

EIGHTY-SECOND DAY

St. Paul, Minnesota, Monday, February 25, 2008

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Craig Richter.

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

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

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

February 6, 2008

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

PUBLIC UTILITIES COMMISSION

J. Dennis O'Brien, 251 Summit Ave., Saint Paul, in the county of Ramsey, effective February 7, 2008, for a term that expires on January 6, 2014.

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

Sincerely,
Tim Pawlenty, Governor

February 22, 2008

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

Pursuant to Rule 10.6 of the Rules of the Senate, we hereby make the following changes in committee structure:

Economic Development Budget Division - delete Ortman and decrease the complement from 13 to 12.

Sincerely,
Lawrence J. Pogemiller
Senate Majority Leader
David H. Senjem
Senate Minority Leader

REPORTS OF COMMITTEES

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

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

S.F. No. 2511: A bill for an act relating to state government; reestablishing the Health Care Peer Review Committee relating to quality of care and treatment of offenders; reestablishing advisory committees for the Minnesota Breeders fund; amending Minnesota Statutes 2006, section 241.021, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 240.18, subdivision 4; Laws 2007, chapter 133, article 2, section 13.

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

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

S.F. No. 2379: A bill for an act relating to eminent domain; amending provisions concerning reestablishment costs limit; amending Minnesota Statutes 2006, sections 117.51; 117.52, subdivision 1a.

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

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

S.F. No. 624: A bill for an act relating to marriage; changing and clarifying certain terms and procedures; requiring certain fees; amending Minnesota Statutes 2006, sections 517.03, subdivision 2; 517.05; 517.07; 517.08, subdivisions 1a, 1b, 1c; 517.10; 517.13.

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

Page 2, line 1, delete the second comma and before the period, insert ", and maintaining an index"

Page 2, line 8, delete "in" and insert "within"

Page 2, line 9, delete "in" and insert "within the geographical borders of"

Page 2, line 12, strike "shall contain" and insert "both of the parties must certify to "

Page 2, line 24, strike "court administrator" and insert "local registrar"

Page 2, line 28, before the semicolon, insert ". If a party does not have a Social Security number, the party must certify in the application, or a supplement to the application, that the party does not have a Social Security number"

Page 2, line 34, reinstate the stricken "use a different" and after the stricken "surname" insert "name" and reinstate the stricken "after" and delete "change the"

Page 3, line 1, delete the new language

Pages 3 to 5, delete sections 5 and 6

Page 5, line 19, reinstate the stricken "record" and delete "file"

Page 5, line 20, strike the old language and delete the new language and insert "in the county marriage records."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 2575: A bill for an act relating to business organizations; proposing technical amendments to the Business Corporations Act, the Limited Liability Company Act, and the Uniform Limited Partnership Act of 2001; authorizing the formation of nonprofit limited liability

companies; amending Minnesota Statutes 2006, sections 302A.011, subdivisions 17, 50; 302A.111, subdivisions 2, 3, 4; 302A.115, subdivision 1, by adding a subdivision; 302A.231, subdivisions 2, 3; 302A.237; 302A.241, subdivision 1; 302A.255, subdivision 1; 302A.449, subdivision 3; 302A.471, subdivision 3; 302A.521, subdivision 1; 302A.553, subdivision 1; 302A.701; 302A.721; 321.1206; 322B.03, subdivisions 20, 32, by adding a subdivision; 322B.10; 322B.11; 322B.12, subdivision 1, by adding a subdivision; 322B.35, subdivision 3; 322B.363, subdivision 3; 322B.643, subdivisions 2, 3; 322B.66, subdivision 1; 322B.666, subdivision 1; 322B.699, subdivision 1; 322B.78; 322B.80, subdivision 1; 322B.806; 322B.90, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 322B.

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

Pages 7 to 9, delete sections 6 and 7

Pages 17 to 19, delete sections 4 and 5

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 2480: A bill for an act relating to water; classifying the Comfort Lake-Forest Lake Watershed District as a watershed management organization.

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

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

S.F. No. 2377: A bill for an act relating to health; allowing first responders to a basic life support ambulance with certain conditions; allowing staffing flexibility for rural ambulance providers; amending Minnesota Statutes 2006, section 144E.101, subdivision 7; Minnesota Statutes 2007 Supplement, section 144E.101, subdivision 6.

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 2007 Supplement, section 144E.101, subdivision 6, is amended to read:

Subd. 6. **Basic life support.** (a) Except as provided in ~~paragraph~~ paragraphs (e) and (f), a basic life support ambulance shall be staffed by at least two ~~ambulance service personnel, at least one of which must be an EMT, who~~ EMTs, one of whom must accompany the patient and provide a level of care so as to ensure that:

(1) life-threatening situations and potentially serious injuries are recognized;

- (2) patients are protected from additional hazards;
 - (3) basic treatment to reduce the seriousness of emergency situations is administered; and
 - (4) patients are transported to an appropriate medical facility for treatment.
- (b) A basic life support service shall provide basic airway management.
- (c) ~~By January 1, 2001,~~ A basic life support service shall provide automatic defibrillation, as provided in section 144E.103, subdivision 1, paragraph (b).
- (d) A basic life support service licensee's medical director may authorize the ambulance service personnel to carry and to use medical antishock trousers and to perform intravenous infusion if the ambulance service personnel have been properly trained.

(e) Upon application from an ambulance service that includes evidence demonstrating hardship, the board may grant a variance from the staff requirements in paragraph (a) and may authorize a basic life support ambulance to be staffed by one EMT and one first responder driver for all emergency ambulance calls and interfacility transfers. The variance shall apply to basic life support ambulances operated by the ambulance service until the ambulance service renews its license. When a variance expires, an ambulance service may apply for a new variance under this paragraph. For purposes of this paragraph, "ambulance service" means either an ambulance service whose primary service area is located outside the metropolitan counties listed in section 473.121, subdivision 4, and outside the cities of Duluth, Mankato, Moorhead, Rochester, and St. Cloud; or an ambulance service based in a community with a population of less than 1,000.

(f) After an initial emergency ambulance call, each subsequent emergency ambulance response, until the initial ambulance is again available, and interfacility transfers, may be staffed by one registered first responder driver and an EMT. The EMT must accompany the patient and provide the level of care required in paragraph (a). This paragraph applies only to an ambulance service whose primary service area is located outside the metropolitan counties listed in section 473.121, subdivision 4, and outside the cities of Duluth, Mankato, Moorhead, Rochester, and St. Cloud, or an ambulance based in a community with a population of less than 1,000 persons.

