

THIRTY-FIFTH DAY

St. Paul, Minnesota, Friday, March 23, 2007

The Senate met at 12:00 noon 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. Bryan O'Rourke.

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

Anderson	Fischbach	Larson	Ortman	Sieben
Bakk	Foley	Latz	Pappas	Skoe
Berglin	Frederickson	Limmer	Pariseau	Skogen
Betzold	Gerlach	Lourey	Pogemiller	Sparks
Bonoff	Gimse	Lynch	Prettner Solon	Stumpf
Carlson	Hann	Marty	Rest	Tomassoni
Chaudhary	Higgins	Metzen	Robling	Torres Ray
Clark	Ingebrigtsen	Michel	Rosen	Vandever
Cohen	Johnson	Moua	Rummel	Vickerman
Day	Jungbauer	Murphy	Saltzman	Wergin
Dibble	Koch	Neuville	Saxhaug	Wiger
Dille	Koering	Olseen	Scheid	
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 House File, herewith transmitted: H.F. No. 455.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 22, 2007

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 455: A bill for an act relating to public defense; updating and clarifying public defense provisions of law; modifying right to representation by the public defender; requiring the state public defender to supervise the statewide public defender system; authorizing appointment of a chief appellate public defender; providing for representation by the chief appellate public defender; amending Minnesota Statutes 2006, sections 270A.03, subdivision 5; 590.05; 611.14; 611.20, subdivision 6; 611.215, subdivisions 1, 1a; 611.23; 611.24; 611.25, subdivision 1; 611.26, subdivisions 2, 7; 611.27, subdivisions 3, 13, 15; 611.35; repealing Minnesota Statutes 2006, section 611.20, subdivision 5.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

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

S.F. No. 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.

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

Page 1, line 14, delete "298,493,000" and insert "303,275,000" and delete "306,401,000" and insert "311,133,000" and delete "604,894,000" and insert "614,408,000"

Page 1, line 17, delete "2,119,000" and insert "6,849,000" and delete "4,234,000" and insert "10,700,000"

Page 1, line 24, delete "316,918,000" and insert "324,544,000" and delete "324,485,000" and insert "329,217,000" and delete "641,403,000" and insert "653,761,000"

Page 2, line 14, delete "65,793,000" and insert "66,293,000" and delete "67,352,000" and insert "67,852,000"

Page 2, line 17, delete "65,665,000" and insert "66,165,000" and delete "67,224,000" and insert "67,724,000"

Page 2, delete lines 24 to 28

Page 2, line 29, delete "14,168,000" and insert "14,668,000" and delete "14,508,000" and insert "15,008,000"

Page 2, line 31, delete "14,040,000" and insert "14,540,000" and delete "14,380,000" and insert "14,880,000"

Page 3, after line 14, insert:

"\$250,000 the first year and \$250,000 the second year are for completing the study of state budget trends in article 2, section 35. This is a onetime appropriation."

Page 4, line 1, delete "9,024,000" and insert "9,234,000" and delete "9,060,000" and insert "9,220,000"

Page 4, delete section 7 and insert:

"Sec. 7. <u>SECRETARY OF STATE</u>	<u>\$</u>	<u>8,989,000</u>	<u>\$</u>	<u>6,439,000</u>
<u>Appropriations by Fund</u>				
<u>General</u>	<u>6,145,000</u>		<u>6,439,000</u>	
<u>State Government</u>				
<u>Special Revenue</u>	<u>2,844,000</u>		<u>-0-</u>	

\$2,844,000 the first year is appropriated from the Help America Vote Act account for the purposes and uses authorized by federal law. This appropriation is available until June 30, 2009.

Notwithstanding Laws 2005, chapter 162, section 34, subdivision 7, any balance remaining in the Help America Vote Act account after previous appropriations and the appropriations in this section is appropriated to the secretary of state for the purposes of the account. This appropriation is available until June 30, 2011.

\$100,000 each year is for the safe at home program."

Page 4, line 17, delete "6,680,000" and insert "7,680,000" and delete "6,755,000" and insert "7,755,000"

Page 4, line 18, delete "\$2,910,000" and insert "\$3,910,000" and delete "\$2,915,000" and insert "\$3,915,000"

Page 4, lines 21 and 22, delete "\$3,675,000" and insert "\$4,675,000"

Page 4, line 30, delete "20,594,000" and insert "21,067,000" and delete "21,065,000" and insert "21,538,000"

Page 5, line 22, delete "4,491,000" and insert "4,614,000" and delete "4,546,000" and insert "4,669,000"

Page 5, line 26, delete "1,855,000" and insert "2,205,000" and delete "1,855,000" and insert "2,205,000"

Page 5, line 27, delete "\$1,161,000" and insert "\$1,411,000" and delete "\$1,161,000" and insert "\$1,411,000"

Page 6, line 9, after "grants" insert "and \$100,000 each year is for equipment grants"

Page 7, line 2, delete "113,231,000" and insert "115,731,000" and delete "117,686,000" and insert "120,186,000"

Page 7, line 5, delete "109,093,000" and insert "111,593,000" and delete "113,450,000" and insert "115,950,000"

Page 7, line 13, delete "93,744,000" and insert "96,244,000" and delete "96,980,000" and insert "99,480,000"

Page 7, line 15, delete "89,606,000" and insert "92,106,000" and delete "92,744,000" and insert "95,244,000"

Page 7, line 20, delete "\$3,455,000" and insert "\$5,955,000" and delete "\$4,352,000" and insert "\$6,852,000"

Page 7, line 26, delete "\$21,200,000" and insert "\$41,200,000"

Page 10, lines 33 and 34, delete "\$206,000" and insert "\$221,000"

Page 12, after line 3, insert:

"Sec. 32. **SALARY SAVINGS**

The commissioner of finance shall determine the costs of salaries and economic benefits attributable to the positions eliminated by article 2 and reduce the appropriation to each affected agency accordingly. The total reduction to general fund appropriations must be at least \$3,646,000 for the fiscal year ending June 30, 2008, and \$3,646,000 for the fiscal year ending June 30, 2009."

Page 12, after line 5, insert:

"Section 1. Minnesota Statutes 2006, section 4.035, subdivision 3, is amended to read:

Subd. 3. **Expiration date.** Unless an earlier date is specified by statute or by executive order, an executive order shall expire 90 days after the date that the governor who issued the order ~~vacates~~ leaves office.

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

Sec. 2. Minnesota Statutes 2006, section 5.12, subdivision 1, is amended to read:

Subdivision 1. **Fees.** The secretary of state shall charge a fee of \$5 for each certificate or certification of a copy of any document filed in the Office of the Secretary of State. The secretary of state shall charge a fee of \$3 for a copy of an original filing of a corporation, limited partnership, assumed name, or trade or service mark, ~~or for the complete record of a certificate of assumed name.~~ The secretary of state shall charge a fee of \$3 for a copy of any or all subsequent filings of a corporation, limited partnership, assumed name, or trade or service mark. The secretary of state shall charge a fee of \$1 per page for copies of other nonuniform commercial code documents filed with the secretary of state. At the time of filing, the secretary of state may provide at the public counter, without charge, a copy of a filing, ten or fewer pages in length, to the person making the filing.

Sec. 3. [5.32] TEMPORARY TECHNOLOGY SURCHARGE.

Subdivision 1. **Surcharge.** For fiscal years 2008 and 2009, the following technology surcharges are imposed on the filing fees required under the following statutes:

- (1) \$25 for articles of incorporation filed under section 302A.151;
- (2) \$25 for articles of organization filed under section 322B.17;
- (3) \$25 for applications for certificates of authority to transact business in Minnesota filed under section 303.06;
- (4) \$20 for annual reports filed by non-Minnesota corporations under section 303.14; and
- (5) \$50 for reinstatements to authority to transact business in Minnesota filed under section 303.19.

Subd. 2. **Deposit.** The surcharges listed in subdivision 1 shall be deposited into the uniform commercial code account.

Subd. 3. **Expiration.** This section expires June 30, 2009.

Sec. 4. Minnesota Statutes 2006, section 15.06, subdivision 2, is amended to read:

Subd. 2. **Term of office; successor.** The term of a commissioner shall end with the term of the office of governor. ~~If the appointing authority is the governor~~ In addition, the term shall end ~~on the date the governor who appointed the commissioner~~ if the governor vacates office. The appointing authority shall submit to the president of the senate the name of an appointee as permanent commissioner as provided by section 15.066, subdivision 2, within 45 legislative days after the end of the term of a commissioner and within 45 legislative days after the occurrence of a vacancy. The appointee shall take office as permanent commissioner when the senate notifies the appointing authority that it has consented to the appointment. A commissioner shall serve at the pleasure of the appointing authority.

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

Sec. 5. Minnesota Statutes 2006, section 15.06, subdivision 8, is amended to read:

Subd. 8. **Number of deputy commissioners.** ~~Unless specifically authorized by statute, other~~

~~than section 43A.08, subdivision 2,~~ No department or agency specified in subdivision 1 shall have more than one deputy commissioner."

Page 12, after line 29, insert:

"Sec. 9. Minnesota Statutes 2006, section 16C.08, subdivision 2, is amended to read:

Subd. 2. **Duties of contracting agency.** (a) Before an agency may seek approval of a professional or technical services contract valued in excess of \$5,000, it must provide the following:

(1) a description of how the proposed contract or amendment is necessary and reasonable to advance the statutory mission of the agency;

(2) a description of the agency's plan to notify firms or individuals who may be available to perform the services called for in the solicitation; and

(3) a description of the performance measures or other tools that will be used to monitor and evaluate contract performance.

(b) In addition to paragraph (a), the agency must certify that:

(1) no current state employee is able and available to perform the services called for by the contract;

(2) the normal competitive bidding mechanisms will not provide for adequate performance of the services;

(3) reasonable efforts will be made to publicize the availability of the contract to the public;

(4) the agency will develop and implement a written plan providing for the assignment of specific agency personnel to manage the contract, including a monitoring and liaison function, the periodic review of interim reports or other indications of past performance, and the ultimate utilization of the final product of the services;

(5) the agency will not allow the contractor to begin work before the contract is fully executed unless an exception under section 16C.05, subdivision 2a, has been granted by the commissioner and funds are fully encumbered;

(6) the contract will not establish an employment relationship between the state or the agency and any persons performing under the contract; ~~and~~

(7) in the event the results of the contract work will be carried out or continued by state employees upon completion of the contract, the contractor is required to include state employees in development and training, to the extent necessary to ensure that after completion of the contract, state employees can perform any ongoing work related to the same function; and

(8) the agency will not contract out its previously eliminated jobs for four years without first considering the same former employees who are on the seniority unit layoff list who meet the minimum qualifications determined by the agency.

(c) A contract establishes an employment relationship for purposes of paragraph (b), clause (6), if, under federal laws governing the distinction between an employee and an independent contractor, a person would be considered an employee."

Page 13, after line 22, insert:

"Sec. 12. Minnesota Statutes 2006, section 43A.08, subdivision 1, is amended to read:

Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees who are:

- (1) chosen by election or appointed to fill an elective office;
- (2) heads of agencies required by law to be appointed by the governor or other elective officers, and the executive or administrative heads of departments, bureaus, divisions, and institutions specifically established by law in the unclassified service;
- (3) deputy ~~and assistant~~ agency heads and one confidential secretary in the agencies listed in ~~subdivision 1a and in the Office of Strategic and Long Range Planning~~ section 15.06, subdivision 1;
- (4) the confidential secretary to each of the elective officers of this state and, for the secretary of state and state auditor, an additional deputy, clerk, or employee;
- (5) intermittent help employed by the commissioner of public safety to assist in the issuance of vehicle licenses;
- (6) employees in the offices of the governor and of the lieutenant governor and one confidential employee for the governor in the Office of the Adjutant General;
- (7) employees of the Washington, D.C., office of the state of Minnesota;
- (8) employees of the legislature and of legislative committees or commissions; provided that employees of the Legislative Audit Commission, except for the legislative auditor, the deputy legislative auditors, and their confidential secretaries, shall be employees in the classified service;
- (9) presidents, vice-presidents, deans, other managers and professionals in academic and academic support programs, administrative or service faculty, teachers, research assistants, and student employees eligible under terms of the federal Economic Opportunity Act work study program in the Perpich Center for Arts Education and the Minnesota State Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any professional or managerial employee performing duties in connection with the business administration of these institutions;
- (10) officers and enlisted persons in the National Guard;
- (11) attorneys, legal assistants, and three confidential employees appointed by the attorney general or employed with the attorney general's authorization;
- (12) judges and all employees of the judicial branch, referees, receivers, jurors, and notaries public, except referees and adjusters employed by the Department of Labor and Industry;
- (13) members of the State Patrol; provided that selection and appointment of State Patrol troopers must be made in accordance with applicable laws governing the classified service;
- (14) examination monitors and intermittent training instructors employed by the Departments of Employee Relations and Commerce and by professional examining boards and intermittent staff employed by the technical colleges for the administration of practical skills tests and for the staging

of instructional demonstrations;

(15) student workers;

(16) executive directors or executive secretaries appointed by and reporting to any policy-making board or commission established by statute;

(17) employees unclassified pursuant to other statutory authority;

(18) intermittent help employed by the commissioner of agriculture to perform duties relating to pesticides, fertilizer, and seed regulation;

(19) the administrators and the deputy administrators at the State Academies for the Deaf and the Blind; and

(20) chief executive officers in the Department of Human Services.

Sec. 13. Minnesota Statutes 2006, section 43A.08, subdivision 2a, is amended to read:

Subd. 2a. **Temporary unclassified positions.** The commissioner, upon request of an appointing authority, may authorize the temporary designation of a position in the unclassified service. The commissioner may make this authorization only for professional, managerial or supervisory positions which are fully anticipated to be of limited duration. An individual may not be employed by an appointing authority under this subdivision for more than 18 months.

EFFECTIVE DATE. For individuals who are employed under section 43A.08, subdivision 2a, on the effective date of this section, the 18-month time limit under this section commences the day following final enactment."

Page 13, after line 30, insert:

"Sec. 15. Minnesota Statutes 2006, section 43A.346, subdivision 1, is amended to read:

Subdivision 1. **Definition.** For purposes of this section, "state employee" means a person currently occupying a civil service position in the executive or legislative branch of state government, the Minnesota State Retirement System, or the Office of the Legislative Auditor, or a person employed by the Metropolitan Council.

Sec. 16. Minnesota Statutes 2006, section 45.013, is amended to read:

45.013 POWER TO APPOINT STAFF.

The commissioner of commerce may appoint ~~four~~ one deputy commissioners, ~~four~~ one assistant commissioners, and ~~an~~ an assistant to the commissioner. ~~Those positions, as well as that of and~~ and a confidential secretary, ~~are in the unclassified service.~~ The commissioner may appoint other employees necessary to carry out the duties and responsibilities entrusted to the commissioner.

Sec. 17. Minnesota Statutes 2006, section 84.01, subdivision 3, is amended to read:

Subd. 3. **Employees; delegation.** ~~Subject to the provisions of Laws 1969, chapter 1129, and to other applicable laws~~ The commissioner shall organize the department and employ ~~up to three~~ up to three assistant commissioners, ~~each of whom shall serve at the pleasure of the commissioner in the unclassified service, one of whom shall have responsibility for coordinating and directing the~~

~~planning of every division within the agency, and such other~~ officers, employees, and agents as the commissioner may deem necessary to discharge the functions of the department, define the duties of such officers, employees, and agents and to delegate to them any of the commissioner's powers, duties, and responsibilities subject to the control of, and under the conditions prescribed by, the commissioner. Appointments to exercise delegated power shall be by written order filed with the secretary of state.

Sec. 18. Minnesota Statutes 2006, section 116.03, subdivision 1, is amended to read:

Subdivision 1. **Office.** (a) The office of commissioner of the Pollution Control Agency is created and is under the supervision and control of the commissioner, who is appointed by the governor under the provisions of section 15.06.

