper products vehicle; amending Minnesota Statutes 2006, section 169.864, subdivisions 1, 2; Laws 2005, First Special Session chapter 1, article 4, section 39.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk  
Berglin

Betzold  
Bonoff

Carlson  
Clark

Cohen  
Day

Dibble  
Doll

Erickson Ropes	Koch	Moua	Rest	Skogen
Fischbach	Koering	Murphy	Robling	Sparks
Foley	Kubly	Neuville	Rosen	Tomassoni
Frederickson	Larson	Olseen	Rummel	Torres Ray
Gerlach	Latz	Olson, G.	Saltzman	Vandever
Gimse	Limmer	Olson, M.	Saxhaug	Vickerman
Hann	Lourey	Ortman	Scheid	Wergin
Higgins	Lynch	Pariseau	Senjem	Wiger
Ingebrigtsen	Metzen	Pogemiller	Sheran	
Jungbauer	Michel	Prettner Solon	Sieben	

So the bill passed and its title was agreed to.

**S.F. No. 538:** A bill for an act relating to state government; establishing a heating and cooling policy for building projects funded with state appropriations; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

Wergin

Wiger

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

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

### CONSENT CALENDAR

**S.F. No. 1045:** A bill for an act relating to Scott County; renaming the Scott County Housing and Redevelopment Authority.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Day	Gimse	Langseth	Moua
Bakk	Dibble	Hann	Larson	Murphy
Berglin	Doll	Higgins	Latz	Neuville
Betzold	Erickson Ropes	Ingebrigtsen	Limmer	Olseen
Bonoff	Fischbach	Jungbauer	Lourey	Olson, G.
Carlson	Foley	Koch	Lynch	Olson, M.
Clark	Frederickson	Koering	Metzen	Ortman
Cohen	Gerlach	Kubly	Michel	Pariseau

Pogemiller	Rummel	Sheran	Stumpf	Wergin
Prettner Solon	Saltzman	Sieben	Tomassoni	Wiger
Rest	Saxhaug	Skoe	Torres Ray	
Robling	Scheid	Skogen	Vandever	
Rosen	Senjem	Sparks	Vickerman	

So the bill passed and its title was agreed to.

**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.241, by adding a subdivision; 216B.26; 216B.33; 216B.62, subdivisions 3, 4, 6; 216B.63; 216E.07; 237.295.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**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.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**RECESS**

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

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

**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. No. 357, which the committee recommends to pass, after the following motion:

Senator Limmer moved to amend S.F. No. 357 as follows:

Page 1, line 14, after the period, insert "If the low-income or moderate-income housing property is to be sold to a qualifying buyer, any cost savings reflected in the transferred property must be reflected directly in the reduced price of the property."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 31, as follows:

Those who voted in the affirmative were:

Bakk	Gimse	Koering	Ortman	Senjem
Day	Hann	Limmer	Pariseau	Sheran
Fischbach	Ingebrigtsen	Michel	Robling	Sieben
Frederickson	Jungbauer	Neuville	Rosen	Vandever
Gerlach	Koch	Olson, G.	Saltzman	Wergin

Those who voted in the negative were:

Anderson	Dibble	Latz	Olson, M.	Torres Ray
Berglin	Doll	Lourey	Prettner Solon	Vickerman
Betzold	Erickson Ropes	Lynch	Rest	Wiger
Bonoff	Foley	Metzen	Rummel	
Carlson	Higgins	Moua	Scheid	
Clark	Kubly	Murphy	Skogen	
Cohen	Larson	Olseen	Sparks	

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

S.F. No. 1340, which the committee recommends to pass with the following amendment offered by Senator Betzold:

Page 1, line 17, delete "October 1, 2007," and insert "January 15, 2008,"

The motion prevailed. So the amendment was adopted.

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

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senator Murphy introduced—**

**S.F. No. 1927:** A bill for an act relating to a uniform system of public schools; requiring the Department of Education to examine educational programs throughout Minnesota to determine if a general and uniform system of public schools exists; requiring a report; appropriating money.