Sec. 2. Minnesota Statutes 2006, section 144E.101, subdivision 7, is amended to read:

Subd. 7. **Advanced life support.** (a) Except as provided in paragraphs (f) and (g), an advanced life support ambulance shall be staffed by at least:

- (1) one EMT and one EMT-P;
 - (2) one EMT and one registered nurse who is an EMT, is currently practicing nursing, and has passed a paramedic practical skills test approved by the board and administered by a training program; or
 - (3) one EMT and one physician assistant who is an EMT, is currently practicing as a physician assistant, and has passed a paramedic practical skills test approved by the board and administered by a training program.
- (b) An advanced life support service shall provide basic life support, as specified under subdivision 6, paragraph (a), advanced airway management, manual defibrillation, and administration of intravenous fluids and pharmaceuticals.

(c) In addition to providing advanced life support, an advanced life support service may staff additional ambulances to provide basic life support according to subdivision 6. ~~When routinely staffed and equipped as a basic life support service according to subdivision 6 and section 144E.103, subdivision 1, the vehicle shall not be marked as advanced life support.~~

(d) An ambulance service providing advanced life support shall have a written agreement with its medical director to ensure medical control for patient care 24 hours a day, seven days a week. The terms of the agreement shall include a written policy on the administration of medical control for the service. The policy shall address the following issues:

- (i) two-way communication for physician direction of ambulance service personnel;
- (ii) patient triage, treatment, and transport;
- (iii) use of standing orders; and
- (iv) the means by which medical control will be provided 24 hours a day.

The agreement shall be signed by the licensee's medical director and the licensee or the licensee's designee and maintained in the files of the licensee.

(e) When an ambulance service provides advanced life support, the authority of an EMT-P, Minnesota registered nurse-EMT, or Minnesota registered physician assistant-EMT to determine the delivery of patient care prevails over the authority of an EMT.

(f) Upon application from an ambulance service that includes evidence demonstrating hardship, the board may grant a variance from the staff requirements in paragraph (a), clause (1), and may authorize an advanced life support ambulance to be staffed by a first responder driver with a paramedic for all emergency calls and interfacility transfers. The variance shall apply to advanced life support ambulance services until the ambulance service renews its license. When the variance expires, an ambulance service may apply for a new variance under this paragraph. This paragraph applies only to an ambulance service whose primary service area is located outside the metropolitan counties listed in section 473.121, subdivision 4, and outside the cities of Duluth, Mankato, Moorhead, Rochester, and St. Cloud, or an ambulance based in a community with a population of less than 1,000 persons.

(g) After an initial emergency ambulance call, each subsequent emergency ambulance response, until the initial ambulance is again available, and interfacility transfers, may be staffed by one registered first responder driver and an EMT or paramedic. This paragraph applies only to an ambulance service whose primary service area is located outside the metropolitan counties listed in section 473.121, subdivision 4, and outside the cities of Duluth, Mankato, Moorhead, Rochester, and St. Cloud, or an ambulance based in a community with a population of less than 1,000 persons."

Delete the title and insert:

"A bill for an act relating to health; modifying basic life support ambulance staffing requirements under certain circumstances; allowing a hardship waiver of advanced life support ambulance staffing requirements; modifying advanced life support ambulance staffing requirements under certain circumstances; amending Minnesota Statutes 2006, section 144E.101, subdivision 7; Minnesota Statutes 2007 Supplement, section 144E.101, subdivision 6."

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

Senator Wiger from the Committee on Education, to which was referred

S.F. No. 2796: A bill for an act relating to education; modifying teaching employment for early childhood education programs; amending Minnesota Statutes 2007 Supplement, section 124D.13, subdivision 11.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2007 Supplement, section 124D.13, subdivision 11, is amended to read:

Subd. 11. **Teachers.** A school board must employ necessary qualified licensed teachers licensed in early childhood or parent education for its early childhood family education programs. The Board of Teaching, at its discretion, may grant an applicant a variance under this subdivision, consistent with sections 122A.09, subdivision 10, and 122A.25, and Board of Teaching rules.

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

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

Senator Wiger from the Committee on Education, to which was referred

S.F. No. 2821: A bill for an act relating to libraries; providing for access to electronic library for Minnesota databases; proposing coding for new law in Minnesota Statutes, chapter 134.

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

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

S.F. No. 2667: A bill for an act relating to health; extending two-year moratorium on radiation therapy facility construction in certain counties; amending Minnesota Statutes 2007 Supplement, section 144.5509.

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

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

S.F. No. 2418: A bill for an act relating to health; allowing Emergency Medical Services Regulatory Board members to serve two consecutive terms; amending Minnesota Statutes 2006, section 144E.01, subdivision 1.

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

Page 2, lines 15 to 16, delete the new language and strike the old language

Page 2, line 17, strike "(d)" and insert "(c)"

Page 2, after line 19, insert:

"Sec. 2. Minnesota Statutes 2006, section 144E.101, subdivision 14, is amended to read:

Subd. 14. **Trauma triage and transport guidelines.** By July 1, ~~2009~~ 2010, a licensee shall have written age appropriate trauma triage and transport guidelines consistent with the criteria issued by the Trauma Advisory Council established under section 144.608 and approved by the board. The board may approve a licensee's requested deviations to the guidelines due to the availability of local or regional trauma resources if the changes are in the best interest of the patient's health.

Sec. 3. Laws 2005, First Special Session chapter 4, article 6, section 27, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective July 1, ~~2009~~ 2010."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "delaying certain trauma triage and transportation guidelines;"

Amend the title numbers accordingly

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

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

S.F. No. 2824: A bill for an act relating to transportation; providing an alternative compensation and settlement process for victims of the I-35W bridge collapse; changing the effective date of an increase in individual damage caps for state tort claims; appropriating money; amending Minnesota Statutes 2006, section 3.736, subdivision 4.

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

Page 4, line 28, before the period, insert "and in the order in which the documentation from the panel was received"

Page 4, lines 34 and 35, delete the semicolon and insert a comma

Page 5, line 24, before "are" insert "made under section 1"

Page 5, line 32, after the period, insert "The obligation of any person or entity other than the state to make payments to a victim is primary as compared to any payment made or to be made under section 1 or from the emergency relief fund. The persons and entities referenced in and covered by this subdivision and subdivision 4 include, without limitation:

(1) reparation obligors, as defined in Minnesota Statutes, section 65B.43, subdivision 9, whether they are insurers or self-insurers;

(2) health plan companies, as defined in Minnesota Statutes, section 62Q.01, subdivision 4, including the Minnesota Comprehensive Health Association created under Minnesota Statutes,

section 62E.10;

(3) insurance companies, as defined in Minnesota Statutes, section 60A.02, subdivision 4;

(4) self-insured pools of political subdivisions organized under Minnesota Statutes, section 471.617 or 471.981, including service cooperatives pools organized under Minnesota Statutes, section 123A.21;