(b) The commissioner may appoint a deputy commissioner ~~and assistant commissioners~~ who shall be in the unclassified service.

(c) The commissioner shall make all decisions on behalf of the agency that are not required to be made by the agency under section 116.02.

Sec. 19. Minnesota Statutes 2006, section 116J.01, subdivision 5, is amended to read:

Subd. 5. **Departmental organization.** (a) The commissioner shall organize the department as provided in section 15.06.

(b) The commissioner may establish divisions and offices within the department. ~~The commissioner may employ four deputy commissioners in the unclassified service.~~

(c) The commissioner shall:

(1) employ assistants and other officers, employees, and agents that the commissioner considers necessary to discharge the functions of the commissioner's office;

(2) define the duties of the officers, employees, and agents, and delegate to them any of the commissioner's powers, duties, and responsibilities, subject to the commissioner's control and under conditions prescribed by the commissioner.

(d) The commissioner shall ensure that there are at least three employment and economic development officers in state offices in nonmetropolitan areas of the state who will work with local units of government on developing local employment and economic development.

Sec. 20. Minnesota Statutes 2006, section 116J.035, subdivision 4, is amended to read:

Subd. 4. **Delegation of powers.** The commissioner may delegate, in written orders filed with the secretary of state, any powers or duties subject to the commissioner's control to officers and employees in the department. Regardless of any other law, the commissioner may delegate the execution of specific contracts or specific types of contracts to the commissioner's ~~deputies~~ deputy, an assistant commissioner, or a program director if the delegation has been approved by the commissioner of administration and filed with the secretary of state.

Sec. 21. Minnesota Statutes 2006, section 174.02, subdivision 2, is amended to read:

Subd. 2. **Unclassified positions.** The commissioner may ~~establish four positions in the~~

~~unclassified service at the appoint a deputy and assistant commissioner, assistant to commissioner or and a personal secretary levels. No more than two of these positions shall be at the deputy commissioner level in the unclassified service.~~

Sec. 22. Minnesota Statutes 2006, section 201.12, is amended to read:

201.12 PROPER REGISTRATION; VERIFICATION BY MAIL; CHALLENGES.

Subdivision 1. **Notice of registration.** To prevent fraudulent voting and to eliminate excess names, the county auditor may mail to any registered voter a notice stating the voter's name and address as they appear in the registration files. The notice shall request the voter to notify the county auditor if there is any mistake in the information.

Subd. 2. **Challenges Moved within state.** If the notice is returned as undeliverable but with a permanent forwarding address in this state, the county auditor shall notify the auditor of the county where the voter resides. Upon receipt of the notice, the county auditor shall update the voter's address in the statewide voter registration system and mail to the voter the notice of registration required by section 201.121, subdivision 2. The notice must advise the voter that the voter's voting address has been changed and that the voter must notify the county auditor within 21 days if the new address is not what the voter intended to be their permanent address.

Subd. 3. **Moved out of state.** If the notice is returned as undeliverable but with a permanent forwarding address outside this state, the county auditor shall promptly mail to the voter at the forwarding address a notice advising the voter that the voter's voter registration in this state will be deleted unless the voter notifies the county auditor within 21 days that the voter intends to retain the former address as the voter's permanent address. If the notice is not received by the deadline, the county auditor shall delete the registration.

Subd. 4. **Challenges.** ~~Upon return of any nonforwardable mailing from an election official, the county auditor or the auditor's staff shall ascertain the name and address of that individual. If the individual is no longer at the address recorded in the statewide registration system~~ If the notice is returned as undeliverable but with no forwarding address, the county auditor shall change the registrant's status to "challenged" in the statewide registration system. An individual challenged in accordance with this subdivision shall comply with the provisions of section 204C.12, before being allowed to vote. If a notice mailed at least 60 days after the return of the first nonforwardable mailing is also returned by the postal service, the county auditor shall change the registrant's status to "inactive" in the statewide registration system.

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

Sec. 23. Minnesota Statutes 2006, section 201.13, subdivision 3, is amended to read:

Subd. 3. **Use of change of address system.** ~~The county auditor may delete the records in the statewide registration system of voters whose change of address can be confirmed by the United States Postal Service. The secretary of state may provide the county auditors with periodic reports on voters whose change of address can be confirmed by the United States Postal Service.~~ (a) At least once each month the secretary of state shall obtain a list of individuals in this state who have filed with the United States Postal Service a change of their permanent address. If an individual is registered as a voter in the statewide voter registration system and the change is to another address in this state, the secretary of state shall transmit the registration by electronic means to the county

auditor of the county where the voter resides. Upon receipt of the registration, the county auditor shall update the voter's address in the statewide voter registration system and mail to the voter the notice of registration required by section 201.121, subdivision 2. The notice must advise the voter that the voter's permanent address has been changed and that the voter must notify the county auditor within 21 days if the new address is not what the voter intended to be the voter's permanent address.

(b) If the change of permanent address is to a forwarding address outside this state, the secretary of state shall notify by electronic means the auditor of the county where the voter formerly resided that the voter has left the state. The county auditor shall promptly mail to the voter at the forwarding address a notice advising the voter that the voter's voter registration in this state will be deleted unless the voter notifies the county auditor within 21 days that the voter intends to retain the former address as the voter's permanent address. If the notice is not received by the deadline, the county auditor shall delete the registration.

EFFECTIVE DATE. This section is effective March 1, 2008.

Sec. 24. Minnesota Statutes 2006, section 201.161, is amended to read:

201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE, INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICANTS.

Subdivision 1. **Automatic registration.** An individual who properly completes an application for a new or renewed Minnesota driver's license, instruction permit, or identification card, and who is eligible to vote under section 201.014, must be registered to vote as provided in this section, unless the applicant declines to be registered.

Subd. 2. **Applications.** The ~~Department~~ commissioner of public safety, in consultation with the secretary of state, shall change ~~its~~ the applications for an original, duplicate, or change of address driver's license, instruction permit, or identification card so that the forms may also serve as voter registration applications. The forms must contain spaces for all information collected by voter registration applications prescribed by the secretary of state and a box for the applicant to decline to be registered to vote. ~~Applicants for driver's licenses or identification cards must be asked if they want to register to vote at the same time and that~~ Unless the applicant has declined to be registered to vote, the commissioner shall transmit the information ~~must be transmitted at least weekly~~ daily by electronic means to the secretary of state. Pursuant to the Help America Vote Act of 2002, Public Law 107-252, the computerized driver's license record containing the voter's name, address, date of birth, citizenship, driver's license number or state identification number, county, ~~town, and city~~ or town, and signature must be made available for access by the secretary of state and interaction with the statewide voter registration system.

Subd. 3. **Registration.** (a) The secretary of state shall determine whether the applicant is currently registered in the statewide voter registration system. For each currently registered voter whose registration is not changed, the secretary of state shall update the voter's registration date in the statewide voter registration system. For each currently registered voter whose registration is changed, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

(b) If the applicant is not currently registered in the statewide voter registration system, the secretary of state shall determine whether the applicant is 18 years of age or older and a citizen of the United States and compare the voter registration information received from the commissioner of

public safety with the information on wards, incompetents, and felons received from the state court administrator under sections 201.15 and 201.155, to determine whether the applicant is eligible to vote. If an applicant is less than 18 years of age, the secretary of state shall wait until the applicant has turned 18 years of age to determine whether the applicant is eligible to vote. For each applicant the secretary of state determines is an eligible voter, the secretary of state shall transmit the registration daily by electronic means to the county auditor of the county where the voter resides.

Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to the voter the notice of registration required by section 201.121, subdivision 2.

Subd. 5. **Registrations dated 20 days or less before election.** An application for registration that is dated during the 20 days before an election in any jurisdiction within which the voter resides is not effective until the day after the election.

EFFECTIVE DATE. An applicant for a Minnesota driver's license, instruction permit, or identification card must not be registered to vote under this section until the secretary of state has certified that the system for automatic registration of those applicants has been tested and shown to properly determine whether an applicant is eligible to vote.

Sec. 25. Minnesota Statutes 2006, section 241.01, subdivision 2, is amended to read:

Subd. 2. ~~Divisions; deputies~~ **Deputy.** The commissioner of corrections may appoint and employ ~~no more than two a deputy commissioners~~ commissioner. The commissioner may also appoint a personal secretary, who shall serve at the commissioner's pleasure in the unclassified civil service."

Page 14, after line 3, insert:

"Sec. 27. Minnesota Statutes 2006, section 302A.821, subdivision 4, is amended to read:

Subd. 4. **Penalty; reinstatement.** (a) A corporation that has failed to file a registration pursuant to the requirements of subdivision 2 must be dissolved by the secretary of state as described in paragraph (b).

(b) If the corporation has not filed the registration ~~for two consecutive~~ during any calendar years year, the secretary of state must issue a certificate of administrative dissolution and the certificate must be filed in the Office of the Secretary of State. ~~The secretary of state shall send notice to the corporation that the corporation has been dissolved and that the corporation may be reinstated by filing a registration and a \$25 fee. The notice must be given by United States mail unless the company has indicated to the secretary of state that they are willing to receive notice by electronic notification, in which case the secretary of state may give notice by mail or the indicated means. The secretary of state shall annually inform the attorney general and the commissioner of revenue of the methods by which the names of corporations dissolved under this section during the preceding year may be determined. The secretary of state must also make available in an electronic format the names of the dissolved corporations. A corporation dissolved in this manner is not entitled to the benefits of section 302A.781. The liability, if any, of the shareholders of a corporation dissolved in this manner shall be determined and limited in accordance with section 302A.557, except that the shareholders shall have no liability to any director of the corporation under section 302A.559, subdivision 2.~~

(c) After administrative dissolution, filing a registration and the \$25 fee with the secretary of state:

- (1) returns the corporation to good standing as of the date of the dissolution;
- (2) validates contracts or other acts within the authority of the articles, and the corporation is liable for those contracts or acts; and
- (3) restores to the corporation all assets and rights of the corporation to the extent they were held by the corporation before the dissolution occurred, except to the extent that assets or rights were affected by acts occurring after the dissolution or sold or otherwise distributed after that time.

EFFECTIVE DATE. This section is effective January 1, 2008.

Sec. 28. Minnesota Statutes 2006, section 321.0206, is amended to read:

**321.0206 DELIVERY TO AND FILING OF RECORDS BY SECRETARY OF STATE;
EFFECTIVE TIME AND DATE.**

(a) A record authorized or required to be delivered to the secretary of state for filing under this chapter must be captioned to describe the record's purpose, be in a medium permitted by the secretary of state, and be delivered to the secretary of state. Unless the secretary of state determines that a record does not comply with the filing requirements of this chapter, and if the appropriate filing fees have been paid, the secretary of state shall file the record and:

(1) for a statement of dissociation, send:

(A) a copy of the filed statement to the person which the statement indicates has dissociated as a general partner; and

(B) a copy of the filed statement to the limited partnership;

(2) for a statement of withdrawal, send:

(A) a copy of the filed statement to the person on whose behalf the record was filed; and

(B) if the statement refers to an existing limited partnership, a copy of the filed statement to the limited partnership; and

(3) for all other records, send a copy of the filed record to the person on whose behalf the record was filed.

(b) Upon request and payment of a fee, the secretary of state shall send to the requester a certified copy of the requested record.

(c) Except as otherwise provided in sections 321.0116 and 321.0207, a record delivered to the secretary of state for filing under this chapter may specify an effective time and a delayed effective date. Except as otherwise provided in this chapter, a record filed by the secretary of state is effective:

(1) if the record does not specify an effective time and does not specify a delayed effective date, on the date and at the time the record is filed as evidenced by the secretary of state's endorsement of the date and time on the record;

(2) if the record specifies an effective time but not a delayed effective date, on the date the record is filed at the time specified in the record;

(3) if the record specifies a delayed effective date but not an effective time, at 12:01 a.m. on the

earlier of:

(A) the specified date; or

(B) the 30th day after the record is filed; or

(4) if the record specifies an effective time and a delayed effective date, at the specified time on the earlier of:

(A) the specified date; or

(B) the 30th day after the record is filed.

(d) The appropriate fees for filings under this chapter are:

(1) for filing a certificate of limited partnership, \$100;

(2) for filing an amended certificate of limited partnership, \$50;

(3) for filing any other record, other than the annual report required by section 321.0210, for which no fee must be charged, required or permitted to be delivered for filing, \$35;

(4) for filing a certificate requesting authority to transact business in Minnesota as a foreign limited partnership, \$85;

(5) for filing an application of reinstatement, \$25; and

(6) for filing a name reservation for a foreign limited partnership name, \$35; and

(7) for filing any other record, other than the annual report required by section 321.0210, for which no fee must be charged, required or permitted to be delivered for filing on a foreign limited partnership authorized to transact business in Minnesota, \$50.

Sec. 29. Minnesota Statutes 2006, section 336.1-110, is amended to read:

336.1-110 UNIFORM COMMERCIAL CODE ACCOUNT.

The Uniform Commercial Code account is established as an account in the state treasury. Fees that are not expressly set by statute but are charged by the secretary of state to offset the costs of providing a service under this chapter must be deposited in the state treasury and credited to the Uniform Commercial Code account.

Fees that are not expressly set by statute but are charged by the secretary of state to offset the costs of providing information contained in the computerized records maintained by the secretary of state must be deposited in the state treasury and credited to the Uniform Commercial Code account.

Money in the Uniform Commercial Code account is continuously appropriated to the secretary of state to implement and maintain the central filing system under this chapter, to provide, improve, and expand other online or remote lien and business entity filing, retrieval, and payment method services provided by the secretary of state, and to provide electronic access to other computerized records maintained by the secretary of state.

Sec. 30. Minnesota Statutes 2006, section 336.9-525, is amended to read:

336.9-525 FEES.

(a) **Initial financing statement or other record: general rule.** Except as otherwise provided in subsection (d), the fee for filing and indexing a record under this part ~~delivered on paper~~ is \$20 ~~and for a record delivered by any electronic means is \$15.~~ \$5 of the fee collected for each filing made online must be deposited in the uniform commercial code account.

(b) **Number of names.** The number of names required to be indexed does not affect the amount of the fee in subsection (a).

(c) **Response to information request.** The fee for responding to a request for information from the filing office, including for issuing a certificate showing whether there is on file any financing statement naming a particular debtor, ~~delivered on paper~~ is \$20 ~~and for a record delivered by any electronic means is \$15.~~ \$5 of the fee collected for each request delivered online must be deposited in the uniform commercial code account.

(d) **Record of mortgage.** This section does not require a fee with respect to a record of a mortgage which is effective as a financing statement filed as a fixture filing or as a financing statement covering as-extracted collateral or timber to be cut under section 336.9-502(c). However, the recording and satisfaction fees that otherwise would be applicable to the record of the mortgage apply.

Sec. 31. Minnesota Statutes 2006, section 517.08, subdivision 1b, is amended to read:

Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall examine upon oath the party applying for a license relative to the legality of the contemplated marriage. If at the expiration of a five-day period, on being satisfied that there is no legal impediment to it, including the restriction contained in section 259.13, the local registrar shall issue the license, containing the full names of the parties before and after marriage, and county and state of residence, with the county seal attached, and make a record of the date of issuance. The license shall be valid for a period of six months. In case of emergency or extraordinary circumstances, a judge of the district court of the county in which the application is made, may authorize the license to be issued at any time before the expiration of the five days. Except as provided in paragraph (b), the local registrar shall collect from the applicant a fee of ~~\$100~~ \$110 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital statistics the reports of marriage required by this section. If the license should not be used within the period of six months due to illness or other extenuating circumstances, it may be surrendered to the local registrar for cancellation, and in that case a new license shall issue upon request of the parties of the original license without fee. A local registrar who knowingly issues or signs a marriage license in any manner other than as provided in this section shall pay to the parties aggrieved an amount not to exceed \$1,000.