Referred to the Committee on Education.

**Senators Bakk and Prettner Solon introduced—**

**S.F. No. 1928:** A bill for an act relating to agriculture; requiring the state to provide export grain inspection services at the Port of Duluth; amending Minnesota Statutes 2006, section 17B.03, by adding a subdivision.

Referred to the Committee on Agriculture and Veterans.

**Senator Murphy introduced—**

**S.F. No. 1929:** A bill for an act relating to transportation; requiring permit to tow oversized and overweight vehicle under certain conditions; amending Minnesota Statutes 2006, sections 169.829, subdivision 2; 169.86, by adding a subdivision.

Referred to the Committee on Transportation.

**Senator Murphy introduced—**

**S.F. No. 1930:** A bill for an act relating to energy; abolishing existing prohibition preventing Public Utilities Commission from issuing certificate of need for new nuclear power plant; amending Minnesota Statutes 2006, section 216B.243, subdivision 3b.

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

**Senators Erickson Ropes, Torres Ray, Koering and Marty introduced—**

**S.F. No. 1931:** A bill for an act relating to human services; restoring funding for certain long-term care programs; expanding home and community-based long-term care services for older adults and family caregivers; establishing new grant programs; establishing a statewide priority to enhance the mobility of older adults; establishing demonstration projects; requiring a study of adult protection and ombudsman services; requiring a study of access by older adults to services under the elderly waiver; requiring a study of service adequacy across long-term care waivers; requiring a study of access to hospice services; establishing a tax credit for family caregivers of adults of all ages; appropriating money; amending Minnesota Statutes 2006, sections 256.975, by adding subdivisions; 256B.0917, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 256; 290.

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

**Senators Anderson, Dibble, Prettner Solon, Carlson and Doll introduced—**

**S.F. No. 1932:** A bill for an act relating to state government; creating a new Department of Energy; transferring existing duties from the Department of Commerce; amending Minnesota Statutes 2006, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; 116C.779; 123B.65, subdivisions 1, 5; 216A.085; 216A.095; 216B.241, subdivision 1; 216C.01, subdivisions 2, 3; proposing coding for new law as Minnesota Statutes, chapter 216H.

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

**Senators Bakk and Ortman introduced—**

**S.F. No. 1933:** A bill for an act relating to public finance; providing terms and conditions related to the issuance of obligations and the financing of public improvements and services; extending the time for certain publications of notices; amending Minnesota Statutes 2006, sections 118A.03, subdivision 3; 123B.61; 204B.46; 331A.05, subdivision 2; 365A.02; 365A.04; 365A.08; 365A.095; 373.01, subdivision 3; 375B.09; 383B.117, subdivision 2; 410.32; 412.301; 428A.02, subdivision 1; 453A.02, subdivision 3; 473.39, by adding a subdivision; 475.58, subdivision 3b; proposing coding for new law in Minnesota Statutes, chapter 475.

Referred to the Committee on Taxes.

**Senator Metzen introduced—**

**S.F. No. 1934:** A bill for an act relating to capital improvements; appropriating money for a span arch bridge in South St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Metzen introduced—**

**S.F. No. 1935:** A bill for an act relating to taxation; authorizing the city of Mendota to impose a food and beverage tax.

Referred to the Committee on Taxes.

**Senator Sparks introduced—**

**S.F. No. 1936:** A bill for an act relating to commerce; regulating the advertising and conducting of certain live musical performances or productions; providing enforcement; imposing a penalty; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Vandever and Bakk introduced—**

**S.F. No. 1937:** A bill for an act relating to taxation; payment in lieu of taxes; allowing a town

that incorporates into a city to continue receiving certain payments; amending Minnesota Statutes 2006, section 97A.061, subdivision 2.

Referred to the Committee on Taxes.