(5) risk retention groups, as defined in Minnesota Statutes, section 60E.02, subdivision 12;

(6) joint self-insurance plans governed by Minnesota Statutes, chapter 60F;

(7) workers' compensation insurers and private self-insurers, as defined in Minnesota Statutes, section 79.01;

(8) the Minnesota Life and Health Insurance Guaranty Association governed by Minnesota Statutes, chapter 61B;

(9) the Minnesota Insurance Guaranty Association governed by Minnesota Statutes, chapter 60C;

(10) the Minnesota Joint Underwriting Association governed by Minnesota Statutes, chapter 62I;

(11) all insurers providing credit life, credit accident and health, and credit involuntary unemployment insurance under Minnesota Statutes, chapter 62B, but also including those coverages written in connection with real estate mortgage loans and those provided to borrowers at no additional cost;

(12) the Minnesota unemployment insurance program provided under Minnesota Statutes, chapter 268;

(13) coverage offered by the state under medical assistance, general assistance medical care, and MinnesotaCare; and

(14) any other plan providing health, life, disability income, or long-term care coverage."

Page 5, line 33, before "A" insert "(a)"

Page 6, after line 2, insert:

"(b) Following a settlement agreement under section 1, any person or entity claiming a subrogation interest against the amount to be paid by the state has 60 days in which to provide notice to the state and the victim of its intent to assert its interest, during which time the commissioner of finance must not make the payment. The subrogation claim is waived if the notice is not provided by the deadline. If no notice is received by the deadline, the commissioner of finance shall make the payment. If a notice of claim is received, the funds shall remain in escrow until resolution of the subrogation issue. Any payment to a victim against which a subrogation claim is successfully asserted shall immediately revert to the state, for further deliberation as to the manner in which to distribute the payment to the victim."

Page 6, line 24, delete everything after "until" and insert "June 30, 2010"

Page 6, line 25, delete "paid"

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

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

S.F. No. 2795: A bill for an act relating to real property; providing for conveyance of interests in real property by transfer on death deeds; clarifying acknowledgments made in a representative capacity; clarifying application of certain common law doctrine to registered land; eliminating obsolete language and making other technical and conforming changes; amending Minnesota Statutes 2006, sections 272.12; 287.22; 508.02; 508.48; 508.52; 508.671, subdivision 1; 508A.02, subdivision 1; 508A.48; 508A.52; 524.2-702; 557.02; Minnesota Statutes 2007 Supplement, section 507.24, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 507.

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

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

S.F. No. 2914: A bill for an act relating to data practices; providing for certain data practices relating to foreclosure; requiring a report; amending Minnesota Statutes 2006, section 58.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 580.

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

Page 2, line 34, delete ", and expire July 31, 2013"

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

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

S.F. No. 2910: A bill for an act relating to landlord and tenant; modifying expungement; amending Minnesota Statutes 2006, sections 484.014, by adding a subdivision..

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

Page 1, line 10, delete the colon

Page 1, line 11, delete "(a)" and delete "which" and insert "that"

Page 1, line 12, delete the semicolon and after "and" insert a colon

Page 1, delete line 13

Page 1, delete section 2

Amend the title as follows:

Page 1, line 2, delete "and withholding of" and insert "of eviction records"

Page 1, line 3, delete everything before the semicolon

Amend the title numbers accordingly

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

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

S.F. No. 2912: A bill for an act relating to mortgages; amending provisions relating to foreclosure; amending Minnesota Statutes 2006, sections 580.02; 580.041, subdivision 2; 580.06; 580.07; 580.12; 580.23, subdivision 1; 580.25; 580.28; 580.30; 581.10; 582.03; 582.031; 582.032, subdivision 2; Minnesota Statutes 2007 Supplement, sections 510.05; 550.19; 550.22; 550.24; 580.24; Laws 2004, chapter 263, section 26; proposing coding for new law in Minnesota Statutes, chapter 580.

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 507.092, subdivision 1, is amended to read:

Subdivision 1. **To get tax statements.** (a) No contract for deed or deed conveying fee title to real estate shall be recorded by the county recorder or registered by the registrar of titles until the name and address of the grantee, to whom future tax statements should be sent, is printed, typewritten, stamped or written on it in a legible manner. An instrument complies with this subdivision if it contains a statement in the following form: "Tax statements for the real property described in this instrument should be sent to:

..... (legal name of grantee) (residential or business address)."

(b) The name provided under paragraph (a) must be the legal name of the grantee and the address must be the residential or business address of the grantee.

EFFECTIVE DATE. This section applies to a contract for deed or deed conveying fee title to real estate executed on or after August 1, 2008.

Sec. 2. Minnesota Statutes 2007 Supplement, section 510.05, is amended to read:

510.05 LIMITATIONS.

The amount of the homestead exemption shall not be reduced by and shall not extend to any mortgage lawfully obtained thereon, to any valid lien for taxes or assessments, to a claim filed pursuant to section 246.53 or 256B.15, to any charge arising under the laws relating to laborers or material suppliers' liens or to any charge obtained under section 481.13 pursuant to a valid waiver of the homestead exemption.

Sec. 3. Minnesota Statutes 2007 Supplement, section 550.19, is amended to read:

550.19 SERVICE ON JUDGMENT DEBTOR.

If the sale is of personal property, at or before the time of posting notice of sale, the officer shall serve a copy of the execution and inventory, and of the notice, upon the judgment debtor, if the debtor is a resident of the county, in the manner required by law for the service of a summons in

a civil action. If the sale is of real property, a judgment creditor must, at least four weeks before the appointed time of sale, serve a copy of the notice of sale in like manner as a summons in a civil action in the district court upon the judgment debtor if the judgment debtor is a resident of the county and upon any person in possession of the homestead other than the judgment debtor. In addition, the notice of sale must also be served upon all persons who have recorded a request for notice in accordance with section 580.032.

Sec. 4. Minnesota Statutes 2007 Supplement, section 550.22, is amended to read:

550.22 CERTIFICATE OF SALE OF REALTY.

When a sale of real property is made upon execution, or pursuant to a judgment or order of a court, unless otherwise specified therein, the officer shall execute and deliver to the purchaser a certificate containing:

- (1) a description of the execution, judgment, or order;
- (2) a description of the property;
- (3) the date of the sale and the name of the purchaser;
- (4) the price paid for each parcel separately;
- (5) if subject to redemption, the time allowed by law therefor;
- (6) the interest rate in effect on the date of the sheriff's sale; and

~~(6)~~ (7) the amount of the debtor's homestead exemption, if any, as determined under section 550.175.