(b) The marriage license fee for parties who have completed at least 12 hours of premarital education is ~~\$30~~ \$40. In order to qualify for the reduced license fee, the parties must submit at the time of applying for the marriage license a signed and dated statement from the person who provided the premarital education confirming that it was received. The premarital education must be provided by a licensed or ordained minister or the minister's designee, a person authorized to solemnize marriages under section 517.18, or a person authorized to practice marriage and family therapy under section 148B.33. The education must include the use of a premarital inventory and the teaching of communication and conflict management skills.

(c) The statement from the person who provided the premarital education under paragraph (b) must be in the following form:

"I, (name of educator), confirm that (names of both parties) received at least 12 hours of premarital education that included the use of a premarital inventory and the teaching of communication and conflict management skills. I am a licensed or ordained minister, a person authorized to solemnize marriages under Minnesota Statutes, section 517.18, or a person licensed to practice marriage and family therapy under Minnesota Statutes, section 148B.33."

The names of the parties in the educator's statement must be identical to the legal names of the parties as they appear in the marriage license application. Notwithstanding section 138.17, the educator's statement must be retained for seven years, after which time it may be destroyed.

(d) If section 259.13 applies to the request for a marriage license, the local registrar shall grant the marriage license without the requested name change. Alternatively, the local registrar may delay the granting of the marriage license until the party with the conviction:

(1) certifies under oath that 30 days have passed since service of the notice for a name change upon the prosecuting authority and, if applicable, the attorney general and no objection has been filed under section 259.13; or

(2) provides a certified copy of the court order granting it. The parties seeking the marriage license shall have the right to choose to have the license granted without the name change or to delay its granting pending further action on the name change request.

Sec. 32. Minnesota Statutes 2006, section 517.08, subdivision 1c, is amended to read:

Subd. 1c. **Disposition of license fee.** (a) Of the marriage license fee collected pursuant to subdivision 1b, paragraph (a), ~~\$15~~ \$25 must be retained by the county. The local registrar must pay \$85 to the commissioner of finance to be deposited as follows:

(1) \$50 in the general fund;

(2) \$3 in the special revenue fund to be appropriated to the commissioner of education for parenting time centers under section 119A.37;

(3) \$2 in the special revenue fund to be appropriated to the commissioner of health for developing and implementing the MN ENABL program under section 145.9255;

(4) \$25 in the special revenue fund is appropriated to the commissioner of employment and economic development for the displaced homemaker program under section 116L.96; and

(5) \$5 in the special revenue fund is appropriated to the commissioner of human services for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative under section 256.742.

(b) Of the ~~\$30~~ \$40 fee under subdivision 1b, paragraph (b), ~~\$15~~ \$25 must be retained by the county. The local registrar must pay \$15 to the commissioner of finance to be deposited as follows:

(1) \$5 as provided in paragraph (a), clauses (2) and (3); and

(2) \$10 in the special revenue fund is appropriated to the commissioner of employment and economic development for the displaced homemaker program under section 116L.96.

(c) The increase in the marriage license fee under paragraph (a) provided for in Laws 2004, chapter 273, and disbursement of the increase in that fee to the special fund for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative under paragraph (a), clause (5), is contingent upon the receipt of federal funding under United States Code, title 42, section 1315, for purposes of the initiative.

Sec. 33. Laws 2005, First Special Session chapter 1, article 4, section 121, is amended to read:

Sec. 121. **SESQUICENTENNIAL COMMISSION.**

Subdivision 1. **Commission; purpose.** The Minnesota Sesquicentennial Commission is established to plan for activities relating to Minnesota's 150th anniversary of statehood. The commission shall create a plan for capital improvements, celebratory activities, and public engagement in every county in the state of Minnesota.

Subd. 2. **Membership.** The commission shall consist of 17 members who shall serve until the completion of the sesquicentennial year of statehood, appointed as follows:

- (1) nine members appointed by the governor, representing major corporate, nonprofit, and public sectors of the state, selected from all parts of the state;
- (2) two members appointed by the speaker of the house of representatives;
- (3) two members appointed by the minority leader of the house of representatives;
- (4) two members from the majority party in the senate, appointed by the Subcommittee on Committees; and
- (5) two members from the minority party in the senate, appointed by the Subcommittee on Committees.

Subd. 3. **Compensation; operation.** Members shall select a chair from the membership of the commission. The chair shall convene all meetings and set the agenda for the commission. The Minnesota Historical Society shall provide office space and staff support for the commission, and shall cooperate with the University of Minnesota and Minnesota State Colleges and Universities to support the programs of the commission. Meetings shall be at the call of the chair. The commission may appoint an advisory council to advise and assist the commission with its duties. Members shall receive no compensation for service on the Sesquicentennial Commission. Members appointed by the governor may be reimbursed for expenses under Minnesota Statutes, section 15.059, subdivision 3.

Subd. 4. **Duties.** The commission shall have the following duties:

- (1) to present to the governor and legislature a plan for capital grants to pay for capital improvements on Minnesota's historic public and private buildings, to be known as sesquicentennial grants;
- (2) to seek funding for activities to celebrate the 150th anniversary of statehood, and to form partnerships with private parties to further this mission; and
- (3) to present an annual report to the governor and legislature outlining progress made towards the celebration of the sesquicentennial.

Subd. 4a. **Powers.** (a) The commission may accept gifts, grants, and other donations and revenues, either in cash or in-kind. These gifts, grants, and donations are accepted on behalf of the state and constitute donations to the state of Minnesota. Funds received under this subdivision are appropriated to the commission for the purpose of commemorating the Minnesota sesquicentennial.

(b) The commission may enter into contracts and award grants to carry out its purposes.

Subd. 5. **Commemorative coin.** The commission may arrange for design, production, distribution, marketing, and sale of a commemorative coin. Proceeds from sale of the commemorative coin are appropriated to the commission.

Subd. 6. **Expiration.** The commission shall continue to operate until January 30, 2009, at which time it shall expire.

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

Page 14, lines 7, 9, 11, 14, 17, and 29, delete "January" and insert "June"

Page 14, after line 31, insert:

"Sec. 35. **STATE BUDGET TRENDS STUDY COMMISSION.**

(a) The State Budget Trends Study Commission is established for the purpose of completing a study of the implications of state demographic trends for future state budget conditions, including both expected revenue collections and spending for state government services and local services supported by state revenues. The commission shall consist of 15 public members, including five members appointed by the governor; five members appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration; four members appointed by the speaker of the house of representatives; and one member appointed by the minority leader of the house of representatives. The respective appointing authorities must complete their appointments under this section within 30 days of the effective date of this section. The commissioner of finance must convene the commission within 30 days of the completion of appointments under this section. The members shall select their chair at the first meeting. When making appointments under this section, the appointing authorities must consider the education and expertise of appointees in fields such as public finance, demography, and public administration.

(b) Per diem and expense payments to members, removal of members, and vacancies are governed by Minnesota Statutes, section 15.059.

(c) The commissioners of finance and revenue must provide data, analysis, and staff support required by the commission to complete the study, including, but not limited to, the effect of expected demographic changes over the next 25 years on state tax bases and on existing state programs and appropriations. In preparing the study, the commission shall consult with and use the services of the state demographer to estimate the changing profile of the Minnesota population by age and other factors relevant to the study. The commission may also contract with appropriate consultants and experts as needed to complete the study.

(d) In completing the study, the commission must consider:

(1) the effect of expected demographic changes over the next 25 years on the tax base and revenue collections for state income and sales tax, or other state taxes;

(2) estimates of tax revenue collections for the years 2012, 2017, 2022, 2027, and 2032, taking into account the sensitivity of the results for changes in estimated migration rates, labor force participation by older individuals, and other shares of capital versus labor;

(3) the effect of demographic trends on entitlement programs and other large state appropriations relative to current budget commitments;

(4) relative trends in spending for state programs including trends identified in the fast growing expenditures report completed under Minnesota Statutes, section 16A.103, subdivision 4; and

(5) the structure of the state budget with regard to budget stability and flexibility.

(e) The commission may make recommendations for state tax or budget policy changes, including recommendations for changes in tax base, mix of tax types, state and local finance relationships, entitlements, or budget structure. The commission shall present preliminary results to the chairs of the legislative committees with jurisdiction over finance and taxes by February 1, 2008, and a final written report to the same chairs by January 15, 2009, in compliance with Minnesota Statutes, sections 3.195 and 3.197.

(f) This section expires on June 30, 2009.

Sec. 36. MINNESOTA COMMISSION ON NEW AMERICANS.

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

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

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

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

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

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

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

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

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

Subd. 4. **Duties.** The Minnesota Commission on New Americans shall study and consider opportunities to:

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

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

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

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

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

Subd. 5. **Expiration.** This section expires on June 30, 2009."

Page 15, line 10, after the first comma, insert "state services for the blind,"

Page 16, delete section 12 and insert:

"Sec. 40. **REPEALER.**

(a) Minnesota Statutes 2006, sections 43A.03, subdivision 4; and 43A.08, subdivision 1b, are repealed.

(b) Laws 2006, chapter 253, section 22, is repealed."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "raising fees; regulating state and local government operations; modifying provisions related to public employment; providing for automatic voter

registration; abolishing the Department of Employee Relations;"

Amend the title numbers accordingly

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. 1441 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.
		1441	792		

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

H.F. No. 272 for comparison with companion Senate File, reports the following House File was found not identical with 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.
272	699				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 272 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 272, the first engrossment; and insert the language after the enacting clause of S.F. No. 699; further, delete the title of H.F. No. 272, the first engrossment; and insert the title of S.F. No. 699.

And when so amended H.F. No. 272 will be identical to S.F. No. 699, and further recommends that H.F. No. 272 be given its second reading and substituted for S.F. No. 699, and that the 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. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. No. 1997 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1441 and 272 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Larson moved that the name of Senator Sieben be added as a co-author to S.F. No. 725. The motion prevailed.

Senator Prettner Solon moved that the name of Senator Carlson be added as a co-author to S.F. No. 1918. The motion prevailed.

Senator Rosen moved that her name be stricken as a co-author to S.F. No. 2039. The motion prevailed.

Senator Pogemiller moved that the name of Senator Clark be added as a co-author to S.F. No. 2054. The motion prevailed.

Senator Marty moved that the name of Senator Sieben be added as a co-author to S.F. No. 2055. The motion prevailed.

Senator Marty moved that the name of Senator Sieben be added as a co-author to S.F. No. 2056. The motion prevailed.

Senator Anderson moved that the name of Senator Chaudhary be added as a co-author to S.F. No. 2096. The motion prevailed.

Senator Pogemiller introduced –

Senate Resolution No. 60: A Senate resolution congratulating the University of Minnesota wrestling team on becoming 2007 national champions.

Referred to the Committee on Rules and Administration.

Senators Wiger and Saltzman introduced –

Senate Resolution No. 61: A Senate resolution congratulating Independent School District No. 622, North St. Paul, Maplewood, and Oakdale, on being a 2007 Energy Star Leader.

Referred to the Committee on Rules and Administration.

Senator Pappas introduced –

Senate Resolution No. 62: A Senate resolution celebrating March 25, 2007, as the 186th Anniversary of Greek Independence Day.

Referred to the Committee on Rules and Administration.

Senator Pogemiller moved that S.F. No. 1925 be laid on the table. The motion prevailed.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Erickson Ropes introduced—

S.F. No. 2098: A bill for an act relating to social work; changing licensing provisions for social work; amending Minnesota Statutes 2006, sections 148D.050, subdivision 1; 148D.055, subdivisions 2, 3, 4, 5, by adding a subdivision; 148D.060, subdivision 13; 148D.120, subdivision 2; 148D.125, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 148D.

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

Senator Erickson Ropes introduced—

S.F. No. 2099: A bill for an act relating to social work; providing for temporary license for social work under certain conditions; amending Minnesota Statutes 2006, section 148D.060, subdivisions 5, 6, 7, 13, by adding a subdivision.

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

Senator Erickson Ropes introduced—

S.F. No. 2100: A bill for an act relating to social work; modifying the Minnesota Board of Social Work Practice Act; proposing coding for new law as Minnesota Statutes, chapter 148E; repealing Minnesota Statutes 2006, sections 148D.001; 148D.010; 148D.015; 148D.020; 148D.025; 148D.030; 148D.035; 148D.040; 148D.045; 148D.050; 148D.055; 148D.060; 148D.065; 148D.070; 148D.075; 148D.080; 148D.085; 148D.090; 148D.095; 148D.100; 148D.105; 148D.110; 148D.115; 148D.120; 148D.125; 148D.130; 148D.135; 148D.140; 148D.145; 148D.150; 148D.155; 148D.160; 148D.165; 148D.170; 148D.175; 148D.180; 148D.185; 148D.190; 148D.195; 148D.200; 148D.205; 148D.210; 148D.215; 148D.220; 148D.225; 148D.230; 148D.235; 148D.240; 148D.245; 148D.250; 148D.255; 148D.260; 148D.265; 148D.270; 148D.275; 148D.280; 148D.285; 148D.290.

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

Senator Sheran introduced—

S.F. No. 2101: A bill for an act relating to economic development; requiring reports; appropriating money for entrepreneurial assistance grants.

Referred to the Committee on Business, Industry and Jobs.

Senator Berglin introduced—

S.F. No. 2102: A bill for an act relating to landlord and tenant law; providing for the deletion or expungement of certain eviction records maintained by courts and tenant screening services; amending Minnesota Statutes 2006, section 504B.241, subdivision 4.

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

Senators Chaudhary and Olson, M. introduced—

S.F. No. 2103: A bill for an act relating to environment; modifying provisions for regulating genetically engineered organisms; amending Minnesota Statutes 2006, sections 116C.92; 116C.94, subdivision 1; 116C.97, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

Senators Olseen; Olson, G.; Ortman; Pappas and Marty introduced—

S.F. No. 2104: A bill for an act relating to human services; modifying the permanent bar to set aside a disqualification; amending Minnesota Statutes 2006, section 245C.24, subdivision 2.

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

Senator Prettner Solon introduced—

S.F. No. 2105: A bill for an act relating to professions; changing licensing provisions for the Board of Pharmacy; amending Minnesota Statutes 2006, sections 151.01, by adding subdivisions; 151.06, subdivision 1; 151.21, subdivisions 1, 2, 3.

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

Senators Dibble and Carlson introduced—

S.F. No. 2106: A bill for an act relating to traffic regulations; providing for enforcement and penalties for failure to yield right-of-way to buses on highway shoulders; amending Minnesota Statutes 2006, section 169.20, subdivision 7.

Referred to the Committee on Transportation.

Senator Skogen introduced—

S.F. No. 2107: A bill for an act relating to sales and use tax; providing a sales tax exemption for construction of water and wastewater treatment facilities; amending Minnesota Statutes 2006, sections 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2, 3.

Referred to the Committee on Taxes.

Senator Skogen introduced—

S.F. No. 2108: A bill for an act relating to sales and use tax; providing a sales tax exemption of

materials and supplies used in constructing wastewater treatment facility in the city of New York Mills; amending Minnesota Statutes 2006, section 297A.71, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Clark, Senjem, Langseth, Rest and Higgins introduced—

S.F. No. 2109: A bill for an act relating to local government; appropriating money for grants to encourage local government units to participate in inter-local service sharing agreements in the delivery of public safety services.

Referred to the Committee on Finance.

Senators Clark, Tomassoni, Langseth, Lourey and Olson, M. introduced—

S.F. No. 2110: A bill for an act relating to education finance; modifying integration revenue; amending Minnesota Statutes 2006, section 124D.86, subdivision 3.

Referred to the Committee on Finance.

Senators Koering, Saxhaug and Skoe introduced—

S.F. No. 2111: A bill for an act relating to health; limiting requirements related to backflow prevention in recreational camping areas; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Senators Olseen and Pogemiller introduced—

S.F. No. 2112: A bill for an act relating to retirement; providing for an actuarial estimate of a change in retirement coverage for sentence-to-service crew leaders; appropriating money.