**Senator Dille introduced—**

**S.F. No. 1938:** A bill for an act relating to agriculture; repealing the Minnesota Grain Inspection, Weighing, Sampling, and Analysis Act; repealing Minnesota Statutes 2006, sections 17B.01; 17B.02; 17B.03; 17B.04; 17B.041; 17B.0451; 17B.048; 17B.05; 17B.06; 17B.07; 17B.10; 17B.11; 17B.12; 17B.13; 17B.14; 17B.15, subdivisions 1, 3; 17B.16; 17B.17; 17B.18; 17B.20; 17B.22; 17B.28; 17B.29.

Referred to the Committee on Agriculture and Veterans.

**Senators Dibble and Tomassoni introduced—**

**S.F. No. 1939:** A bill for an act relating to labor; prohibiting certain recipients of public funds from using those funds to influence employee activities; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 179.

Referred to the Committee on Business, Industry and Jobs.

**Senator Dibble introduced—**

**S.F. No. 1940:** A bill for an act relating to public safety; appropriating money for restorative justice.

Referred to the Committee on Finance.

**Senators Koering and Lynch introduced—**

**S.F. No. 1941:** A bill for an act relating to human services; prohibiting the use of a broker for special transportation and access transportation services; amending Laws 2003, First Special Session chapter 14, article 12, section 93, as amended.

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

**Senators Vandever, Skogen and Langseth introduced—**

**S.F. No. 1942:** A bill for an act relating to agriculture; limiting water use permitting fees for aquaculture to no more than \$750 per year; amending Minnesota Statutes 2006, section 103G.271, subdivision 6.

Referred to the Committee on Agriculture and Veterans.

**Senators Chaudhary and Betzold introduced—**

**S.F. No. 1943:** A bill for an act relating to transportation; requiring construction of Fridley station on Northstar Corridor Commuter Rail Line.

Referred to the Committee on Transportation.

**Senators Ortman, Jungbauer and Ingebrigtsen introduced—**

**S.F. No. 1944:** A bill for an act relating to public safety; permitting school buses and Head Start buses to be inspected by certified inspectors; amending Minnesota Statutes 2006, section 169.451.

Referred to the Committee on Transportation.

**Senators Ortman, Neuville, Limmer, Gerlach and Skogen introduced—**

**S.F. No. 1945:** A bill for an act relating to education; allowing charter school students to participate in extracurricular activities in their resident school district; amending Minnesota Statutes 2006, sections 123B.36, subdivision 1; 123B.49, subdivision 4; 124D.10, subdivision 8.

Referred to the Committee on Education.

**Senator Doll introduced—**

**S.F. No. 1946:** A bill for an act relating to human services; increasing the property payment rate for a nursing facility located in Hennepin County; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Referred to the Committee on Finance.

**Senator Doll introduced—**

**S.F. No. 1947:** A bill for an act relating to capital investment; appropriating money to build the Burnsville Performing Arts Center; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

**Senators Carlson, Anderson, Olseen, Michel and Doll introduced—**

**S.F. No. 1948:** A resolution memorializing the Governor to take action to prepare a plan of response and preparation to meet the challenges of Peak Oil.

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

**Senators Rest; Betzold; Olson, G. and Pariseau introduced—**

**S.F. No. 1949:** A bill for an act relating to the Minnesota Sesquicentennial Commission; changing certain duties, powers, and procedures; amending Laws 2005, First Special Session chapter 1, article 4, section 121.

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

**Senators Bakk and Ortman introduced—**

**S.F. No. 1950:** A bill for an act relating to taxation; providing a sales tax exemption for

construction materials and equipment used to construct improvements in a tax increment financing district in the city of Bloomington; extending the duration of a tax increment financing district in the city of Bloomington and modifying its boundaries; providing for the issuance of certain state obligations; appropriating money; amending Minnesota Statutes 2006, section 297A.71, by adding a subdivision; Laws 1996, chapter 464, article 1, section 8, subdivision 3.

Referred to the Committee on Taxes.

**Senators Lynch, Sheran and Rosen introduced—**

**S.F. No. 1951:** A bill for an act relating to health; modifying the medical education and research cost distribution formula; appropriating money; amending Minnesota Statutes 2006, section 62J.692, subdivisions 1, 4, 7a, 8, 10.