Such certificate shall be executed, acknowledged, and recorded in the manner provided by law for a conveyance of real property, shall be prima facie evidence of the facts stated, and, upon expiration of the time for redemption, shall operate as a conveyance to the purchaser of all the right, title, and interest of the person whose property is sold in and to the same, at the date of the lien upon which the same was sold. Any person desiring to perpetuate evidence that any real property sold under this section was not homestead real property may procure an affidavit by the person enforcing the judgment, or that person's attorney, or someone having knowledge of the facts, setting forth that the real property was not homestead real property. The affidavit shall be recorded by the county recorder or registrar of titles, and the affidavit and certified copies of the affidavit shall be prima facie evidence of the facts stated in the affidavit.

Sec. 5. Minnesota Statutes 2007 Supplement, section 550.24, is amended to read:

550.24 REDEMPTION OF REALTY.

(a) Upon the sale of real property, if the estate sold is less than a leasehold of two years' unexpired term, the sale is absolute. In all other cases the property sold, or any portion thereof which has been sold separately, is subject to redemption as provided in this section.

(b) The judgment debtor, the debtor's heirs, successors, legal representatives, or assigns may redeem within one year after the day of sale, or order confirming sale if the property is a homestead, by paying, to the purchaser or the officer making the sale, the amount for which the property was

sold with interest at the rate stated in the certificate of sale, on the amount of the sale in excess of the homestead exemption, at the judgment rate and if the purchaser is a creditor having a prior lien, the amount thereof, with interest, on the amount of the sale in excess of the homestead exemption, at the judgment rate together with any costs as provided in sections 582.03 and 582.031.

(c) If there is no redemption during the debtor's redemption period, creditors having a lien, legal or equitable, on the property or some part thereof, subsequent to that on which it was sold may redeem in the manner provided for redemption by creditors of the mortgagor in section 580.24, in the order of their respective liens.

(d) If the property is abandoned during the judgment debtor's redemption period, the person holding the sheriff's certificate may request that the court reduce the judgment debtor's redemption period to five weeks using the procedures provided for a foreclosure by action in section 582.032, subdivision 5.

Sec. 6. Minnesota Statutes 2006, section 580.02, is amended to read:

580.02 REQUISITES FOR FORECLOSURE.

To entitle any party to make such foreclosure, it is requisite:

(1) that some default in a condition of such mortgage has occurred, by which the power to sell has become operative;

(2) that no action or proceeding has been instituted at law to recover the debt then remaining secured by such mortgage, or any part thereof, or, if the action or proceeding has been instituted, that the same has been discontinued, or that an execution upon the judgment rendered therein has been returned unsatisfied, in whole or in part;

(3) that the mortgage has been recorded and, if it has been assigned, that all assignments thereof have been recorded; provided, that, if the mortgage is upon registered land, it shall be sufficient if the mortgage and all assignments thereof have been duly registered; and

(4) before the notice of pendency as required under section 580.032 is recorded, the party has complied with section 580.021.

Sec. 7. [580.021] FORECLOSURE PREVENTION COUNSELING.

Subdivision 1. **Applicability.** This section applies to foreclosure of mortgages under this chapter on property consisting of one to four family dwelling units, one of which the owner occupies as the owner's principal place of residency on the date of service of the notice of sale of the owner.

Subd. 2. **Requirement to provide notice of opportunity for counseling.** When the written notice required under section 47.20, subdivision 8, is provided and before the notice of pendency under section 580.032, subdivision 3, is filed, a party foreclosing on a mortgage must provide to the mortgagor information contained in a form prescribed in section 580.022, subdivision 1, that:

(1) foreclosure prevention counseling services provided by an authorized foreclosure prevention agency are available; and

(2) notice that the party will transmit the homeowner's name, address, and telephone number to an approved foreclosure prevention agency.

Nothing in this subdivision prohibits the notices required by this subdivision from being provided concurrently with the written notice required under section 47.20, subdivision 8.

For the purposes of this section, an "authorized foreclosure counseling agency" is a nonprofit agency approved by the Minnesota Housing Finance Agency or the United States Department of Housing and Urban Development to provide foreclosure prevention counseling services.

Subd. 3. **Notification to authorized counseling agency.** The party entitled to foreclose shall, within one week of sending the notice prescribed in section 580.022, provide to the appropriate authorized foreclosure prevention agency the mortgagor's name, address, and most recent known telephone number.

Subd. 4. **Notice of provision of counseling; request for contact information.** (a) An authorized foreclosure prevention agency that contacts or is contacted by a mortgagor or the mortgagor's authorized representative and agrees to provide foreclosure prevention assistance services to the mortgagor or representative must provide the form prescribed in section 580.022 to the mortgagee. The form serves as notice to the mortgagee that the mortgagor is receiving foreclosure prevention counseling assistance.

(b) The mortgagee must return the form to the authorized foreclosure prevention agency within 15 days of receipt of the form with the name and telephone number of the mortgagee's agent. The agent must be a person authorized by the mortgagee to:

(1) discuss with the authorized foreclosure prevention agency or the mortgagor the terms of the mortgage; and

(2) negotiate any resolution to the mortgagor's default.

(c) Nothing in this subdivision requires a mortgagee to reach a resolution relating to the mortgagor's default.

Sec. 8. [580.022] FORMS.

Subdivision 1. **Counseling form.** The notice required under section 580.021, subdivision 2, clause (2), must be printed on colored paper that is other than the color of any other document provided with it and must appear substantially as follows:

"PREFORECLOSURE NOTICE

Foreclosure Prevention Counseling

Why You Are Getting This Notice

We do not want you to lose your home and your equity. Government-approved nonprofit agencies are available to, if possible, help you prevent foreclosure.

We have given your contact information to an authorized foreclosure prevention counseling agency to contact you to help you prevent foreclosure.

Who Are These Foreclosure Prevention Counseling Agencies

They are nonprofit agencies who are experts in housing and foreclosure prevention counseling and assistance. They are experienced in dealing with lenders and homeowners who are behind on

mortgage payments and can help you understand your options and work with you to address your delinquency. They are approved by either the Minnesota Housing Finance Agency or the United States Department of Housing and Urban Development. They are not connected with us in any way.

Which Agency Will Contact You

[insert name, address, and telephone number of agency]

You can also contact them directly."

Subd. 2. **Notice of Counseling and Request for Contact Information form.** The notice required in section 580.021, subdivision 4, must be substantially in the following form:

"PREFORECLOSURE NOTICE

NOTICE OF PROVISION OF FORECLOSURE PREVENTION COUNSELING AND REQUEST FOR MORTGAGEE CONTACT INFORMATION

[Insert agency name] has been contacted by your customer regarding foreclosure prevention counseling in response to the current foreclosure proceedings involving the customer's real property. Please provide the following contact information pursuant to Minnesota Statutes, section 580.021, subdivision 4, by completing and returning this form via fax [insert fax number] or via e-mail at [insert e-mail address].