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

Senators Koering and Metzen introduced—

S.F. No. 2113: A bill for an act relating to state government; regulating rulemaking; modifying the requirements for rule adoption petitions; amending Minnesota Statutes 2006, section 14.09.

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

Senators Sheran, Prettner Solon and Berglin introduced—

S.F. No. 2114: A bill for an act relating to health; requiring disclosure of clinical trials for prescription drugs; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Senators Prettner Solon; Torres Ray; Olson, M. and Lourey introduced—

S.F. No. 2115: A bill for an act relating to human services; requiring counties to reinvest savings from county-based purchasing; amending Minnesota Statutes 2006, section 256B.692, subdivision 3.

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

Senator Hann introduced—

S.F. No. 2116: A bill for an act relating to education finance; increasing funding for the Board of Teaching; appropriating money.

Referred to the Committee on Finance.

Senator Hann introduced—

S.F. No. 2117: A bill for an act relating to courts; providing jury service postponement procedures; protecting small businesses; providing grounds for excuse from jury service; establishing maximum length of jury service; providing for contempt of court for failure to appear; making available supplemental compensation to jurors on lengthy trials; amending Minnesota Statutes 2006, sections 593.42, subdivision 4; 593.48; 593.50, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 593.

Referred to the Committee on Judiciary.

Senators Koch, Gerlach, Koering, Day and Johnson introduced—

S.F. No. 2118: A bill for an act proposing an amendment to the Minnesota Constitution, article I; providing that the right of citizens to keep, bear, and use arms for certain purposes is fundamental and shall not be infringed.

Referred to the Committee on Judiciary.

Senator Torres Ray introduced—

S.F. No. 2119: A bill for an act relating to crimes; prohibiting making graffiti; providing incarcerative and intermediate sanctions; amending Minnesota Statutes 2006, section 617.90.

Referred to the Committee on Judiciary.

Senator Betzold introduced—

S.F. No. 2120: A bill for an act relating to retirement; adding certain positions to salary limit provisions; amending duties of certain retirement associations' boards of trustees; amending Minnesota Statutes 2006, sections 15A.0815, subdivisions 2, 3; 352.03, subdivision 4; 353.03, subdivision 3a; 354.06, subdivision 2.

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

Senator Berglin introduced—

S.F. No. 2121: A bill for an act relating to capital improvements; appropriating money for improvements for the East Phillips Cultural and Community Center; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senator Jungbauer introduced—

S.F. No. 2122: A bill for an act relating to the environment; modifying provisions for disclosure of individual sewage treatment systems; amending Minnesota Statutes 2006, section 115.55, subdivision 6.

Referred to the Committee on Environment and Natural Resources.

Senator Jungbauer introduced—

S.F. No. 2123: A bill for an act relating to the environment; modifying provisions for individual sewage treatment systems; appropriating money; amending Minnesota Statutes 2006, section 115.55, subdivisions 1, 2, 3, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Jungbauer introduced—

S.F. No. 2124: A bill for an act relating to human services; convening a work group on sober housing; requiring reports.

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

Senators Latz, Rest, Bonoff and Saltzman introduced—

S.F. No. 2125: A bill for an act relating to housing; modifying conditions related to housing with services establishments; amending Minnesota Statutes 2006, sections 245A.11, subdivisions 2, 3; 462.357, subdivisions 7, 8.

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

Senator Rest introduced—

S.F. No. 2126: A bill for an act relating to transportation; creating Congestion Reduction Task Force; requiring application for Urban Partnership agreement; authorizing participation in Urban Partnership program; requiring report.

Referred to the Committee on Transportation.

Senator Scheid introduced—

S.F. No. 2127: A bill for an act relating to education; making Minnesota State High School

League rules subject to the Administrative Procedure Act; amending Minnesota Statutes 2006, section 128C.02, subdivision 4; repealing Minnesota Statutes 2006, section 128C.03.

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

Senator Bonoff introduced—

S.F. No. 2128: A bill for an act relating to public safety; providing for use of ignition interlocks by DWI offenders; amending Minnesota Statutes 2006, section 171.305.

Referred to the Committee on Judiciary.

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. 547: A bill for an act relating to Scott County; making the library board advisory to the county board.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 1053: A bill for an act relating to Ramsey County; modifying corrections provisions; amending Minnesota Statutes 2006, section 383A.08, subdivisions 6, 7.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 585: A bill for an act relating to local government; removing restrictions on the sale or lease of certain property listed on the National Register of Historic Places; repealing Minnesota Statutes 2006, section 15.995.

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 65 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	Pappas	Sieben
Bonoff	Gimse	Lourey	Pariseau	Skoe
Carlson	Hann	Lynch	Pogemiller	Skogen
Clark	Higgins	Marty	Prettner Solon	Sparks
Cohen	Ingebrigtsen	Metzen	Rest	Stumpf
Day	Johnson	Michel	Robling	Tomassoni
Dibble	Jungbauer	Moua	Rosen	Torres Ray
Dille	Koch	Murphy	Rummel	Vickerman
Doll	Koering	Neuville	Saltzman	Wergin
Erickson Ropes	Kubly	Olseen	Saxhaug	Wiger

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Clark	Erickson Ropes	Hann	Koering
Bakk	Cohen	Fischbach	Higgins	Langseth
Berglin	Day	Foley	Ingebrigtsen	Larson
Betzold	Dibble	Frederickson	Johnson	Latz
Bonoff	Dille	Gerlach	Jungbauer	Limmer
Carlson	Doll	Gimse	Koch	Lourey

Lynch	Olseen	Prettner Solon	Scheid	Stumpf
Marty	Olson, G.	Rest	Senjem	Tomassoni
Metzen	Olson, M.	Robling	Sheran	Torres Ray
Michel	Ortman	Rosen	Sieben	Vickerman
Moua	Pappas	Rummel	Skoe	Wergin
Murphy	Pariseau	Saltzman	Skogen	Wiger
Neuville	Pogemiller	Saxhaug	Sparks	

So the bill passed and its title was agreed to.

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.

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 65 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	Pappas	Sieben
Bonoff	Gimse	Lourey	Pariseau	Skoe
Carlson	Hann	Lynch	Pogemiller	Skogen
Clark	Higgins	Marty	Prettner Solon	Sparks
Cohen	Ingebrigtsen	Metzen	Rest	Stumpf
Day	Johnson	Michel	Robling	Tomassoni
Dibble	Jungbauer	Moua	Rosen	Torres Ray
Dille	Koch	Murphy	Rummel	Vickerman
Doll	Koering	Neuville	Saltzman	Wergin
Erickson Ropes	Kubly	Olseen	Saxhaug	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. 1332: A bill for an act relating to local government; permitting Meeker County EDA to increase its membership to nine members; amending Laws 1998, chapter 389, article 11, section 25, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 1200: A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2006, sections 3.97, subdivision 2; 5.25, subdivisions 1, 3, 5; 5.29; 13.461, subdivision 1; 13.632, subdivision 1; 13.7931, subdivision 1; 13.871, by adding a subdivision; 17.81, subdivision 4; 37.21, subdivision 1; 47.61, subdivision 3; 85.054, subdivision 5; 115.55, subdivision 7; 115A.193; 115A.28, subdivision 2; 115A.9157, subdivision 5; 115A.97, subdivision 6; 115A.99, subdivision 2; 116L.03, subdivision 1; 116L.665, subdivision 1; 119A.03, subdivision 2; 119A.04, subdivision 1; 147.02, subdivision 1; 256.741, subdivision 1; 256J.68, subdivision 1; 273.032; 289A.42, subdivision 1; 296A.26; 297A.62, subdivision 1; 297A.70, subdivision 3; 297F.23; 323A.0901; 323A.0902; 336.9-334; 336B.01, subdivision 2; 340A.412, subdivision 4; 340A.414, subdivision 2; 347.06; 469.321, subdivision 1; 469.333, subdivision 2; 469.335; 469.336; 477A.014, subdivision 1; 504B.321, subdivision 1; 518A.40, subdivision 3; 523.24, subdivision 9; 611.27, subdivisions 13, 15; 611A.55, subdivisions 1, 2; 626.89, subdivision 1; 626.90, subdivision 7; Laws 2003, chapter 118, sections 28, as amended; 29, as amended; Laws 2005, First Special Session chapter 3, article 5, section 44, subdivision 1, as amended; Laws 2006, chapter 259, article 13, sections 7; 8; repealing Minnesota Statutes 2006, sections 1.33; 1.34; 1.35; 1.36; 1.37; 1.38; 1.39; 1.40; 13.319, subdivision 2; 60A.13, subdivision 4a; 92.67, subdivision 1a; 115A.055, subdivision 2; 115A.545; 115A.9157, subdivision 4; 116O.091, subdivision 7; 135A.153, subdivision 5; 148B.55; 273.1398, subdivisions 4a, 4c; 383E.40; 383E.41; 383E.42; 383E.43; 383E.44; 383E.45; 383E.46; 383E.47; 383E.48; 383E.49; 477A.011, subdivision 28; 611A.201, subdivision 3; Laws 2004, chapter 206, section 8; Laws 2005, chapter 136, article 3, section 22; Laws 2005, First Special Session chapter 8, article 1, section 23; article 10, section 6; Laws 2006, chapter 236, article 1, section 2; Laws 2006, chapter 253, section 5; Laws 2006, chapter 258, section 37; Laws 2006, chapter 260, article 5, section 43; Laws 2006, chapter 263, article 3, section 13; Laws 2006, chapter 271, article 8, section 3.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Carlson	Dibble	Foley	Higgins
Bakk	Chaudhary	Dille	Frederickson	Ingebrigtsen
Berglin	Clark	Doll	Gerlach	Johnson
Betzold	Cohen	Erickson Ropes	Gimse	Jungbauer
Bonoff	Day	Fischbach	Hann	Koch

Koering	Metzen	Pappas	Saxhaug	Tomassoni
Kubly	Michel	Pariseau	Scheid	Torres Ray
Langseth	Moua	Pogemiller	Senjem	Vickerman
Larson	Murphy	Prettner Solon	Sheran	Wergin
Latz	Neuville	Rest	Sieben	Wiger
Limmer	Olseen	Robling	Skoe	
Lourey	Olson, G.	Rosen	Skogen	
Lynch	Olson, M.	Rummel	Sparks	
Marty	Ortman	Saltzman	Stumpf	

So the bill passed and its title was agreed to.

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

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Pogemiller, Chair of the Committee on Rules and Administration, designated S.F. No. 1986 a Special Order to be heard immediately.

SPECIAL ORDER

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 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 study of 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.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, subdivision 9, 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.71, by adding a subdivision; 297A.815, by adding a subdivision; 297A.94; 297B.01, subdivision 8; 297B.09, subdivision 1; 299D.09; 473.166; 473.386, subdivision 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 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.

Senator Murphy moved to amend S.F. No. 1986 as follows:

Page 69, delete section 1 and insert:

"Section 1. **CREDIT CARD PAYMENT STUDY.**

By January 15, 2008, the commissioner of public safety shall submit a proposal to the chairs of the senate transportation committee and the house of representatives transportation finance division that will allow the department, deputy registrars, and driver's license agents to collect motor vehicle registration taxes under Minnesota Statutes, section 168.013, motor vehicle certificates of title and related document fees under Minnesota Statutes, section 168A.29, motor vehicle sales tax under Minnesota Statutes, sections 297B.02 and 297B.025, and driver's license and Minnesota identification card fees under Minnesota Statutes, section 171.06, by credit or debit card. The proposal shall include options to finance the costs of credit and debit card processing fees paid to the processing vendor, the administrative costs of the department to implement the acceptance of credit and debit cards, including hardware and software costs of the department, its deputies and agents, and the ongoing administrative cost increases. Those financing options may include, but are not limited to, increasing the filing fees under Minnesota Statutes, sections 168.33 and 171.06. To the extent feasible, the proposal shall limit any fee increases or other additional costs paid by the registrant or transferor to those paying by credit or debit card. As part of its proposal, the department may:

(1) elect to not allow credit or debit cards to be used on transactions exceeding \$1,000;

(2) choose to limit which credit cards or debit cards may be accepted for payment; and

(3) choose not to allow dealers, registrants of fleet vehicles under Minnesota Statutes, section 168.127, or motor vehicles of 26,000 pounds or greater, and other designated registrants to pay by credit or debit card.

The department shall consult deputy registrars and driver's license agents in coming up with its

proposal."

The motion prevailed. So the amendment was adopted.

Senator Murphy moved to amend S.F. No. 1986 as follows:

Page 24, line 6, delete "June" and insert "September"

Page 31, after line 2, insert:

"Sec. 4. Minnesota Statutes 2006, section 297A.815, subdivision 1, is amended to read:

Subdivision 1. **Motor vehicle lease price; payment.** (a) In the case of a lease of a motor vehicle as provided in section 297A.61, subdivision 4, paragraph (k), clause (2), the tax is imposed on the total amount to be paid by the lessee under the lease agreement, together with the document administration fee or documentary fee under section 53C.01, subdivision 2. The lessor shall collect the tax in full at the time the lease is executed or, if the tax is included in the lease and the lease is assigned, the tax is due from the original lessor at the time the lease is assigned. The total amount to be paid by the lessee under the lease agreement equals the agreed-upon value of the vehicle less manufacturer's rebates, the stated residual value of the leased vehicle, and the total value allowed for a vehicle owned by the lessee taken in trade by the lessor, plus the price of any taxable goods and services included in the lease and the rent charge as provided by Code of Federal Regulations, title 12, section 213.4, excluding any rent charge related to the capitalization of the tax.

(b) If the total amount paid by the lessee for use of the leased vehicle includes amounts that are not calculated at the time the lease is executed, the tax is imposed and must be collected by the lessor at the time the amounts are paid by the lessee. In the case of a lease which by its terms may be renewed, the sales tax is due and payable on the total amount to be paid during the initial term of the lease, and then for each subsequent renewal period on the total amount to be paid during the renewal period.

(c) If a lease is canceled or rescinded on or before 90 days of its execution or if a vehicle is returned to the manufacturer under section 325F.665, the lessor may file a claim for a refund of the total tax paid minus the amount of tax due for the period the vehicle is used by the lessee.

(d) If a lessee's obligation to make payments on a lease is canceled more than 90 days after its execution, a credit is allowed against sales tax or motor vehicles sales tax due on a subsequent lease or purchase of a motor vehicle if that lease or purchase is consummated within 30 days of the date the prior lease was canceled. The amount of the credit is equal to (1) the sales tax paid at the inception of the lease, multiplied by (2) the ratio of the number of full months remaining in the lease at the time of termination compared to the term of the lease used in calculating sales tax paid at the inception of the lease. The credit or any part of it cannot be assigned or transferred to another person."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Murphy moved to amend S.F. No. 1986 as follows:

Page 30, delete section 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Bakk moved to amend S.F. No. 1986 as follows:

Page 55, delete section 14

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Rest moved to amend S.F. No. 1986 as follows:

Page 18, after line 19, insert:

"Sec. 13. **AIRPORT FUNDING ADVISORY TASK FORCE.**

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

- (1) the adequacy of current sources of revenue for the state airports fund and airports in the state;
- (2) policy considerations regarding the use of the sales tax on aircraft as a potential source of revenue for airports;
- (3) how other states fund airports;
- (4) projected aviation needs of the future, including required investments in aviation infrastructure;
- (5) aircraft registration taxes; and
- (6) other issues relating to the funding of airports as determined by the task force.

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

- (1) three members of the senate, including at least one member from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate; and
- (2) three members of the house of representatives, two appointed by the speaker of the house and one appointed by the minority leader.