Referred to the Committee on Finance.

**Senator Rosen introduced—**

**S.F. No. 1952:** A bill for an act relating to human services finance; providing a rate increase for a nursing facility in Faribault County; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Referred to the Committee on Finance.

**Senators Rosen and Sheran introduced—**

**S.F. No. 1953:** A bill for an act relating to human services; establishing an advisory committee to simplify program administration; requiring fiscal notes to adequately reflect county costs; requiring a performance-based approach for managing human services; requiring information sharing on county consolidation and collaboration; amending Minnesota Statutes 2006, section 256.01, by adding a subdivision.

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

**Senator Olson, M. introduced—**

**S.F. No. 1954:** 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.

**Senator Olson, M. introduced—**

**S.F. No. 1955:** A bill for an act relating to public safety; increasing penalties for metal theft; amending Minnesota Statutes 2006, section 609.52, subdivision 3.

Referred to the Committee on Judiciary.

**Senator Torres Ray introduced–**

**S.F. No. 1956:** A bill for an act relating to public health; creating a pilot project to make Minneapolis schools fragrance-free.

Referred to the Committee on Education.

**Senators Torres Ray, Higgins, Berglin, Dibble and Pogemiller introduced–**

**S.F. No. 1957:** A bill for an act relating to economic development; extending the expiration date for the neighborhood revitalization program; amending Minnesota Statutes 2006, section 469.1781.

Referred to the Committee on Business, Industry and Jobs.

**Senators Lynch and Senjem introduced–**

**S.F. No. 1958:** A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Southeastern Minnesota Regional Public Safety Training Center.

Referred to the Committee on Finance.

**Senator Erickson Ropes introduced–**

**S.F. No. 1959:** A bill for an act relating to health professions; allowing the return of drugs dispensed by pharmacies in certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 151.

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

**Senator Kubly introduced–**

**S.F. No. 1960:** A bill for an act relating to education finance; modifying the calculation of sparsity revenue; reestablishing a levy for school districts in statutory operating debt; amending Minnesota Statutes 2006, section 126C.10, subdivisions 6, 7; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Finance.

**Senator Berglin introduced–**

**S.F. No. 1961:** A bill for an act relating to human services; requiring certain medical assistance enrollees who are children with high-cost medical conditions to receive integrated health care coordination and social support services through the U special kids program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Finance.

**Senator Berglin introduced—**

**S.F. No. 1962:** A bill for an act relating to human services; establishing a payment rate for a nursing facility unit serving ventilator-dependent persons; amending Minnesota Statutes 2006, section 256B.431, subdivision 2e.

Referred to the Committee on Finance.

**Senator Berglin introduced—**

**S.F. No. 1963:** A bill for an act relating to health; requiring annual reports on cost containment goals; establishing a medical expenditure review committee; establishing a health care transformation task force; modifying goals for universal coverage; requiring written hospital charity care policies; modifying performance payments for medical groups; requiring a payment reform plan; providing grants for community collaboratives; requiring a contract for nonprofit organization accountability; appropriating money; amending Minnesota Statutes 2006, sections 62J.04, subdivision 3; 62J.17, subdivision 6a, by adding a subdivision; 62Q.165, subdivisions 1, 2; 144.56, by adding a subdivision; 256.01, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 62J.

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

**Senator Berglin introduced—**

**S.F. No. 1964:** A bill for an act relating to health; providing for collection of certain data relating to environmental toxicity; amending Minnesota Statutes 2006, sections 13.3806, subdivision 14; 144.671.

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

**Senator Berglin introduced—**

**S.F. No. 1965:** A bill for an act relating to human services; expanding the situations in which the commissioner of human services must consider granting a variance from a licensure disqualification; amending Minnesota Statutes 2006, section 245C.24, subdivision 2.