To be completed by Counseling Agency

Consumer Name: _____

CONSUMER CONTACT INFORMATION:

Address: _____

City, State, Zip Code: _____

Daytime Phone: _____

Nighttime Phone: _____

PROPERTY AT RISK FOR FORECLOSURE (if differs from above):

Address: _____

City, State, Zip Code: _____

COUNSELING AGENCY CONTACT:

Name: _____

Agency: _____

Phone: _____

Fax: _____

E-mail: _____

To be completed by Lender

Contact Name: _____
 Address: _____
 City, State, Zip Code: _____
 Phone: _____
 Fax: _____
 E-mail: _____ "

Sec. 9. Minnesota Statutes 2006, section 580.03, is amended to read:

580.03 NOTICE OF SALE; SERVICE ON OCCUPANT.

Commencing at least six weeks before the appointed time of sale, three weeks' published notice shall be given that such mortgage will be foreclosed by sale of the mortgaged premises or some part thereof, and at least four weeks before the appointed time of sale a copy of such notice shall be served in like manner as a summons in a civil action in the district court upon the person in possession of the mortgaged premises, if the same are actually occupied. If there be a building on such premises used by a church or religious corporation, for its usual meetings, service upon any officer or trustee of such corporation shall be a sufficient service upon it. The notice required by ~~section~~ sections 580.041 and 580.042 must be served simultaneously with the notice of foreclosure required by this section.

Sec. 10. Minnesota Statutes 2006, section 580.041, subdivision 2, is amended to read:

Subd. 2. **Content of notice.** The notice required by this section must appear substantially as follows:

"Help For Homeowners in Foreclosure

~~Minnesota law requires that we send you this notice about the foreclosure process. Please read it carefully.~~

The attorney preparing this foreclosure is: _____
 (Attorney name, address, phone)

It is being prepared for: _____

 (Lender name, loss mitigation phone number)

AS OF [insert date], this lender says that you owe \$[insert dollar amount] to bring your mortgage up to date. You must pay this amount to keep your house from going through a sheriff's sale. The sheriff's sale is scheduled for [insert date] at [insert time] at [insert place].

~~Mortgage foreclosure is a complex process. Some People may approach contact you about "saving" with advice and offers to help "save" your home. You should be careful about any such promises.~~

~~The state encourages you to become informed about your options in foreclosure before entering into any agreements with anyone in connection with the foreclosure of your~~

~~home. There are government agencies and nonprofit organizations that you may contact for helpful information about the foreclosure process. For the name and telephone number of an organization near you please call the Minnesota Housing Finance Agency (MHFA) at (insert telephone number). The state does not guarantee the advice of these agencies.~~

~~Do not delay dealing with the foreclosure because your options may become more limited as time passes."~~

Remember: It is important that you learn as much as you can about foreclosure and your situation. Find out about all your options before you make any agreements with anyone about the foreclosure of your home.

Getting Help

As soon as possible, you should contact your lender at the above number to talk about things you might be able to do to prevent foreclosure. You should also consider contacting the foreclosure prevention counselor in your area. A foreclosure prevention counselor can answer your questions, offer free advice, and help you create a plan which makes sense for your situation.

Contact the Minnesota Home Ownership Center at 651-659-9336 or 866-462-6466 or www.hocmn.org to get the phone number and location of the nearest counseling organization. Call today. The longer you wait, the fewer options you may have for a desirable result.

Information About the Foreclosure Process

You do not need to move at the time of the sheriff's sale. After the sheriff's sale you have the right to "redeem." Redeem means that you pay off the entire loan amount plus fees to keep your house. You can keep living in your home for a period of time. This is called a "redemption period." The redemption period is [insert number of months] months after the sheriff's sale. This redemption period is your chance to try and sell your home or refinance it with a different loan. You can also pay the redemption amount with any other funds you have available. At the end of the redemption period you will have to leave your home. If you do not, the person or company that bid on your home at the sheriff's sale has the right to file an eviction against you in district court."

Sec. 11. **[580.042] FORECLOSURE ADVICE NOTICE TO TENANT.**

Subdivision 1. **Applicability.** This section applies to foreclosure of mortgages under this chapter.

Subd. 2. **Form of delivery of notice.** The notice required by this section must be in 14-point boldface type and must be printed on colored paper that is other than the color of the notice of foreclosure and of the notice to be given under section 580.041, subdivision 1b, and that does not obscure or overshadow the content of the notice. The title of the notice must be in 20-point boldface type. The notice must be on its own page.

Subd. 3. **Content of notice.** The notice required by this section must appear substantially as follows.

"Foreclosure: Advice to Tenants

You are renting in a property that is in foreclosure. Minnesota law requires that we send you this

notice about the foreclosure process. Please read it carefully.

The mortgage foreclosure does not change the terms of your lease. You and your landlord must continue to follow the terms of your lease, including the rights and responsibilities of you and your landlord. You must keep paying rent unless you have a legal reason to withhold it. Your landlord must keep the property repaired. Utilities must be paid under the terms of your lease or under state law.

Moving out of the property early might be a violation of your lease. The date of the sheriff's foreclosure sale is in the attached foreclosure notice. In most cases you do not need to move from the property before the sheriff's foreclosure sale. Read your lease to see if it says anything about foreclosure and about the rights you may have if the property is in foreclosure. If you have a month-to-month lease, the foreclosure notice does not change the rules for ending your lease. You and your landlord must still give legal notice to end your lease.

In most cases, your landlord has six months after the date of the sheriff's foreclosure sale to pay off the mortgage. This is called the "redemption period." Read the attached foreclosure notice to determine the length of the redemption period. You cannot be asked to move during the redemption period except for lease violations or if your lease expires during the redemption period. If your landlord stops the foreclosure, you may not have to move from the property. If your landlord does not stop the foreclosure, there will be a new owner of the property at the end of the redemption period.

The new owner may have the legal right to ask you to move even if your lease is not over. But, the new owner must still give you a written notice stating that the new owner wants you to move.

Do not wait to get information about foreclosure. Mortgage foreclosure is a complicated process. It is important you learn about your rights as a renter when there is a mortgage foreclosure. You may have fewer options if you wait too long. There are government agencies and nonprofit organizations that you may contact for helpful information about the foreclosure process. For the name and telephone number of an organization near you, please call the legal aid office or bar association office in your county. You also can find information on tenant rights at HOME Line at (866) 866-3546 and Law Help Minnesota at <http://www.LawHelpMN.org>. The state of Minnesota does not guarantee the advice of these agencies and organizations."