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

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

- (1) the Department of Transportation Aeronautics Office;
- (2) the Aircraft Owners and Pilots Association;
- (3) the Experimental Aircraft Association/ACAA;
- (4) the Metropolitan Airports Commission;
- (5) the Minnesota Aviation Trades Association;
- (6) the Minnesota Business Aviation Association;
- (7) the Minnesota Council of Airports;
- (8) the Minnesota Seaplane Pilots Association;
- (9) the National Business Aviation Association; and
- (10) the Minnesota Wing, Civil Air Patrol.

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

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

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

Subd. 5. **Expiration.** This section expires after the submission of the report as required under subdivision 3.

EFFECTIVE DATE.

This section is effective the day following final enactment."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Senjem moved to amend the first Murphy amendment to S.F. No. 1986, adopted by the Senate March 23, 2007, as follows:

Page 1, line 5, after "chairs" insert "and ranking minority members"

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend S.F. No. 1986 as follows:

Page 25, line 34, after "Minnetonka" insert "and on to Wayzata Depot"

The motion prevailed. So the amendment was adopted.

Senator Ortman moved to amend S.F. No. 1986 as follows:

Page 24, delete subdivision 2 and insert:

"Subd. 2. **Election.** The secretary of state, in cooperation with the county auditors of the metropolitan transportation area, shall conduct a special election in the metropolitan transportation area at the time of the general election the Tuesday after the first Monday in November 2008. The following question shall appear on the ballot:

"Shall an additional tax of one-half of one percent be temporarily imposed on sales in the metropolitan area to pay for transportation and transit improvements in the metropolitan area?"

Subd. 3. **Metropolitan transportation area sales tax.** (a) Notwithstanding sections 297A.99, subdivisions 1, 2, 3, 5, and 13; 477A.016; or any other law, the joint powers board described in this subdivision may levy a metropolitan transportation area sales tax of up to one-half of one percent on retail sales and uses taxable under chapter 297A occurring within the metropolitan transportation area, if approved by a majority of the voters in the metropolitan transportation area who vote on the question to impose the tax at a special election held in the metropolitan transportation area at the time of the general election described in subdivision 2."

Renumber the subdivisions in sequence and correct the internal references

CALL OF THE SENATE

Senator Murphy imposed a call of the Senate for the balance of the proceedings on S.F. No. 1986. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Ortman amendment.

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

Those who voted in the affirmative were:

Day	Gimse	Koering	Ortman	Vandev eer
Dille	Hann	Larson	Pariseau	Wergin
Doll	Ingebrigtsen	Limmer	Rest	
Fischbach	Johnson	Michel	Robling	
Frederickson	Jungbauer	Neuvill e	Saltzman	
Gerlach	Koch	Olson, G.	Senjem	

Those who voted in the negative were:

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

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

Senator Day moved to amend S.F. No. 1986 as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

TRANSPORTATION APPROPRIATIONS

Section 1. **SUMMARY OF APPROPRIATIONS.**

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

	<u>2008</u>	<u>2009</u>	<u>Total</u>
<u>General</u>	\$ <u>109,704,000</u> \$	<u>108,188,000</u> \$	<u>217,892,000</u>
<u>Special Revenue</u>	<u>47,950,000</u>	<u>49,038,000</u>	<u>96,988,000</u>
<u>Airports</u>	<u>25,524,000</u>	<u>25,592,000</u>	<u>51,116,000</u>
<u>M.S.A.S.</u>	<u>116,942,000</u>	<u>121,368,000</u>	<u>238,310,000</u>
<u>C.S.A.H.</u>	<u>433,278,000</u>	<u>449,684,000</u>	<u>882,962,000</u>
<u>Trunk Highway</u>	<u>1,155,478,000</u>	<u>1,236,921,000</u>	<u>2,392,399,000</u>
<u>Highway User</u>	<u>8,938,000</u>	<u>9,238,000</u>	<u>18,176,000</u>
<u>Total</u>	\$ <u>1,897,814,000</u> \$	<u>2,000,029,000</u> \$	<u>3,897,843,000</u>

Sec. 2. **TRANSPORTATION APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the trunk highway fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2008" and "2009" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2008, or June 30, 2009, respectively. "The first year" is fiscal year 2008. "The second year" is fiscal year 2009. "The biennium" is fiscal years 2008 and 2009. Appropriations for the fiscal year ending June 30, 2007, are effective the day following final enactment.

APPROPRIATIONS
Available for the Year
Ending June 30
2008 2009

Sec. 3. **TRANSPORTATION**

Subdivision 1. Total Appropriation \$ 1,668,686,000 \$ 1,766,788,000

Appropriations by Fund

	<u>2008</u>	<u>2009</u>
<u>General</u>	<u>19,230,000</u>	<u>19,239,000</u>

<u>Airports</u>	<u>25,474,000</u>	<u>25,542,000</u>
<u>C.S.A.H.</u>	<u>433,278,000</u>	<u>449,684,000</u>
<u>M.S.A.S.</u>	<u>116,942,000</u>	<u>121,368,00</u>
<u>Trunk Highway</u>	<u>1,073,762,000</u>	<u>1,150,955,000</u>

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

Subd. 2. Multimodal Systems

(a) Aeronautics

(1) Airport Development and Assistance 20,298,000 20,298,000

This appropriation is from the state airports fund and must be spent according to Minnesota Statutes, section 360.305, subdivision 4.

\$6,000,000 the first year is a onetime appropriation and \$6,000,000 the second year is a onetime appropriation.

Notwithstanding Minnesota Statutes, section 16A.28, subdivision 6, this appropriation is available for five years after appropriation.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

(2) Aviation Support and Services

	<u>Appropriations by Fund</u>	
<u>Airports</u>	<u>5,151,000</u>	<u>5,219,000</u>
<u>Trunk Highway</u>	<u>847,000</u>	<u>856,000</u>

\$65,000 the first year and \$65,000 the second year are for the Civil Air Patrol.

(b) Transit

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>18,812,000</u>	<u>18,814,000</u>
<u>Trunk Highway</u>	<u>733,000</u>	<u>747,000</u>

(c) Freight

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>353,000</u>	<u>360,000</u>
<u>Trunk Highway</u>	<u>4,970,000</u>	<u>5,055,000</u>

Subd. 3. State Roads**(a) Infrastructure Investment and Planning**

<u>(1) Infrastructure Investment Support</u>	<u>174,542,000</u>	<u>172,227,000</u>
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\$266,000 the first year and \$266,000 the second year are available for grants to metropolitan planning organizations outside the seven-county metropolitan area.

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

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

\$5,000,000 the first year is for a pilot project to demonstrate technologies that will allow for the future replacement of the gas tax with a fuel-neutral mileage charge.

(2) State Road Construction556,200,000615,200,000

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

<u>Federal Highway Aid</u>	<u>193,500,000</u>	<u>350,400,000</u>
<u>Highway User Taxes</u>	<u>362,700,000</u>	<u>264,800,000</u>

The commissioner of transportation shall notify the chair of the Transportation Budget Division of the senate and the chair of the Transportation Finance Committee of the house of representatives of any significant events that should cause these estimates to change.

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

\$77,000,000 the second year is a onetime appropriation and does not add to the base appropriation.

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

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

(3) Highway Debt Service57,684,00075,151,000

\$53,895,000 the first year and \$65,128,000 the second year are for transfer to the state bond fund. If this appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of finance shall notify the Committee on Finance of the senate and the Committee on Ways and

Means of the house of representatives of the amount of the deficiency and shall then transfer that amount under the statutory open appropriation. Any excess appropriation cancels to the trunk highway fund.

(b) Infrastructure Operations and Maintenance 216,324,000 218,663,000

(c) Electronic Communications

Appropriations by Fund

<u>General</u>	<u>9,000</u>	<u>9,000</u>
<u>Trunk Highway</u>	<u>5,043,000</u>	<u>5,119,000</u>

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

Subd. 4. Local Roads

(a) County State Aids 433,278,000 449,684,000

This appropriation is from the county state-aid highway fund and is available until spent.

(b) Municipal State Aids 116,942,000 121,368,000

This appropriation is from the municipal state-aid street fund and is available until spent.

If an appropriation for either county state aids or municipal state aids does not exhaust the balance in the fund from which it is made in the year for which it is made, the commissioner of finance, upon request of the commissioner of transportation, shall notify the chair of the Transportation Finance Committee of the house of representatives and the chair of the Transportation Budget Division of the senate of the amount of the remainder and shall then add that amount to the appropriation. The amount added is appropriated for the purposes of county state aids or municipal state aids, as appropriate.

If the appropriation for either county state

aids or municipal state aids does exhaust the balance in the fund from which it is made in the year for which it is made, the commissioner of finance shall notify the chair of the Transportation Finance Committee of the house of representatives and the chair of the Transportation Budget Division of the senate of the amount by which the appropriation exceeds the balance and shall then reduce that amount from the appropriation.

Subd. 5. General Support and Services

(a) Department Support

	<u>Appropriations by Fund</u>	
<u>Airports</u>	<u>25,000</u>	<u>25,000</u>
<u>Trunk Highway</u>	<u>40,201,000</u>	<u>40,688,000</u>

(b) Buildings

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>56,000</u>	<u>56,000</u>
<u>Trunk Highway</u>	<u>17,218,000</u>	<u>17,249,000</u>

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 6. Transfers

(a) With the approval of the commissioner of finance, the commissioner of transportation may transfer unencumbered balances among the appropriations from the trunk highway fund and the state airports fund made in this section. No transfer may be made from the appropriation for state road construction. No transfer may be made from the appropriations for debt service to any other appropriation. Transfers under this paragraph may not be made between funds. Transfers between programs must be reported immediately to the chair of the Transportation Budget Division of the senate and the chair of the

Transportation Finance Committee of the house of representatives.

(b) The commissioner of finance shall transfer from the flexible account in the county state-aid highway fund \$5,950,000 the first year and \$2,820,000 the second year to the municipal turnback account in the municipal state-aid street fund and \$12,940,000 the first year and \$15,330,000 the second year to the trunk highway fund; and the remainder in each year to the county turnback account in the county state-aid highway fund.

(c) On or after July 1, 2007, the commissioner of finance shall:

(1) transfer \$4,600,000 from the trunk highway revolving loan account in the transportation revolving loan fund to the trunk highway fund; and

(2) transfer \$101,221,000 from the general fund to the trunk highway fund.

Subd. 7. Use of State Road Construction Appropriations

Any money appropriated to the commissioner of transportation for state road construction for any fiscal year before fiscal year 2008 is available to the commissioner during fiscal years 2008 and 2009 to the extent that the commissioner spends the money on the state road construction project for which the money was originally encumbered during the fiscal year for which it was appropriated. The commissioner of transportation shall report to the commissioner of finance by August 1, 2007, and August 1, 2008, on a form the commissioner of finance provides, on expenditures made during the previous fiscal year that are authorized by this subdivision.

Subd. 8. Contingent Appropriation

The commissioner of transportation, with the approval of the governor after review by the Legislative Advisory Commission

under Minnesota Statutes, section 3.30, may transfer all or part of the unappropriated balance in the trunk highway fund to an appropriation (1) for trunk highway design, construction, or inspection in order to take advantage of an unanticipated receipt of income to the trunk highway fund or to take advantage of federal advanced construction funding, (2) for trunk highway maintenance in order to meet an emergency, or (3) to pay tort or environmental claims. Any transfer as a result of the use of federal advanced construction funding must include an analysis of the effects on the long-term trunk highway fund balance. The amount transferred is appropriated for the purpose of the account to which it is transferred.

Sec. 4. **METROPOLITAN COUNCIL**

Subdivision 1. <u>Total Appropriation</u>	<u>\$</u>	<u>78,753,000</u>	<u>\$</u>	<u>78,753,000</u>
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This appropriation is from the general fund.

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

Subd. 2. <u>Bus Transit</u>	<u>73,453,000</u>	<u>73,453,000</u>
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This appropriation is for bus system operations.

Subd. 3. <u>Rail Operations</u>	<u>5,300,000</u>	<u>5,300,000</u>
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This appropriation is for operations of the Hiawatha light rail transit line.

This appropriation is for paying a portion of the Metropolitan Council's 50 percent share of operating costs for the Hiawatha light rail transit line after operating revenue and federal funds are used for light rail transit operations. The remaining 50 percent share of operating costs are to be paid by the Hennepin County Regional Rail Authority, using any or all of these sources:

(1) general tax revenues of Hennepin County;

available for it.

\$1,199,000 the first year and \$1,367,000 the second year are to be deposited in the public safety officer's benefit account. This money is available for reimbursements under Minnesota Statutes, section 299A.465.

\$508,000 the first year and \$508,000 the second year are for soft body armor reimbursements under Minnesota Statutes, section 299A.38.

\$792,000 the first year and \$792,000 the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk highway fund on December 31, 2007, and December 31, 2008, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.

\$610,000 the first year and \$610,000 the second year are appropriated from the highway user tax distribution fund for transfer by the commissioner of finance to the trunk highway fund on December 31, 2007, and December 31, 2008, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for highway user tax distribution fund purposes in the administration and related services program.

\$716,000 the first year and \$716,000 the second year are appropriated from the highway user tax distribution fund for transfer by the commissioner of finance to the general fund on December 31, 2007, and December 31, 2008, respectively, in order to reimburse the general fund for expenses not related to the fund. These represent amounts appropriated out of the general fund for operation of the criminal justice data network related to driver and motor vehicle licensing.

(c) Technical Support Services

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>3,937,000</u>	<u>2,253,000</u>
<u>Trunk Highway</u>	<u>2,344,000</u>	<u>2,344,000</u>
<u>Highway User</u>	<u>19,000</u>	<u>19,000</u>

Subd. 3. State Patrol**(a) Patrolling Highways**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>37,000</u>	<u>37,000</u>
<u>Trunk Highway</u>	<u>67,497,000</u>	<u>71,393,000</u>
<u>Highway User</u>	<u>92,000</u>	<u>92,000</u>

\$2,060,000 the first year and \$3,653,000 the second year are to add 40 state troopers.

(b) Commercial Vehicle Enforcement 6,945,000 7,196,000

This appropriation is from the trunk highway fund.

(c) Capitol Security 4,463,000 4,530,000

This appropriation is from the general fund.

Subd. 4. Driver and Vehicle Services**(a) Vehicle Services**

	<u>Appropriations by Fund</u>	
<u>Highway User</u>	<u>7,336,000</u>	<u>7,636,000</u>
<u>Special Revenue</u>	<u>18,696,000</u>	<u>18,973,000</u>

The base appropriation from the highway user tax distribution fund is \$7,936,000 for fiscal year 2010 and \$8,236,000 for fiscal year 2011.

The special revenue fund appropriation is from the vehicle services operating account.

(b) Driver Services

Appropriations by Fund

<u>Special Revenue</u>	<u>27,939,000</u>	<u>28,711,000</u>		
<u>Trunk Highway</u>	<u>1,000</u>	<u>1,000</u>		
Subd. 5. <u>Traffic Safety</u>			<u>435,000</u>	<u>435,000</u>

This appropriation is from the trunk highway fund.

The commissioner of public safety shall spend 50 percent of the money available to the state under Public Law 105-206, section 164, and the remaining 50 percent must be transferred to the commissioner of transportation for hazard elimination activities under United States Code, title 23, section 152.

Subd. 6. <u>Pipeline Safety</u>			<u>1,315,000</u>	<u>1,354,000</u>
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This appropriation is from the pipeline safety account in the special revenue fund.

Sec. 6. <u>GENERAL CONTINGENT ACCOUNTS</u>	\$	<u>375,000</u>	\$	<u>375,000</u>
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Appropriations by Fund

	<u>2008</u>	<u>2009</u>
<u>Trunk Highway</u>	<u>200,000</u>	<u>200,000</u>
<u>Highway User</u>	<u>125,000</u>	<u>125,000</u>
<u>Airports</u>	<u>50,000</u>	<u>50,000</u>

The appropriations in this section may only be spent with the approval of the governor after consultation with the Legislative Advisory Commission under Minnesota Statutes, section 3.30.

If an appropriation in this section for either year is insufficient, the appropriation for the other year is available for it.