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

**Senators Metzen, Sparks, Gerlach, Day and Larson introduced—**

**S.F. No. 1966:** A bill for an act relating to gambling; modifying expenditure restrictions; clarifying certain game requirements, prize amounts, and making other changes to lawful gambling; amending Minnesota Statutes 2006, sections 349.15, subdivision 1; 349.163, by adding a subdivision; 349.211; repealing Minnesota Statutes 2006, section 349.19, subdivision 2b.

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

**Senator Tomassoni introduced—**

**S.F. No. 1967:** A bill for an act relating to higher education; authorizing collaborative Minnesota

State Colleges and Universities community-based energy development pilot projects; appropriating money.

Referred to the Committee on Finance.

**Senators Dibble, Larson, Doll and Carlson introduced—**

**S.F. No. 1968:** A bill for an act relating to environment; appropriating money to study air quality in residential neighborhoods exposed to air pollution from takeoffs and landings at Minneapolis-St. Paul International Airport; appropriating money.

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

**Senators Cohen and Rest introduced—**

**S.F. No. 1969:** A bill for an act relating to finance; establishing the State Budget Trends Study Commission; requiring a study; appropriating money.

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

**Senator Tomassoni introduced—**

**S.F. No. 1970:** A bill for an act relating to higher education; providing for a study of educational needs in northeastern Minnesota.

Referred to the Committee on Higher Education.

**Senator Murphy introduced—**

**S.F. No. 1971:** A bill for an act relating to drivers' licenses; permitting use of address designated by secretary of state for data protection purposes; amending Minnesota Statutes 2006, sections 171.06, subdivision 3; 171.07, subdivisions 1, 3.

Referred to the Committee on Transportation.

**Senator Foley introduced—**

**S.F. No. 1972:** A bill for an act relating to judiciary finance; appropriating money for the courts, public defenders, Board on Judicial Standards, and Uniform Laws Commission; adding new judgeships; correcting an unintentional repeal and resuming the payment of certain bail proceeds to the municipalities and subdivisions of government in Hennepin County; amending Minnesota Statutes 2006, section 2.722, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 484.

Referred to the Committee on Finance.

**Senators Olson, M.; Moua and Clark introduced—**

**S.F. No. 1973:** A bill for an act relating to public safety; appropriating money for grants to supervised parenting time service providers.

Referred to the Committee on Finance.

**Senator Prettner Solon introduced—**

**S.F. No. 1974:** A bill for an act relating to public employment; declaring that certain persons are essential employees; amending Minnesota Statutes 2006, section 179A.03, subdivision 7.

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

**Senator Foley introduced—**

**S.F. No. 1975:** A bill for an act relating to education; establishing categorical aid for technology and library media; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 125B.

Referred to the Committee on Education.

**Senator Latz introduced—**

**S.F. No. 1976:** A bill for an act relating to education; establishing a grant program to help communities promote, practice, and cultivate positive child and youth development; appropriating money.

Referred to the Committee on Education.

**Senator Latz introduced—**

**S.F. No. 1977:** A bill for an act relating to public safety; establishing ignition interlock device pilot project for repeat DWI offenders and providing a temporary exception to mandatory sentencing law for offenders required to use these devices; amending Minnesota Statutes 2006, section 169A.275, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 171.

Referred to the Committee on Judiciary.

**Senator Betzold introduced—**

**S.F. No. 1978:** A bill for an act relating to retirement; accounting and actuarial reporting; implementing various generally accepted accounting principle requirements; amending Minnesota Statutes 2006, sections 356.20; 356.215, subdivisions 1, 2.

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

**Senator Olson, M. introduced—**

**S.F. No. 1979:** A bill for an act relating to taxation; sales tax; extending the agricultural exemption to logging tires; amending Minnesota Statutes 2006, section 297A.69, subdivision 3.

Referred to the Committee on Taxes.

**Senator Robling introduced—**

**S.F. No. 1980:** A bill for an act relating to volunteer firefighter relief associations; requiring establishment of investment policies and reporting on results; repealing certain reporting requirements; amending Minnesota Statutes 2006, section 356A.06, subdivisions 4, 5; proposing coding for new law in Minnesota Statutes, chapter 424A.