Subd. 4. **Affidavit.** Any person may establish compliance with or inapplicability of this section by recording, with the county recorder or registrar of titles, an affidavit by a person having knowledge of the facts, stating that the notice required by this section has been delivered in compliance with this section. The affidavit and a certified copy of a recorded affidavit is prima facie evidence of the facts stated in the affidavit. The affidavit may be recorded regarding any foreclosure sale, including foreclosure sales that occurred prior to August 1, 2008, and may be recorded separately or as part of the record of a foreclosure.

Subd. 5. **Validation of foreclosure sales; remedy for violation.** (a) No mortgage foreclosure sale under this chapter is invalid because of failure to comply with this section.

(b) The remedy for a violation of this section is limited to actual damages caused by the violation, not to exceed \$1,000, and is available only to the tenant of the mortgaged premises who occupied the mortgaged premises during the redemption period of the mortgagor. Any legal action brought to enforce the provisions of this section must be commenced by the last day of the redemption period

of the mortgagor. A person is not liable in an action for a violation of this section if the person shows by a preponderance of the evidence that the violation was not intentional and resulted from a bona fide error and the person adopted and maintained reasonable procedures to avoid the error. A plaintiff does not have cause of action if the defendant has complied with section 580.03.

Sec. 12. Minnesota Statutes 2006, section 580.06, is amended to read:

580.06 SALE, HOW AND BY WHOM MADE.

The sale shall be made by the sheriff or the sheriff's deputy at public vendue to the highest bidder, in the county in which the premises to be sold, or some part thereof, are situated, between 9:00 a.m. and ~~the setting of the sun~~ 4:00 p.m.

Sec. 13. Minnesota Statutes 2006, section 580.07, is amended to read:

580.07 POSTPONEMENT.

The sale may be postponed, from time to time, by the party conducting the foreclosure, by inserting a notice of the postponement, as soon as practicable, in the newspaper in which the original advertisement was published, ~~and continuing the publication until the time to which the sale is postponed,~~ at the expense of the party requesting the postponement.

Sec. 14. Minnesota Statutes 2006, section 580.12, is amended to read:

580.12 CERTIFICATE OF SALE; RECORD; EFFECT.

When any sale of real property is made under a power of sale contained in any mortgage, the officer shall make and deliver to the purchaser a certificate, executed in the same manner as a conveyance, containing:

- (1) a description of the mortgage;
- (2) a description of the property sold;
- (3) the price paid for each parcel sold;
- (4) the time and place of the sale, and the name of the purchaser;
- (5) the interest rate in effect on the date of the sheriff's sale; and

~~(5)~~ (6) the time allowed by law for redemption, provided that if the redemption period stated in the certificate is five weeks and a longer redemption period was stated in the published notice of foreclosure sale, a certified copy of the court order entered under section 582.032, authorizing reduction of the redemption period to five weeks, must be attached to the certificate.

A certificate which states a five-week redemption period must be recorded within ten days after the sale; any other certificate must be recorded within 20 days after the sale. When so recorded, upon expiration of the time for redemption, the certificate shall operate as a conveyance to the purchaser or the purchaser's assignee of all the right, title, and interest of the mortgagor in and to the premises named therein at the date of such mortgage, without any other conveyance. A certificate must not contain a time allowed for redemption that is less than the time specified by section 580.23, 582.032, or 582.32, whichever applies.

Sec. 15. Minnesota Statutes 2006, section 580.23, subdivision 1, is amended to read:

Subdivision 1. **Six-month redemption period.** When lands have been sold in conformity with the preceding sections of this chapter, the mortgagor, the mortgagor's personal representatives or assigns, within six months after such sale, except as otherwise provided in subdivision 2 or section 582.032 or 582.32, may redeem such lands, as hereinafter provided, by paying the sum of money for which the same were sold, with interest from the time of sale at the rate provided to be paid on the mortgage debt as stated in the certificate of sale and, if no rate be provided in the mortgage note certificate of sale, at the rate of six percent per annum, together with any further sums which may be payable as provided in sections 582.03 and 582.031. Delivery of funds and documents for redemption must be made at the normal place of business of the recipient, on days other than Sunday, Saturday, and legal holidays, between the hours of 9:00 a.m. and 4:00 p.m. Regardless of the length of the redemption period, the sheriff may accept a specific sum less than the full amount due for redemption by the mortgagor upon receipt by the sheriff, prior to expiration of the redemption period, of written confirmation from the holder of the sheriff's certificate or the attorney for the holder of the sheriff's certificate that the holder of the sheriff's certificate has agreed to accept a specific sum less than the full amount due for redemption.

Sec. 16. Minnesota Statutes 2007 Supplement, section 580.24, is amended to read:

580.24 REDEMPTION BY CREDITOR.

(a) If no redemption is made by the mortgagor, the mortgagor's personal representatives or assigns, the most senior creditor having a legal or equitable lien upon the mortgaged premises, or some part of it, subsequent to the foreclosed mortgage, may redeem within seven days after the expiration of the redemption period determined under section 580.23 or 582.032, whichever is applicable; and each subsequent creditor having a lien may redeem, in the order of priority of their respective liens, within seven days after the time allowed the prior lienholder by paying the amount required under this section. However, no creditor is entitled to redeem unless, within one week or more prior to the expiration of the period allowed for redemption by the mortgagor, the creditor:

(1) records with each county recorder and registrar of titles where the foreclosed mortgage is recorded a notice of the creditor's intention to redeem;

(2) records in each office with each county recorder and registrar of titles where the notice of the creditor's intention to redeem is recorded all documents necessary to create the lien on the mortgaged premises and to evidence the creditor's ownership of the lien, including a copy of any money judgment necessary to create the lien; and

(3) after complying with clauses (1) and (2), delivers to the sheriff who conducted the foreclosure sale or the sheriff's successor in office a copy of each of the documents required to be recorded under clauses (1) and (2), with the office, date and time of filing for record stated on the first page of each document.

The sheriff shall maintain for public inspection all documents delivered to the sheriff and shall note the date of delivery on each document. The sheriff may charge a fee of \$100 for the documents delivered to the sheriff relating to each lien. The sheriff shall maintain copies of documents delivered to the sheriff for a period of six months after the end of the mortgagor's redemption period.

(b) Saturdays, Sundays, legal holidays, and the first day following the expiration of the prior

redemption period must be included in computing the seven-day redemption period. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that day must be omitted from the computation. The order of redemption by judgment creditors subsequent to the foreclosed mortgage shall be determined by the order in which their judgments were entered as memorials on the certificate of title for the foreclosed premises or docketed in the office of the district court administrator if the property is not registered under chapter 508 or 508A, regardless of the homestead status of the property. All mechanic's lienholders who have coordinate liens shall have one combined seven-day period to redeem.