Sec. 7. <u>TORT CLAIMS</u>	\$	<u>600,000</u>	\$	<u>600,000</u>
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To be spent by the commissioner of finance.

This appropriation is from the trunk highway fund.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

ARTICLE 2

HIGHWAY BONDS

Section 1. **HIGHWAY BONDING AND APPROPRIATIONS.**

Subdivision 1. **Trunk highway projects financed by state bonds.** (a) \$1,700,000,000 is appropriated from the bond proceeds account in the trunk highway fund to the commissioner of transportation for the actual construction, reconstruction, and improvement of trunk highways. This includes the cost of actual payments to landowners for lands acquired for highway rights-of-way, payments to lessees, interest subsidies, and relocation expenses.

(b) The commissioner of transportation may use up to \$289,000,000 of this appropriation for program delivery.

(c) The commissioner shall use at least \$50,000,000 of this appropriation for accelerating transit facility improvements on or adjacent to trunk highways.

Subd. 2. **Bond sale.** To provide the money appropriated in subdivision 1 from the bond proceeds account in the trunk highway fund, the commissioner of finance shall sell and issue bonds of the state in an amount up to \$1,700,000,000 in the manner, on the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amount requested by the commissioner of transportation. The proceeds of the bonds, except accrued interest and any premium received from the sale of the bonds, must be deposited in the bond proceeds account in the trunk highway fund.

Subd. 3. **Bond sale expenses.** \$1,700,000 is appropriated from the bond proceeds account in the trunk highway fund to the commissioner of finance for bond sale expenses under Minnesota Statutes, sections 16A.641, subdivision 8, and 167.50, subdivision 4.

ARTICLE 3

TRANSPORTATION FINANCE

Section 1. Minnesota Statutes 2006, section 16A.88, is amended to read:

16A.88 TRANSIT FUNDS ASSISTANCE FUND.

Subdivision 1. **Transit assistance fund established.** A transit assistance fund is established within the state treasury. The fund receives money distributed under sections 297A.815, subdivision 3, and 297B.09, subdivision 1, and other money as specified by law. Money in the fund must be allocated to the greater Minnesota transit account under subdivision 1a and the metropolitan area transit account under subdivision 2 in the manner specified in sections 297A.815 and 297B.09, subdivision 1, and must be used for transit purposes.

Subd. 1a. **Greater Minnesota transit fund account.** The greater Minnesota transit fund account is established within the transit assistance fund in the state treasury. Money in the fund account is annually appropriated to the commissioner of transportation for assistance to transit systems outside

the metropolitan area under section 174.24. ~~Beginning in fiscal year 2003,~~ The commissioner may use up to ~~\$400,000 each year~~ \$408,000 in fiscal year 2008 and \$416,000 in fiscal year 2009 and thereafter for administration of the transit program. The commissioner shall use the fund account for transit operations as provided in section 174.24 and related program administration.

Subd. 2. **Metropolitan area transit fund account.** The metropolitan area transit ~~fund~~ account is established within the transit assistance fund in the state treasury. All money in the fund account is annually appropriated to the Metropolitan Council for the funding of transit systems within the metropolitan area under sections 473.384, 473.386, 473.387, 473.388, and 473.405 to 473.449.

~~Subd. 3. **Metropolitan area transit appropriation account.** The metropolitan area transit appropriation account is established within the general fund. Money in the account is to be used for the funding of transit systems in the metropolitan area, subject to legislative appropriation.~~

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

Sec. 2. Minnesota Statutes 2006, section 161.04, subdivision 3, is amended to read:

Subd. 3. **Trunk highway revolving loan account.** A trunk highway revolving loan account is created in the transportation revolving loan fund under section 446A.085. The commissioner may transfer money from the trunk highway fund to the trunk highway revolving loan account and from the trunk highway revolving loan account to the trunk highway fund. Money in the account may be used to make loans. Funds in the trunk highway revolving loan account may not be used for any toll facilities project or congestion-pricing project and may be used only for trunk highway purposes and repayments and interest from loans of those funds must be credited to the trunk highway revolving loan account in the transportation revolving loan fund. Money in the trunk highway revolving loan account is annually appropriated to the commissioner and does not lapse. Interest earned from investment of money in this account must be deposited in the trunk highway revolving loan account.

Sec. 3. Minnesota Statutes 2006, section 297A.70, subdivision 2, is amended to read:

Subd. 2. **Sales to government.** (a) All sales, except those listed in paragraph (b), to the following governments and political subdivisions, or to the listed agencies or instrumentalities of governments and political subdivisions, are exempt:

- (1) the United States and its agencies and instrumentalities;
- (2) school districts, the University of Minnesota, state universities, community colleges, technical colleges, state academies, the Perpich Minnesota Center for Arts Education, and an instrumentality of a political subdivision that is accredited as an optional/special function school by the North Central Association of Colleges and Schools;
- (3) hospitals and nursing homes owned and operated by political subdivisions of the state of tangible personal property and taxable services used at or by hospitals and nursing homes;
- (4) the Metropolitan Council, for its purchases of vehicles and repair parts to equip operations provided for in section 473.4051;
- (5) other states or political subdivisions of other states, if the sale would be exempt from taxation if it occurred in that state; ~~and~~
- (6) sales to public libraries, public library systems, multicounty, multitype library systems as

defined in section 134.001, county law libraries under chapter 134A, state agency libraries, the state library under section 480.09, and the Legislative Reference Library; and

(7) the Department of Transportation, for purchases that are made from the trunk highway fund.

(b) This exemption does not apply to the sales of the following products and services:

(1) building, construction, or reconstruction materials purchased by a contractor or a subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed maximum price covering both labor and materials for use in the construction, alteration, or repair of a building or facility;

(2) construction materials purchased by tax exempt entities or their contractors to be used in constructing buildings or facilities which will not be used principally by the tax exempt entities;

(3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 5, except for leases entered into by the United States or its agencies or instrumentalities; or

(4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2), and prepared food, candy, and soft drinks, except for lodging, prepared food, candy, and soft drinks purchased directly by the United States or its agencies or instrumentalities.

(c) As used in this subdivision, "school districts" means public school entities and districts of every kind and nature organized under the laws of the state of Minnesota, and any instrumentality of a school district, as defined in section 471.59.

Sec. 4. Minnesota Statutes 2006, section 297A.71, is amended by adding a subdivision to read:

Subd. 41. **Commuter rail; material, supplies, and equipment.** Materials and supplies used or consumed in, and equipment incorporated into, the construction or improvement of the commuter rail transportation system operated under sections 174.80 to 174.90 are exempt. This exemption includes railroad cars and engines and related equipment.

EFFECTIVE DATE. This section is effective for sales and purchases made after December 31, 2006, and before July 1, 2011.

Sec. 5. Minnesota Statutes 2006, section 297A.815, is amended by adding a subdivision to read:

Subd. 3. **Deposit of revenues.** Notwithstanding section 297A.94 or any law to the contrary, money collected and received under this section must be deposited in the same manner and in the same proportions as provided for revenues collected under chapter 297B.

EFFECTIVE DATE. This section is effective beginning with revenues collected and remitted beginning July 1, 2007.

Sec. 6. Minnesota Statutes 2006, section 297A.94, is amended to read:

297A.94 DEPOSIT OF REVENUES.

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of finance shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.

(e) For fiscal year 2001, 97 percent; for fiscal years 2002 and 2003, 87 percent; and for fiscal year 2004 and thereafter, 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and

(5) two percent of the receipts must be deposited in the natural resources fund, and may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory, and the Duluth Zoo.

(f) The revenue dedicated under paragraph (e) may not be used as a substitute for traditional sources of funding for the purposes specified, but the dedicated revenue shall supplement traditional sources of funding for those purposes. Land acquired with money deposited in the game and fish fund under paragraph (e) must be open to public hunting and fishing during the open season, except that in aquatic management areas or on lands where angling easements have been acquired, fishing may be prohibited during certain times of the year and hunting may be prohibited. At least 87 percent of the money deposited in the game and fish fund for improvement, enhancement, or protection of fish and wildlife resources under paragraph (e) must be allocated for field operations.

(g) The revenues, including interest and penalties, collected under section 297A.815 must be deposited as provided for in that section.

EFFECTIVE DATE. This section is effective beginning with revenues collected and remitted beginning July 1, 2007.

Sec. 7. Minnesota Statutes 2006, section 297B.09, subdivision 1, is amended to read:

Subdivision 1. **Deposit of revenues.** (a) Money collected and received under this chapter must be deposited as provided in this subdivision.

~~(b) From July 1, 2002, to June 30, 2003, 32 percent of the money collected and received must be deposited in the highway user tax distribution fund, 20.5 percent must be deposited in the metropolitan area transit fund under section 16A.88, and 1.25 percent must be deposited in the greater Minnesota transit fund under section 16A.88. The remaining money must be deposited in the general fund.~~

~~(c) From July 1, 2003, to June 30, 2007, 30 percent of the money collected and received must be deposited in the highway user tax distribution fund, 21.5 percent must be deposited in the metropolitan area transit fund under section 16A.88, 1.43 percent must be deposited in the greater Minnesota transit fund under section 16A.88, 0.65 percent must be deposited in the county state-aid highway fund, and 0.17 percent must be deposited in the municipal state-aid street fund. The remaining money must be deposited in the general fund.~~

~~(d) On and after~~ From July 1, 2007, 32 through June 30, 2008, 38.25 percent of the money collected and received must be deposited in the highway user tax distribution fund, 20.5 23.95 percent must be deposited in the metropolitan area transit fund account under section 16A.88, and 1.25 1.55 percent must be deposited in the greater Minnesota transit fund account under section 16A.88. The remaining money must be deposited in the general fund.

(c) From July 1, 2008, through June 30, 2009, 44.25 percent of the money collected and received must be deposited in the highway user tax distribution fund, 27.85 percent must be deposited in the metropolitan area transit account under section 16A.88, 1.65 percent must be deposited in the greater Minnesota transit account under section 16A.88, and the remaining money must be deposited in the general fund.

(d) From July 1, 2009, through June 30, 2010, 50.25 percent of the money collected and received must be deposited in the highway user tax distribution fund, 31.75 percent must be deposited in the metropolitan area transit account under section 16A.88, 1.75 percent must be deposited in the greater Minnesota transit account under section 16A.88, and the remaining money must be deposited in the general fund.

(e) From July 1, 2010, through June 30, 2011, 56.25 percent of the money collected and received must be deposited in the highway user tax distribution fund, 35.6 percent must be deposited in the metropolitan area transit account under section 16A.88, 1.9 percent must be deposited in the greater Minnesota transit account under section 16A.88, and the remaining money must be deposited in the general fund.

(f) On and after July 1, 2011, 60 percent of the money collected and received must be deposited in the highway user tax distribution fund, 38 percent must be deposited in the metropolitan area transit account under section 16A.88, and two percent must be deposited in the greater Minnesota transit account under section 16A.88.

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

Sec. 8. Minnesota Statutes 2006, section 473.388, subdivision 4, is amended to read:

Subd. 4. **Financial assistance.** (a) The council must grant the requested financial assistance if it determines that the proposed service is intended to replace the service to the applying city or town or combination thereof by the council and that the proposed service will meet the needs of the applicant at least as efficiently and effectively as the existing service.

(b) The amount of assistance which the council must provide to a system under this section may not be less than the sum of the amounts determined for each municipality comprising the system as follows:

(1) the transit operating assistance grants received under this subdivision by the municipality in calendar year 2001 or the tax revenues for transit services levied by the municipality for taxes payable in 2001, including that portion of the levy derived from the areawide pool under section 473F.08, subdivision 3, clause (a), plus the portion of the municipality's aid under section 273.1398, subdivision 2, attributable to the transit levy; times

(2) the ratio of (i) ~~the appropriation from the transit fund to the council for nondebt transit operations~~ an amount equal to 3.623 percent of the state revenues generated from the taxes imposed under section 297A.815 and chapter 297B for the current fiscal year to (ii) the total levy certified by the council under section 473.446 and the opt-out transit operating assistance grants received under this subdivision in calendar year 2001 or the tax revenues for transit services levied by all replacement service municipalities under this section for taxes payable in 2001, including that portion of the levy derived from the areawide pool under section 473F.08, subdivision 3, clause (a), plus the portion of homestead and agricultural credit aid under section 273.1398, subdivision 2, attributable to nondebt transit levies, times

(3) the ratio of (i) the municipality's total taxable market value for taxes payable in ~~the most recent year for which data is available~~ 2007 divided by the municipality's total taxable market value for taxes payable in 2001, to (ii) the total taxable market value of all property ~~in the metropolitan area located in replacement service municipalities~~ for taxes payable in the most recent year for which data is available 2007 divided by the total taxable market value of all property ~~in the metropolitan area located in replacement service municipalities~~ for taxes payable in 2001.

(c) The council shall pay the amount to be provided to the recipient from the funds the council ~~would otherwise use to fund its transit operations~~ receives in the metropolitan area transit account under section 16A.88.

Sec. 9. **REPEALER.**

Minnesota Statutes 2006, section 174.32, is repealed.

ARTICLE 4

PUBLIC SAFETY DEPARTMENT SERVICES FEES

Section 1. Minnesota Statutes 2006, section 168.017, subdivision 3, is amended to read:

Subd. 3. **Exceptions.** (a) The registrar shall register all vehicles subject to registration under the monthly series system for a period of 12 consecutive calendar months, unless:

(1) the application is an original rather than renewal application; or

(2) the applicant is a licensed motor vehicle lessor under section 168.27, in which case the applicant may apply for initial ~~or renewed~~ registration of a vehicle for a period of four or more months, the month of expiration to be designated by the applicant at the time of registration. However, to qualify for this exemption, the applicant must pay a \$10 administrative fee and present the application to the registrar at St. Paul, or at a designated deputy registrar ~~offices as the registrar may designate~~ office. At the end of the initial registration period, the applicant may only renew the registration on the vehicle for the remainder of the period prescribed under subdivision 1 had the applicant not utilized the exception in this subdivision. Upon the renewal of registration, the applicant shall pay 1/12 of the annual tax for each calendar month remaining in the registration period in addition to a \$10 administrative fee. Nothing in this subdivision prohibits the applicant from purchasing registration for an additional full registration period in conjunction with the purchase of the remainder portion.

(b) In any instance except that of a licensed motor vehicle lessor, the registrar shall not approve registering the vehicle subject to the application for a period of less than three months, except when the registrar determines that to do otherwise will help to equalize the registration and renewal work load of the department.

(c) The fee collected under paragraph (a), clause (2), must be deposited in the vehicle services operating account in the special revenue fund as specified in section 299A.705.

Sec. 2. Minnesota Statutes 2006, section 168.12, subdivision 5, is amended to read:

Subd. 5. **Additional fee.** (a) In addition to any fee otherwise authorized or any tax otherwise imposed upon any vehicle, the payment of which is required as a condition to the issuance of any plate or plates, the commissioner shall impose the fee specified in paragraph (b) that is calculated to cover the cost of manufacturing and issuing the plate or plates, except for plates issued to disabled veterans as defined in section 168.031 and plates issued pursuant to section 168.124, 168.125, or 168.27, subdivisions 16 and 17, for passenger automobiles. ~~The commissioner shall issue graphic design plates only for vehicles registered pursuant to section 168.017 and recreational vehicles registered pursuant to section 168.013, subdivision 1g.~~

(b) Unless otherwise specified or exempted by statute, the following plate and validation sticker fees apply for the original, duplicate, or replacement issuance of a plate in a plate year:

~~Sequential Regular Double Plate~~

\$ 4.25

Sequential Special Plate-Double	\$ 7.00
Sequential Regular Single Plate	\$ 3.00
Sequential Special Plate-Single	\$ 5.50
Utility Trailer Self-Adhesive Plate	\$ 2.50
Nonsequential Double Plate	\$ 14.00
Nonsequential Single Plate	\$ 10.00
Duplicate Sticker	\$ 1.00

License Plate	Single	Double
<u>Regular and Disability</u>	\$ <u>4.50</u>	\$ <u>6.00</u>
<u>Special</u>	\$ <u>8.50</u>	\$ <u>10.00</u>
<u>Personalized (Replacement)</u>	\$ <u>10.00</u>	\$ <u>14.00</u>
<u>Collector Category</u>	\$ <u>13.50</u>	\$ <u>15.00</u>
<u>Emergency Vehicle Display</u>	\$ <u>3.00</u>	\$ <u>6.00</u>
<u>Utility Trailer Self-Adhesive</u>	\$ <u>2.50</u>	
<u>Stickers</u>		
<u>Duplicate year</u>	\$ <u>1.00</u>	\$ <u>1.00</u>
<u>International Fuel Tax Agreement</u>	\$ <u>2.50</u>	

(c) For vehicles that require two of the categories above, the registrar shall only charge the higher of the two fees and not a combined total.