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

**Senator Robling introduced—**

**S.F. No. 1981:** A bill for an act relating to state government; establishing a building replacement fund.

Referred to the Committee on Finance.

**Senator Langseth introduced—**

**S.F. No. 1982:** A bill for an act relating to gambling; allowing postsecondary institutions to conduct raffles under certain conditions; amending Minnesota Statutes 2006, section 609.761, by adding a subdivision.

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

**Senator Larson introduced—**

**S.F. No. 1983:** A bill for an act relating to transportation; directing commissioner of transportation to enter into agreements with radio and television media for public service announcements in exchange for traffic information; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation.

**Senator Larson introduced—**

**S.F. No. 1984:** A bill for an act relating to taxation; establishing a state tax reform action commission; authorizing appointment to the commission; directing preparation of a report to the legislature; appropriating money.

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

**Senator Murphy introduced—**

**S.F. No. 1985:** A bill for an act relating to transportation appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; authorizing sale of trunk highway bonds; authorizing sale of Metropolitan Council obligations for transit; providing for fund transfers, contingent appropriations, and tort claims; providing for various fees and accounts; modifying or adding provisions relating to an airport funding advisory task force, various transit activities and programs, sales tax exemptions, motor vehicle lease tax and sales tax distributions, a transportation endowment fund, distribution of discretionary highway

user tax proceeds, tax proceeds exceeding budgetary general fund balance, highway construction training, the disadvantaged business enterprise program, special transportation, major highway project reports, the Metropolitan Transit Police, and the transit taxing district; requiring commuter rail station in Fridley; removing 1999 restriction on construction of certain light rail transit facilities, and a 2001 restriction on the transit tax levy authority of the Metropolitan Council; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 16A.1522, subdivision 1; 16A.88; 53C.01, subdivision 2; 161.081; 168.017, subdivision 3; 168.12, subdivision 5; 168.1255, by adding a subdivision; 168A.29, subdivision 1; 171.02, subdivision 3; 171.06, subdivision 2; 171.07, subdivisions 3a, 11; 171.20, subdivision 4; 174.03, by adding subdivisions; 297A.70, subdivision 2; 297A.71, by adding a subdivision; 297A.815, subdivision 1, by adding subdivisions; 297A.94; 297B.01, subdivision 8; 297B.09, subdivision 1; 299D.09; 473.1466; 473.166; 473.386, subdivisions 1, 2, 2a, 3; 473.388, subdivision 4; 473.39, by adding a subdivision; 473.399; 473.3993, subdivision 3; 473.3994; 473.3997; 473.4051; 473.407, subdivision 1; 473.446, subdivisions 2, 8; 609.531, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 160; 174; 473; repealing Minnesota Statutes 2006, sections 174.32; 473.123, subdivision 3d; 473.1465; 473.4461; Laws 1999, chapter 230, section 44.

Referred to the Committee on Finance.