(c) The amount required to redeem from the holder of the sheriff's certificate of sale is the amount required under section 580.23. The amount required to redeem from a person holding a certificate of redemption is:

- (1) the amount paid to redeem as shown on the certificate of redemption; plus
- (2) interest on that amount to the date of redemption; plus
- (3) the amount claimed due on the person's lien, as shown on the affidavit under section 580.25, clause (3).

The amount required to redeem may be paid to the holder of the sheriff's certificate of sale or the certificate of redemption, as the case may be, or to the sheriff for the holder.

Sec. 17. Minnesota Statutes 2006, section 580.25, is amended to read:

580.25 REDEMPTION, HOW MADE.

Redemption shall be made as provided in this section.

The person desiring to redeem shall pay the amount required by law for the redemption, and shall produce to the person or officer receiving the redemption payment:

(1) a copy of the docket of the judgment, or of the recorded deed or mortgage, or of the record or files evidencing any other lien under which the person claims a right to redeem, ~~certified by the officer with custody of the docket, record, or files, or the original deed or mortgage with the certificate of record endorsed on it;~~

(2) a copy of any recorded assignment necessary to evidence the person's ownership of the lien, ~~certified by the officer with custody of the assignment, or the original of each instrument of assignment with the certificate of record endorsed on it.~~ If the redemption is under an assignment of a judgment, the assignment shall be filed in the court entering the judgment, as provided by law, and the person so redeeming shall produce a certified copy of it and of the record of its filing, and the copy of the docket shall show that the proper entry was made upon the docket. No further evidence of the assignment of the judgment is required unless the mortgaged premises or part of it is registered property, in which case the judgment and all assignments of the judgment must be entered as a memorial upon the certificate of title to the mortgaged premises and the original a copy of the judgment and each assignment with the certificate of record endorsed on it, ~~or a copy certified by the registrar of titles,~~ must be produced; and

(3) an affidavit of the person or the person's agent, showing the amount then actually claimed due on the person's lien and required to be paid on the lien in order to redeem from the person.

Additional fees and charges may be claimed due only as provided in section 582.03.

If redemption is made to the sheriff, the sheriff may charge a fee of \$250 for issuing the certificate of redemption and any related service. No other fee may be charged by the sheriff for a redemption.

Within 24 hours after a redemption is made, the person redeeming shall cause the documents so required to be produced to be ~~filed~~ recorded with the county recorder, or registrar of titles, who may receive fees as prescribed in section 357.18 or 508.82. If the redemption is made at any place other than the county seat, it is sufficient forthwith to deposit the documents in the nearest post office, addressed to the recorder or registrar of titles, with the postage prepaid. A person recording documents produced for redemption shall, on the same day, deliver copies of the documents to the sheriff for public inspection. The sheriff may receive a fee of \$20 for the documents delivered following a redemption. The sheriff shall note the date of delivery on the documents and shall maintain for public inspection all documents delivered to the sheriff for a period of six months after the end of the mortgagor's redemption period.

Sec. 18. Minnesota Statutes 2006, section 580.28, is amended to read:

580.28 ACTION TO SET ASIDE MORTGAGE; FORECLOSURE; REDEMPTION.

When an action is brought wherein it is claimed that any mortgage as to the plaintiff or person for whose benefit the action is brought is fraudulent or void, or has been paid or discharged, in whole or in part, or the relative priority or the validity of liens is disputed, if such mortgage has been foreclosed by advertisement, and the time for redemption from the foreclosure sale will expire before final judgment in such action, the plaintiff or beneficiary having the right to redeem, for the purpose of saving such right in case the action fails, may deposit with the sheriff before the time of redemption expires the amount for which the mortgaged premises were sold, with interest thereon to the time of deposit, together with a bond to the holder of the sheriff's certificate of sale, in an amount and with sureties to be approved by the sheriff, conditioned to pay all interest that may accrue or be allowed on such deposit if the action fail. The person shall, in writing, notify such sheriff that the person claims the mortgage to be fraudulent or void, or to have been paid or discharged, in whole or in part, as the case may be, and that such action is pending, and direct the sheriff to retain such money and bond until final judgment. In case such action fails, such deposit shall operate as a redemption of the premises from such foreclosure sale, and entitle the plaintiff to a certificate thereof. Such foreclosure, deposit, bond, and notice shall be brought to the attention of the court by supplemental complaint in the action, and the judgment shall determine the validity of the foreclosure sale, and the rights of the parties to the moneys and bond so deposited, which shall be paid and delivered by the sheriff as directed by such judgment upon delivery to the sheriff of a certified copy thereof. The remedy herein provided shall be in addition to other remedies now existing.

Sec. 19. Minnesota Statutes 2006, section 580.30, is amended to read:

580.30 MORTGAGES, WHEN REINSTATED.

Subdivision 1. **Reinstatement.** In any proceedings for the foreclosure of a real estate mortgage, whether by action or by advertisement, if at any time before the sale of the premises under such foreclosure the mortgagor, the owner, or any holder of any subsequent encumbrance or lien, or any one for them, shall pay or cause to be paid to the holder of the mortgage so being foreclosed, or to the attorney foreclosing the same, or to the sheriff of the county, the amount actually due thereon and constituting the default actually existing in the conditions of the mortgage at the time of the

commencement of the foreclosure proceedings, including insurance, delinquent taxes, if any, upon the premises, interest to date of payment, cost of publication and services of process or notices, attorney's fees not exceeding \$150 or one-half of the attorney's fees authorized by section 582.01, whichever is greater, together with other lawful disbursements necessarily incurred in connection with the proceedings by the party foreclosing, then, and in that event, the mortgage shall be fully reinstated and further proceedings in such foreclosure shall be thereupon abandoned.

Subd. 2. **Request by sheriff.** Upon written request by the sheriff, the holder of the mortgage or the holder's legal representative shall provide to the sheriff within seven days of the date of the request by the sheriff to the foreclosing attorney: (1) the current payoff amount, showing outstanding principal, interest, and a daily interest accrual amount, (2) an itemized schedule of the current amounts necessary to reinstate the mortgage, and (3) the identity of the person or entity with authority to act on behalf of the holder of the mortgage or the holder's legal representative. If the holder of the mortgage or the holder's legal representative fails to respond to the sheriff's request within seven days of the date of the request, the sheriff shall postpone the sheriff's sale and the sheriff shall announce at the sheriff's sale the postponement of the sale. The postponement does not need to be published. If the request by the sheriff is made seven days or less before the sheriff's sale, the holder of the mortgage or the holder's representative shall make a good faith effort to respond to the sheriff before the sheriff's sale, but the sheriff may conduct the sheriff's sale without a response from the holder of the mortgage or the holder's legal representative.