Sec. 3. Minnesota Statutes 2006, section 168A.29, subdivision 1, is amended to read:

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

(1) for filing an application for and the issuance of an original certificate of title, the sum of \$5.50 \$6.25 of which \$2.50 \$3.25 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705;

(2) for each security interest when first noted upon a certificate of title, including the concurrent notation of any assignment thereof and its subsequent release or satisfaction, the sum of \$2, except that no fee is due for a security interest filed by a public authority under section 168A.05, subdivision 8;

(3) for the transfer of the interest of an owner and the issuance of a new certificate of title, the sum of \$5.50 of which \$2.50 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705;

(4) for each assignment of a security interest when first noted on a certificate of title, unless noted concurrently with the security interest, the sum of \$1;

(5) for issuing a duplicate certificate of title, the sum of ~~\$6.50~~ \$7.25 of which ~~\$2.50~~ \$3.25 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705.

(b) After June 30, 1994, in addition to each of the fees required under paragraph (a), clauses (1) and (3), the department must be paid \$3.50. The additional \$3.50 fee collected under this paragraph must be deposited in the special revenue fund and credited to the public safety motor vehicle account established in section 299A.70.

Sec. 4. Minnesota Statutes 2006, section 171.02, subdivision 3, is amended to read:

Subd. 3. **Motorized bicycle.** (a) A motorized bicycle may not be operated on any public roadway by any person who does not possess a valid driver's license, unless the person has obtained a motorized bicycle operator's permit or motorized bicycle instruction permit from the commissioner of public safety. The operator's permit may be issued to any person who has attained the age of 15 years and who has passed the examination prescribed by the commissioner. The instruction permit may be issued to any person who has attained the age of 15 years and who has successfully completed an approved safety course and passed the written portion of the examination prescribed by the commissioner.

(b) This course must consist of, but is not limited to, a basic understanding of:

- (1) motorized bicycles and their limitations;
- (2) motorized bicycle laws and rules;
- (3) safe operating practices and basic operating techniques;
- (4) helmets and protective clothing;
- (5) motorized bicycle traffic strategies; and
- (6) effects of alcohol and drugs on motorized bicycle operators.

(c) The commissioner may adopt rules prescribing the content of the safety course, examination, and the information to be contained on the permits. A person operating a motorized bicycle under a motorized bicycle permit is subject to the restrictions imposed by section 169.974, subdivision 2, on operation of a motorcycle under a two-wheel instruction permit.

(d) The fees for motorized bicycle operator's permits are as follows:

(1) Examination and operator's permit, valid for one year	\$ <u>66.75</u>
(2) Duplicate	\$ <u>33.75</u>
(3) Renewal permit before age 21 and valid until age 21	\$ <u>99.75</u>
(4) Renewal permit age 21 or older and valid for four years	\$ <u>1515.75</u>
(5) Duplicate of any renewal permit	\$ <u>4505.25</u>
(6) Written examination and instruction permit, valid for 30 days	\$ <u>66.75</u>

Sec. 5. Minnesota Statutes 2006, section 171.06, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The fees for a license and Minnesota identification card are as follows:

Classified Driver's License	D-\$21.50	C-\$25.50	B-\$32.50	A-\$40.50
Classified Under-21 D.L.	D-\$21.50	C-\$25.50	B-\$32.50	A-\$20.50
<u>Classified Driver's License</u>	<u>D-\$22.25</u>	<u>C-\$26.25</u>	<u>B-\$33.25</u>	<u>A-\$41.25</u>
<u>Classified Under-21 D.L.</u>	<u>D-\$22.25</u>	<u>C-\$26.25</u>	<u>B-\$33.25</u>	<u>A-\$21.25</u>
Instruction Permit			\$9.50	<u>\$10.25</u>
Provisional License			\$12.50	<u>\$13.25</u>
Duplicate License or duplicate identification card			\$11.00	<u>\$11.75</u>
Minnesota identification card or Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a			\$15.50	<u>\$16.25</u>

(b) Notwithstanding paragraph (a), an individual who holds a provisional license and has a driving record free of (1) convictions for a violation of section 169A.20, 169A.33, 169A.35, or sections 169A.50 to 169A.53, (2) convictions for crash-related moving violations, and (3) convictions for moving violations that are not crash related, shall have a \$3.50 credit toward the fee for any classified under-21 driver's license. "Moving violation" has the meaning given it in section 171.04, subdivision 1.

(c) In addition to the driver's license fee required under paragraph (a), the commissioner shall collect an additional \$4 processing fee from each new applicant or individual renewing a license with a school bus endorsement to cover the costs for processing an applicant's initial and biennial physical examination certificate. The department shall not charge these applicants any other fee to receive or renew the endorsement.

Sec. 6. Minnesota Statutes 2006, section 171.07, subdivision 3a, is amended to read:

Subd. 3a. **Identification cards for seniors.** A Minnesota identification card issued to an applicant 65 years of age or over shall be of a distinguishing color and plainly marked "senior." The fee for the card issued to an applicant 65 years of age or over shall be one-half the required fee for a class D driver's license rounded down to the nearest quarter dollar. A Minnesota identification card or a Minnesota driver's license issued to a person 65 years of age or over shall be valid identification for the purpose of qualifying for reduced rates, free licenses or services provided by any board, commission, agency or institution that is wholly or partially funded by state appropriations.

Sec. 7. Minnesota Statutes 2006, section 171.07, subdivision 11, is amended to read:

Subd. 11. **Standby or temporary custodian.** (a) Upon the written request of the applicant and upon payment of an additional fee of ~~\$3.50~~ \$4.25, the department shall issue a driver's license or Minnesota identification card bearing a symbol or other appropriate identifier indicating that the license holder has appointed an individual to serve as a standby or temporary custodian under chapter 257B.

(b) The request must be accompanied by a copy of the designation executed under section 257B.04.

(c) The department shall maintain a computerized records system of all individuals listed as standby or temporary custodians by driver's license and identification card applicants. This data must be released to appropriate law enforcement agencies under section 13.69. Upon a parent's request and payment of a fee of ~~\$3.50~~ \$4.25, the department shall revise its list of standby or temporary custodians to reflect a change in the appointment.

(d) At the request of the license or cardholder, the department shall cancel the standby or temporary custodian indication without additional charge. However, this paragraph does not prohibit a fee that may be applicable for a duplicate or replacement license or card, renewal of a license, or other service applicable to a driver's license or identification card.

(e) Notwithstanding sections 13.08, subdivision 1, and 13.69, the department and department employees are conclusively presumed to be acting in good faith when employees rely on statements made, in person or by telephone, by persons purporting to be law enforcement and subsequently release information described in paragraph (b). When acting in good faith, the department and department personnel are immune from civil liability and not subject to suit for damages resulting from the release of this information.

(f) The department and its employees:

(1) have no duty to inquire or otherwise determine whether a designation submitted under this subdivision is legally valid and enforceable; and

(2) are immune from all civil liability and not subject to suit for damages resulting from a claim that the designation was not legally valid and enforceable.

(g) Of the fees received by the department under this subdivision:

(1) Up to \$61,000 received must be deposited in the general fund.

(2) All other fees must be deposited in the driver services operating account in the special revenue fund specified in section 299A.705.

Sec. 8. Minnesota Statutes 2006, section 171.20, subdivision 4, is amended to read:

Subd. 4. **Reinstatement fee.** (a) Before the license is reinstated, (1) an individual whose driver's license has been suspended under section 171.16, subdivisions 2 and 3; ~~171.175~~; 171.18; or 171.182, or who has been disqualified from holding a commercial driver's license under section 171.165, and (2) an individual whose driver's license has been suspended under section 171.186 and who is not exempt from such a fee, must pay a fee of \$20.

(b) Before the license is reinstated, an individual whose license has been suspended under sections 169.791 to 169.798 must pay a \$20 reinstatement fee.

(c) When fees are collected by a licensing agent appointed under section 171.061, a handling charge is imposed in the amount specified under section 171.061, subdivision 4. The reinstatement fee and surcharge must be deposited in an approved state depository as directed under section 171.061, subdivision 4.

(d) Reinstatement fees collected under paragraph (a) for suspensions under sections 171.16, subdivision 3, and 171.18, subdivision 1, clause (10), must be deposited in the special revenue fund and are appropriated to the Peace Officer Standards and Training Board for peace officer training reimbursement to local units of government.

(e) A suspension may be rescinded without fee for good cause.

Sec. 9. Minnesota Statutes 2006, section 299D.09, is amended to read:

299D.09 ESCORT SERVICE; APPROPRIATION; RECEIPTS.

Fees charged for escort services provided by the State Patrol are annually appropriated to the commissioner of public safety to administer and provide these services.

The fees charged for services provided by the State Patrol with a vehicle are \$73.60 an hour in fiscal year 2008 and \$75.76 an hour in fiscal year 2009 and thereafter. The fees charged for services provided without a vehicle are \$54.00 an hour in fiscal year 2008 and \$56.16 an hour in fiscal year 2009 and thereafter.

The fees charged for State Patrol flight services are \$140 an hour for a fixed wing aircraft, \$490 an hour for a helicopter, and \$600 an hour for the Queen Air."

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 22 and nays 42, as follows:

Those who voted in the affirmative were:

Day	Gimse	Koch	Olson, G.	Vandever
Dille	Hann	Koering	Ortman	Wergin
Fischbach	Ingebrigtsen	Limmer	Pariseau	
Frederickson	Johnson	Michel	Robling	
Gerlach	Jungbauer	Neuville	Senjem	

Those who voted in the negative were:

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

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

Senator Wergin moved to amend S.F. No. 1986 as follows:

Page 24, line 6, delete "after June 30, 2007" and insert "three months after each county in the metropolitan transportation area has adopted a resolution approving the tax by majority vote of the county's board of commissioners"

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

Senator Vandever moved to amend S.F. No. 1986 as follows:

Page 47, after line 18, insert:

"Sec. 2. Minnesota Statutes 2006, section 160.85, subdivision 6, is amended to read:

Subd. 6. **Restriction.** No toll facility may be used for any purpose other than the purposes specified in the development agreement for the term of the agreement.

Neither the commissioner nor a road authority may impose or authorize the imposition of a toll for the use of a bridge, highway, or highway lane, except for:

(1) a bridge connecting a highway with an adjacent state or province; or

(2) any highway or highway lane having a toll imposed on or before July 1, 2006, under section 160.93."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 40, as follows:

Those who voted in the affirmative were:

Anderson	Dille	Larson	Pariseau	Sieben
Chaudhary	Doll	Marty	Robling	Skoe
Day	Frederickson	Olson, M.	Rummel	Vandever
Dibble	Kubly	Ortman	Senjem	Wergin

Those who voted in the negative were:

Bakk	Fischbach	Koch	Moua	Saxhaug
Berglin	Foley	Langseth	Murphy	Sheran
Betzold	Gerlach	Latz	Neuville	Skogen
Bonoff	Gimse	Limmer	Olseen	Sparks
Carlson	Hann	Lourey	Pappas	Stumpf
Clark	Ingebrigtsen	Lynch	Prettner Solon	Tomassoni
Cohen	Johnson	Metzen	Rest	Torres Ray
Erickson Ropes	Jungbauer	Michel	Saltzman	Vickerman

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

Senator Ortman moved to amend S.F. No. 1986 as follows:

Page 23, line 34, delete "Carver,"

Page 24, line 1, delete "Scott,"

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

Senator Tomassoni moved to amend S.F. No. 1986 as follows:

Page 49, after line 17, insert:

"Sec. 3. Minnesota Statutes 2006, section 168.123, subdivision 2, is amended to read:

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

(a) For a Vietnam veteran who served after July 1, 1961, and before July 1, 1978, in the active military service in a branch of the armed forces of the United States or a nation or society allied with the United States the special plates must bear the inscription "VIETNAM VET" and the letters "V" and "V" with the first letter directly above the second letter and both letters just preceding the first numeral of the special plate number.

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

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

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

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

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

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

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

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

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

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

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

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

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

(j) For a veteran who is a recipient of the Bronze Star medal, the plates must bear the inscription "BRONZE STAR VET" and have a facsimile or an emblem of the official Bronze Star medal and the letters "B" over "S" with the first letter directly over the second letter just preceding the first numeral of the special plate number."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Robling moved to amend S.F. No. 1986 as follows:

Page 47, delete section 5

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 20 and nays 45, as follows:

Those who voted in the affirmative were:

Dille	Hann	Koch	Ortman	Saltzman
Fischbach	Ingebrigtsen	Koering	Pariseau	Senjem
Gerlach	Johnson	Michel	Rest	Vandever
Gimse	Jungbauer	Neuville	Robling	Wergin

Those who voted in the negative were:

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

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

S.F. No. 1986 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 42 and nays 24, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Gerlach	Jungbauer	Neuville	Robling
Day	Gimse	Koch	Olson, G.	Senjem
Dille	Hann	Koering	Olson, M.	Vandever
Fischbach	Ingebrigtsen	Limmer	Ortman	Wergin
Frederickson	Johnson	Michel	Pariseau	

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

Senator Pogemiller moved that S.F. No. 1986 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

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.

There has been appointed as such committee on the part of the House:

Huntley; Murphy, M. and Smith.

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

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 23, 2007

REPORTS OF COMMITTEES

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

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

S.F. No. 1902: A bill for an act relating to state government; including definition terms for energy forward pricing mechanisms; amending Minnesota Statutes 2006, section 16C.143, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State and Local Government Operations and Oversight. Report adopted.

Senator Prettnr Solon from the Committee on Energy, Utilities, Technology and Communications, to which was re-referred

S.F. No. 1193: A bill for an act relating to motor fuels; requiring a person to be in close attendance to a dispenser nozzle while fuel is being dispensed into a motor vehicle; updating specifications for petroleum products; modifying definitions of certain petroleum terms; amending Minnesota Statutes 2006, sections 239.751, by adding a subdivision; 239.761; 239.77, subdivisions 1, 2; 296A.01, subdivisions 14, 25, 42, by adding a subdivision; repealing Minnesota Statutes 2006, section 239.101, subdivision 7.

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

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

S.F. No. 1449: A bill for an act relating to public safety; modifying requirements for 911 emergency communication fees; amending Minnesota Statutes 2006, section 403.11, by adding subdivisions.

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

Page 1, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2006, section 403.11, is amended by adding a subdivision to read:

Subd. 1b. **Examination of fees.** If the commissioner determines that an examination is necessary to document the fee submission and sworn declaration in subdivision 1a, the wireless, wire-line, or packet-based telecommunications service provider must contract with an independent certified public accountant to conduct an examination of fees. The examination must be conducted in accordance with attestation audit standards."

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

Amendments adopted. Report adopted.

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

S.F. No. 1857: A bill for an act relating to energy; regulating service disconnections by public utilities during winter; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 2006, section 216B.095.