**Senator Murphy introduced—**

**S.F. No. 1986:** A bill for an act relating to transportation appropriations; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for fund transfers, general contingent accounts, and tort claims; providing for various fees and accounts; allocating county state-aid highway funds; allocating motor vehicle sales tax and motor vehicle lease sales tax; adjusting fuel tax; adjusting vehicle registration tax; imposing half-cent sales tax for transportation in metropolitan area; enabling local jurisdictions to levy half-cent sales tax for transportation; authorizing counties to levy wheelage tax; authorizing issuance of trunk highway bonds; providing for highway construction training and contracting related to disadvantaged business enterprise program; coordinating special transportation services and paratransit statewide and establishing service standards; modifying light-rail transit governance; authorizing metropolitan council bonding; expanding transit taxing district; redistributing five percent of highway user tax distribution fund; adjusting share of highway funds for off-road use; requiring system to allow credit card payments of driver and vehicle service fees; removing 1999 restriction on construction of certain light rail transit facilities, and a 2001 restriction on the transit tax levy authority of the Metropolitan Council; requiring reports; making technical and clarifying changes; amending Minnesota Statutes 2006, sections 16A.1522, subdivision 1; 16A.88; 53C.01, subdivision 2; 161.04, by adding a subdivision; 161.081; 162.07, subdivision 1, by adding subdivisions; 163.051; 168.011, subdivision 6; 168.013, subdivisions 1, 1a; 168.017, subdivision 3; 168.12, subdivision 5; 168.1255, by adding a subdivision; 168A.29, subdivision 1; 171.02, subdivision 3; 171.06, subdivision 2; 171.07, subdivisions 3a, 11; 171.20, subdivision 4; 171.29, subdivision 2; 174.03, by adding subdivisions; 174.24, subdivision 2a; 174.255, by adding a subdivision; 174.29, by adding subdivisions; 296A.07, subdivision 3; 296A.08, subdivision 2; 296A.18; 297A.64, subdivision 2; 297A.70, subdivision 2; 297A.71, by adding a subdivision; 297A.815, subdivision 1, by adding subdivisions; 297A.94; 297B.01, subdivision 8; 297B.09, subdivision 1; 299D.09; 473.166; 473.386, subdivision 3; 473.39, by adding a subdivision; 473.399; 473.3993, subdivision 3; 473.3994; 473.3997; 473.4051; 473.407, subdivision 1; 473.446, subdivisions 2, 8; 609.531,

subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 160; 168; 174; 296A; 297A; 398A; 473; repealing Minnesota Statutes 2006, sections 174.32; 473.123, subdivision 3d; 473.4461; Laws 1999, chapter 230, section 44.

Referred to the Committee on Finance.

**Senator Torres Ray introduced—**

**S.F. No. 1987:** A bill for an act relating to health; eliminating the expiration date for the Maternal and Child Health Advisory Task Force; amending Minnesota Statutes 2006, section 145.881, subdivision 1.

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

**Senator Torres Ray introduced—**

**S.F. No. 1988:** A bill for an act relating to education finance; authorizing funding for the expansion of the rites of passage program as a way to narrow the racial achievement gap; requiring a program evaluation; appropriating money.

Referred to the Committee on Finance.

**Senators Pappas and Cohen introduced—**

**S.F. No. 1989:** A bill for an act relating to higher education; appropriating money for higher education and related purposes to the Office of Higher Education, the Board of Trustees of the Minnesota State Colleges and Universities, the board of Regents of the University of Minnesota, and the Mayo Clinic, with certain conditions; requiring certain studies; creating a task force to reduce costs of course materials; making technical changes; eliminating certain report requirements; permitting certain interest rate savings and other agreements; requiring summary statistics in required reports; repealing certain data sharing and collecting requirements; modifying financial aid programs; establishing a scholarship program for high achieving high school students; establishing the Minnesota GI bill program; regulating private higher education institutions; providing penalties; amending Minnesota Statutes 2006, sections 13.322, subdivision 3; 135A.01; 135A.031, subdivisions 1, 7; 135A.034, subdivision 1; 135A.14, subdivision 1; 135A.52, subdivisions 1, 2; 136A.01, subdivision 2; 136A.031, subdivision 5; 136A.0411; 136A.08, subdivision 7; 136A.101, subdivisions 4, 5a; 136A.121, subdivision 7a, by adding a subdivision; 136A.125, subdivisions 2, 4; 136A.15, subdivisions 1, 6; 136A.16, subdivisions 1, 2, 5, 8, 9, 10, by adding a subdivision; 136A.17, subdivision 1; 136A.1701, subdivisions 1, 2, 5; 136A.233, subdivision 3; 136A.29, subdivision 9; 136A.62, subdivision 3; 136A.63; 136A.65, subdivision 1, by adding a subdivision; 136A.653; 136A.657, subdivisions 1, 2, 3, by adding a subdivision; 136A.66; 136A.67; 136A.68; 136A.69; 136A.71; 136A.861, subdivisions 1, 2, 3, 6; 136F.02, subdivisions 1, 2; 136F.03, subdivision 3; 136F.42, subdivision 1; 136F.58; 136F.70, by adding a subdivision; 136F.71, subdivision 2, by adding a subdivision; 136G.11, subdivision 5; 137.0245, subdivision 4; 137.0246, subdivision 2; 141.21, subdivisions 1a, 5; 141.25, subdivisions 1, 5, 7, 9, 10, 12; 141.255, subdivision 2; 141.265, subdivision 2; 141.271, subdivisions 10, 12; 141.28, subdivision 1; 141.32; 141.35; 197.775, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 141; 197; repealing Minnesota Statutes 2006, sections