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

Page 3, line 11, delete "customer's" and insert "household"

Page 4, line 12, before "During" insert "(a) This subdivision applies" and delete the colon and insert a period

Page 4, line 13, delete "(a)" and insert "(b)"

Page 4, line 16, delete "(b)" and insert "(c)"

Page 4, line 32, delete "(c)" and insert "(d)"

Page 5, line 4, delete "(d)" and insert "(e)"

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

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

S.F. No. 1260: A bill for an act relating to agriculture; changing certain food license requirements; changing certain milk requirements; eliminating a requirement on sale of bulk tanks; repealing the Dairy Trade Practices Act; clarifying certain penalties; amending Minnesota Statutes 2006, sections 28A.04, subdivision 1; 28A.06; 32.21, subdivision 4; 32.212; 32.394, subdivision 4; 32.415; repealing Minnesota Statutes 2006, sections 32.213; 32.70; 32.71; 32.72; 32.74; 32.745.

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

Page 6, delete section 7 and insert:

"Sec. 7. **REPEALER.**

Minnesota Statutes 2006, section 32.213 is repealed."

Amend the title numbers accordingly

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

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

S.F. No. 1417: A bill for an act relating to agriculture; changing certain provisions of the best management practices loan program; amending Minnesota Statutes 2006, section 17.117,

subdivisions 1, 4, 11.

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

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

S.F. No. 1388: A bill for an act relating to agriculture; changing certain feed law provisions; expanding applicability of certain penalties; amending Minnesota Statutes 2006, sections 17.982, subdivision 1; 17.983, subdivision 1; 25.33, subdivisions 3, 4, 5, 6, 10, 18, by adding a subdivision; 25.341, subdivision 1; 25.35; 25.39, subdivision 1.

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

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

S.F. No. 1285: A bill for an act relating to agriculture; changing certain agricultural chemical incident provisions; eliminating a fee; amending Minnesota Statutes 2006, section 18E.02, subdivision 5, by adding a subdivision; repealing Minnesota Statutes 2006, section 18C.425, subdivision 5.

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

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2006, section 18E.02, subdivision 1, is amended to read:

Subdivision 1. ~~Definitions in chapters 18B, 18C, and 18D apply.~~ The definitions contained in this section and apply to this chapter. Except for terms defined in this section, the definitions contained in chapters 18B, 18C, and 18D apply to this chapter."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 1660: A bill for an act relating to agriculture; establishing a food safety and defense task force; proposing coding for new law in Minnesota Statutes, chapter 28A.

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

Page 1, line 20, delete "and"

Page 1, line 21, delete the period and insert a semicolon

Page 1, after line 21, insert:

"(v) one person represents the Minnesota Grocers Association; and

(vi) one person represents a Minnesota-based manufacturer of microbial detection equipment and remediation products."

Page 2, line 1, delete everything after "(a)" and insert "The commissioner shall convene the first meeting of the task force."

Page 2, delete line 2 and insert:

"(b) The task force shall meet monthly or as determined by the chair."

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

Page 2, after line 13, insert:

"Subd. 6. **Expiration.** Notwithstanding section 15.059, subdivision 5, this section expires June 30, 2012."

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

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

S.F. No. 2095: A bill for an act relating to education; providing for early childhood and family, kindergarten through grade 12, and adult education including general education, education excellence, special programs, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, forecast adjustments, and technical and conforming amendments; providing for reports; providing for rulemaking; appropriating money; amending Minnesota Statutes 2006, sections 16A.152, subdivision 2; 119A.52; 120A.22, subdivision 7; 120B.024; 120B.12, subdivision 2; 120B.132; 121A.17, subdivision 5; 121A.19; 122A.16; 122A.415, by adding subdivisions; 122A.61, by adding a subdivision; 122A.628, subdivision 2; 123A.44; 123A.441; 123A.442; 123A.443; 123A.73, subdivision 8; 123B.143, subdivision 1; 123B.53, subdivision 1; 123B.54; 123B.57, subdivision 3; 123B.63, subdivision 3; 123B.71, subdivision 9; 123B.749; 123B.79, subdivision 6, by adding a subdivision; 123B.81, subdivisions 2, 4, 7; 123B.83, subdivision 2; 123B.92, subdivisions 1, 3; 124D.095, subdivision 3; 124D.10, subdivisions 3, 4, 23a, 24; 124D.11, subdivision 1; 124D.111, subdivision 1; 124D.128, subdivisions 1, 2, 3; 124D.13, subdivision 2, by adding a subdivision; 124D.135, subdivisions 1, 3, 5, 6; 124D.15, subdivision 3; 124D.175; 124D.34, subdivision 7; 124D.42, by adding a subdivision; 124D.4531, subdivisions 1, 3; 124D.454, subdivisions 2, 3; 124D.531, subdivision 4; 124D.55; 124D.65, subdivisions 6, 11; 124D.84, subdivision 1; 125A.11, subdivision 1; 125A.14; 125A.39; 125A.42; 125A.44; 125A.45; 125A.56; 125A.75, subdivisions 1, 4, by adding a subdivision; 125A.76, subdivisions 1, 2, 4, 5; 125A.79, subdivisions 1, 5, 6, 8; 125B.15; 126C.01, subdivision 9; 126C.05, subdivision 1; 126C.10, subdivisions 1, 2, 13a, 13b, 18, 24, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, by adding a subdivision; 126C.13, subdivision 4, by adding subdivisions; 126C.21, subdivisions 3, 5; 126C.44; 126C.45; 126C.48, subdivision 7; 127A.441; 127A.47, subdivisions 7, 8; 127A.49, subdivisions 2, 3; 128D.11, subdivision 3; 134.31, by adding a subdivision; 134.355, subdivision 9; 270B.14, subdivision 1, by adding a subdivision; 272.02, subdivision 64; 272.029, by adding a subdivision; 275.065, subdivision 1; 517.08, subdivision 1c; Laws 2006, chapter 263, article 3, section 15; Laws 2006, chapter 282, article 2, section 28,

subdivision 4; article 3, section 4, subdivision 2; Laws 2005, First Special Session chapter 5, article 1, section 54, subdivisions 2, as amended, 4, 5, as amended, 6, as amended, 7, as amended, 8, as amended; article 2, sections 81, as amended; 84, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, as amended, 10, as amended; article 3, section 18, subdivisions 2, 3, as amended, 4, as amended, 5, 6; article 4, section 25, subdivisions 2, as amended, 3, as amended; article 5, section 17, subdivision 3, as amended; article 7, section 20, subdivisions 2, as amended, 3, as amended, 4, as amended; article 8, section 8, subdivisions 2, as amended, 5, as amended; article 9, section 4, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 122A; 124D; 127A; 270C; repealing Minnesota Statutes 2006, sections 123A.22, subdivision 11; 123B.81, subdivision 8; 124D.06; 124D.454, subdivisions 4, 5, 6, 7; 124D.531, subdivision 5; 124D.62; 125A.10; 125A.75, subdivision 6; 125A.76, subdivision 3; 126C.10, subdivisions 13a, 13b, 25, 28, 29, 30, 32, 33, 34, 35, 36.

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

Page 43, line 3, delete "such" and insert "the"

Page 107, delete lines 22 and 25

Page 108, delete line 3

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

Senator Bakk from the Committee on Taxes, to which was referred

S.F. No. 2054: A bill for an act relating to state government; regulating the state budget reserve; amending Minnesota Statutes 2006, section 16A.152, subdivisions 1a, 1b.

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

Page 1, line 11, after the first "account" insert ", rounded to the nearest \$1,000,000,"

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. 156: A bill for an act relating to highways; designating I-94 as Purple Heart Trail; amending Minnesota Statutes 2006, section 161.14, by adding a subdivision.

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

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

S.F. No. 913: A bill for an act relating to drivers' licenses; modifying driver record provision; amending Minnesota Statutes 2006, section 171.07, subdivision 1a.

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

Page 1, line 16, before "location" insert "enforcement of no contact orders,"

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

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

S.F. No. 605: A bill for an act relating to crimes; providing that careless driving resulting in death is a gross misdemeanor; amending Minnesota Statutes 2006, section 169.13, by adding a subdivision.

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

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

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

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

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

S.F. No. 986: A bill for an act relating to drivers' licenses; clarifying definition of "conviction"; amending Minnesota Statutes 2006, section 171.01, subdivision 29.

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

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

S.F. No. 984: A bill for an act relating to drivers' licenses; prohibiting commissioner of public safety from complying with Real ID Act.

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

Page 1, delete lines 6 and 7

Page 1, line 8, delete everything before the third "the"

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. 1296: A bill for an act relating to transportation; requiring the commissioner of transportation to utilize available federal funds in highway construction training programs; requiring reports on training programs and disadvantaged business enterprise program; amending Minnesota Statutes 2006, section 174.03, by adding subdivisions.

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

Page 1, line 10, after "utilize" insert "the maximum feasible amount of"

Page 2, line 4, delete "penalty" and insert "sanction"

Page 2, lines 12 and 15, delete "aspirational" and insert "overall"

Page 2, line 21, delete "penalties" and insert "sanctions"

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. 1069: A bill for an act relating to motor fuels; requiring inventory reports from fuel terminals; proposing coding for new law in Minnesota Statutes, chapter 239.

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 239.75, subdivision 1, is amended to read:

Subdivision 1. **Inspection to be made.** The director shall:

(1) take samples, free of charge, of petroleum products wherever processed, blended, held, stored, imported, transferred, offered for sale or use, or sold in Minnesota, limiting each sample to one-half gallon;

(2) inspect and test petroleum product samples according to the methods of ASTM or other valid test methods adopted by rule, to determine whether the products comply with the specifications in section 239.761;

(3) inspect petroleum product storage tanks to ensure that the products are free from water and impurities;

(4) inspect and test samples submitted to the department by a licensed distributor, making the test results available to the distributor;

(5) inspect the labeling, price posting, and price advertising of petroleum product dispensers and advertising signs at businesses or locations where petroleum products are sold, offered for sale or use, or dispensed into motor vehicles;

(6) maintain records of all inspections and tests according to the records retention policies of the Department of Administration;

(7) delegate to division personnel, at the director's discretion, any or all of the responsibilities, duties, and powers in sections 239.75 to 239.80;

(8) publish test data and information to assist persons who use, produce, distribute, or sell petroleum-based heating and engine fuels;

(9) audit the records of any person responsible for the product to determine compliance with sections 239.75 to 239.792;

(10) after consulting with the commissioner, grant a temporary exemption from the gasoline-ethanol blending requirements in section 239.791 if the supply of ethanol is insufficient

to produce gasoline-ethanol blends; and

(11) after consulting with the commissioner, grant a temporary exemption from the diesel-biodiesel blending requirements in section 239.77, if the supply of biodiesel is insufficient to produce diesel-biodiesel blends; and

~~(11)~~ (12) adopt, as an enforcement policy for the division, reasonable margins of uncertainty for the tests used to determine compliance with the specifications in section 239.761, the oxygen percentages in section 239.791, and the octane requirements in section 239.792 and apply the margins of uncertainty to only tests performed by the division, not by adding the margins to uncertainties in tests performed by any person responsible for the product.

Sec. 2. [239.754] NOTIFICATION OF PRODUCT UNAVAILABILITY; TERMINAL OPERATORS.

A person who operates a terminal where petroleum products are loaded into transport trucks for subsequent distribution, shall notify the director when regular grade gasoline, number 1 diesel, number 2 diesel, kerosene, heating oil, ethanol, and biodiesel are physically not available for sale to licensed distributors.

Sec. 3. Minnesota Statutes 2006, section 239.80, subdivision 1, is amended to read:

Subdivision 1. **Violations; actions of department.** (a) The director, or any delegated employee shall use the methods in section 239.75 to enforce sections 239.10; 239.101, subdivision 3; 239.761; 239.77; 239.79; 239.791; and 239.792.

(b) The director or any delegated employee may waive a penalty for a violation under section 239.77 or 239.791 on a retailer when ethanol or biodiesel are not available at a pipeline or refinery to meet the blending requirements of this chapter, and the terminal has had ethanol or biodiesel blended products available to the licensed distributor for 20 of the previous 30 days. The director or delegated employee shall use the reports required in section 239.754 or other available information in making a determination under this paragraph. The commissioner shall work with the commissioner of agriculture, biodiesel producers, ethanol producers, pipeline operators, and terminal operators, to ensure that biodiesel and ethanol are available for blending at pipeline and refinery terminals where diesel fuel and gasoline are sold and destined for use in Minnesota.

Sec. 4. Minnesota Statutes 2006, section 239.80, subdivision 2, is amended to read:

Subd. 2. **Penalty.** A person who fails to comply with any provision of section 239.10; 239.101, subdivision 3; 239.761; 239.77; 239.79; 239.791, subdivisions 1 to 11; or 239.792, is guilty of a misdemeanor."

Delete the title and insert:

"A bill for an act relating to motor fuels; requiring notice for unavailability of motor fuels; providing for a waiver of the penalty for retailers who do not carry ethanol or biodiesel blends under certain circumstances; amending Minnesota Statutes 2006, sections 239.75, subdivision 1; 239.80, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 239."

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. 289: A bill for an act relating to transportation; changing expiration date of Mississippi River Parkway Commission to 2012; amending Minnesota Statutes 2006, section 161.1419, subdivision 8.

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

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

S.F. No. 1201: A bill for an act relating to traffic regulations; increasing single vehicle length limit; amending Minnesota Statutes 2006, section 169.81, subdivision 2.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1857, 1260, 1417, 1388, 1285, 2054, 156, 1181, 986, 984, 1296, 1069, 289 and 1201 were 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.

MOTIONS AND RESOLUTIONS - CONTINUED

Pursuant to Rule 26, Senator Pogemiller, Chair of the Committee on Rules and Administration, designated S.F. No. 1992 a Special Order to be heard immediately.

SPECIAL ORDER

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 297I.06, subdivision 3; 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.

Senator Neuville moved to amend S.F. No. 1992 as follows:

Page 12, delete lines 28 to 33

Page 13, delete lines 1 and 2 and insert:

Adult Felon Sex Offender Management.
\$1,260,000 the first year and \$2,560,000 the
second year are for adult felon sex offender
management to be distributed statewide by
the Community Corrections Act formula.

Sex Offender Community Treatment.
\$315,000 the first year and \$640,000 the
second year are to increase funding for
providing treatment for sex offenders on
community supervision."

Page 14, delete lines 3 to 34

Page 15, delete lines 1 to 8

Page 16, delete section 1

Correct the subdivision and section totals and the appropriate summaries

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 23 and nays 41, as follows:

Those who voted in the affirmative were:

Day	Hann	Koering	Ortman	Sieben
Dille	Ingebrigtsen	Limmer	Pariseau	Vanderveer
Fischbach	Johnson	Michel	Robling	Wergin
Frederickson	Jungbauer	Neuville	Saltzman	
Gimse	Koch	Olson, G.	Senjem	

Those who voted in the negative were:

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

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

Senator Ortman moved to amend S.F. No. 1992 as follows:

Page 25, line 5, before the period, insert "and expungement of conviction records"

The motion prevailed. So the amendment was adopted.

S.F. No. 1992 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

Senator Pogemiller moved that S.F. No. 1992 be laid on the table. The motion prevailed.

MEMBERS EXCUSED

Senator Dille was excused from the Session of today from 12:00 noon to 12:25 p.m. Senator Chaudhary was excused from the Session of today from 12:00 noon to 12:30 p.m. Senator Vandever was excused from the Session of today from 12:00 noon to 12:35 p.m. Senator Bonoff was excused from the Session of today from 12:15 to 12:20 p.m. Senator Rosen was excused from the Session of today at 1:30 p.m. Senators Scheid and Wiger were excused from the Session of today from 1:45 to 2:50 p.m. Senators Higgins and Pappas were excused from the Session of today from 2:00 to 2:40 p.m. Senator Koering was excused from the Session of today from 2:40 to 2:50 p.m. Senators Dibble and Gerlach were excused from the Session of today at 4:15 p.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 1:00 p.m., Saturday, March 24, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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