135A.031, subdivisions 2, 3, 5, 6; 135A.032; 135A.033; 135A.045; 135A.053; 136A.07; 136A.08, subdivision 8; 136A.1702; 136A.61; Laws 2001, First Special Session chapter 1, article 1, sections 3, subdivision 3; 4, subdivision 5.

Referred to the Committee on Finance.

**Senators Clark and Berglin introduced–**

**S.F. No. 1990:** A bill for an act relating to human services; establishing an MFIP advisory task force.

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

**Senator Clark introduced–**

**S.F. No. 1991:** A bill for an act relating to human services; establishing an MFIP pilot program; appropriating money.

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

**Senators Higgins, Moua, Rosen, Foley and Neuville introduced–**

**S.F. No. 1992:** A bill for an act relating to public safety; appropriating money for public safety and corrections initiatives; creating grant programs; amending Minnesota Statutes 2006, sections 363A.06, subdivision 1; 403.11, subdivision 1; 403.31, subdivision 1; 609.3457, subdivision 4; 609.52, subdivision 3; 609.535, subdivision 2a; 609.595, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 241; 626; repealing Minnesota Statutes 2006, section 403.31, subdivision 6.

Referred to the Committee on Finance.

**Senators Saltzman and Olseen introduced–**

**S.F. No. 1993:** A bill for an act relating to education; directing commissioner of education to develop an assessment tool to fairly evaluate performance of alternative schools.

Referred to the Committee on Education.

**Senators Chaudhary, Frederickson, Rummel and Saxhaug introduced–**

**S.F. No. 1994:** A bill for an act relating to natural resources; modifying watercraft surcharge; modifying water recreation account; providing for a nonresident fishing surcharge; amending Minnesota Statutes 2006, sections 86B.415, subdivisions 1, 2, 3, 4, 5, 7; 86B.706, subdivision 3; 97A.475, subdivision 7.

Referred to the Committee on Environment and Natural Resources.

**Senators Erickson Ropes, Olseen, Saltzman and Murphy introduced–**

**S.F. No. 1995:** A bill for an act relating to motor vehicles; prohibiting leaving child under age

of nine unattended in passenger vehicle; imposing a penalty; amending Minnesota Statutes 2006, section 171.13, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Judiciary.

**Senator Metzen introduced—**

**S.F. No. 1996:** A bill for an act relating to liquor; authorizing the commissioner of public safety to issue on-sale intoxicating liquor licenses for events within the boundaries of the University of Minnesota; amending Minnesota Statutes 2006, sections 340A.404, subdivision 4a; 340A.412, subdivision 4.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Betzold, Rest and Olseen introduced—**

**S.F. No. 1997:** A bill for an act relating to government operations; appropriating money for the general legislative and administrative expenses of state government; amending Minnesota Statutes 2006, sections 15B.17, subdivision 1; 16A.1286, subdivision 2; 16B.03; 43A.02, by adding a subdivision; 43A.03, subdivision 3; 43A.24, subdivision 1; 270B.14, by adding a subdivision; repealing Laws 2006, chapter 253, section 22.

Referred to the Committee on Finance.

**MEMBERS EXCUSED**

Senators Dille, Johnson, Marty and Pappas were excused from the Session of today. Senator Anderson was excused from the Session of today from 11:00 to 11:20 a.m. Senator Chaudhary was excused from the Session of today from 11:00 a.m. to 12:05 p.m.

**ADJOURNMENT**

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Wednesday, March 21, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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