Sec. 20. Minnesota Statutes 2006, section 581.10, is amended to read:

581.10 REDEMPTION BY MORTGAGOR, CREDITOR.

The mortgagor, or those claiming under the mortgagor, within the time specified in section 580.23 or 582.032, whichever applies, after the date of the order of confirmation, may redeem the premises sold, or any separate portion thereof, by paying the amount bid therefor, with interest thereon from the time of sale ~~at the rate provided to be paid on the mortgage debt, not to exceed eight percent per annum, and, if no rate to be provided in the mortgage, at the rate of six percent stated in the certificate of sale or, if no rate is provided in the certificate of sale, at the rate of six percent per annum,~~ together with any further sum which may be payable pursuant to section 582.03 and 582.031. Creditors having a lien may redeem in the order and manner specified in section 580.24.

Sec. 21. Minnesota Statutes 2006, section 582.03, is amended to read:

582.03 PURCHASER MAY PAY TAXES AND OTHER EXPENSES DUE.

Subdivision 1. **Allowable costs collectable upon redemption.** The purchaser ~~at any holder of any sheriff's certificate of sale, upon from a foreclosure by advertisement or action of a mortgage or lien or execution or at any judicial sale,~~ or the holder of any certificate of redemption as a junior creditor during the period of redemption, may pay and claim the following on redemption: any taxes or assessments on which any penalty would otherwise accrue, and ~~may pay the premium upon any policy of insurance procured in renewal of any expiring policy upon~~ any costs of a hazard insurance policy for the holder's interest in the mortgaged premises incurred for the period of holding the sheriff's certificate, any costs incurred when an order to reduce a mortgagor's redemption period under section 582.032 is entered, any fees paid to the county recorder, registrar of titles, or sheriff to obtain or record the certificates of sale or redemption or notices of intention to redeem, any reasonable fees paid to licensed real estate brokers for broker price opinions or to licensed appraisers for appraisals, any deed tax paid to file a certificate of redemption, reasonable attorney fees incurred

after the foreclosure sale not to exceed one-half of the amount authorized by section 582.01, may pay any costs incurred under section 582.031, and may, in case any interest or installment of principal upon any prior or superior mortgage, lien, or contract for deed is in default or shall become that becomes due during the period of redemption, pay the same, and, In all such cases, the sum costs so paid and claimed due, with interest, shall be a part of the sum required to be paid to redeem from such sale. No other costs, fees, interest, or other amount may be added to the amount necessary to redeem.

Subd. 2. **Affidavit of allowable costs.** Such Any payments made and claimed due under subdivision 1 shall be proved by the affidavit of the purchaser or the purchaser's holder of the sheriff's certificate or its agent or attorney, stating the items itemizing each of the allowable costs and describing the premises, which must be filed for record with the county recorder or registrar of titles, and a copy thereof shall be furnished to the sheriff at least ten days before the expiration of the period of redemption. The affidavit must be filed with the sheriff of the county in which the sale was held at any time prior to expiration of the mortgagor's redemption period. Upon written request by the sheriff, the holder of the sheriff's certificate or certificate of redemption shall provide an affidavit of allowable costs to the sheriff within seven days of the date of the request by the sheriff. If the mortgagor does not redeem within seven days after the affidavit is filed, the holder of the sheriff's certificate may file a supplemental affidavit if additional allowable costs are incurred during the redemption period. If the holder of the sheriff's certificate or certificate of redemption fails to respond to the sheriff's request within seven days, the sheriff may calculate a redemption amount pursuant to section 580.23, subdivision 1, and issue a certificate of redemption for that amount. If the time allowed to redeem is less than seven days from the expiration of the redemption period, the sheriff shall make a reasonable effort to request the affidavit of allowable costs in writing from the holder of the sheriff's certificate, its agent, or attorney before issuing a certificate of redemption. If the affidavit of allowable costs is not provided more than one business day before the expiration of the redemption period, at any time one business day or less before the expiration of the redemption period, the sheriff may calculate a redemption amount pursuant to section 580.23, subdivision 1, and issue a certificate of redemption for that amount. The amount calculated by the sheriff, absent malfeasance by the sheriff, binds the holder of the sheriff's certificate even if the amount calculated by the sheriff is less than the actual amount due.

Subd. 3. **Penalty for excessive costs.** At any time within one year after the expiration of the mortgagor's redemption period, the redeeming party, heirs, or assigns may recover from the holder of the sheriff's certificate three times the amount of any sums declared as costs or disbursements on the affidavit of allowable costs but not actually paid by the holder, or three times the amount of any sums determined to exceed a reasonable cost for the declared item where the excess has been retained by the lender, unless the disputed amounts are paid to the redeeming party, heirs, or assigns prior to entry of judgment.

Sec. 22. Minnesota Statutes 2006, section 582.031, is amended to read:

582.031 LIMITED RIGHT OF ENTRY.

Subdivision 1. **Right of entry.** If premises described in a mortgage or sheriff's certificate are vacant or unoccupied, the holder of the mortgage or sheriff's certificate or the holder's agents and contractors may, but is under no obligation to, enter upon the premises to protect the premises from waste, until the holder of the mortgage or sheriff's certificate receives notice that the premises are occupied. The holder of the mortgage or sheriff's certificate does not become a mortgagee in

possession by taking actions authorized under this section. An affidavit of the sheriff, the holder of the mortgage or sheriff's certificate, or a person acting on behalf of the holder, describing the premises and stating that the same are vacant or unoccupied, is prima facie evidence of the facts stated in the affidavit and is entitled to be recorded in the office of the county recorder or the registrar of titles in the county where the premises are located, if it contains a legal description of the premises.

Subd. 2. **Authorized actions.** The holder of the mortgage or sheriff's certificate may take the following actions to protect the premises from waste: or from falling below minimum community standards for public safety and sanitation: make reasonable periodic inspections, install or change locks on doors and windows, board windows, install an alarm system, provide a resident caretaker, and otherwise prevent or minimize damage to the premises from the elements, vandalism, trespass, or other illegal activities. If the holder of the mortgage or sheriff's certificate installs or changes locks under this section, a key to the premises must be promptly delivered to the mortgagor or any person lawfully claiming through the mortgagor, upon request.

Subd. 3. **Costs.** All costs incurred by the holder of the mortgage to protect the premises from waste or from falling below minimum community standards for public safety and sanitation may be added to the principal balance of the mortgage. The costs may bear interest to the extent provided in the mortgage and may be added to the redemption price if the costs are incurred after a foreclosure sale. If the costs are incurred after a foreclosure sale, the purchaser at the foreclosure sale holder of any sheriff's certificate of sale or certificate of redemption must comply with the provisions of section 582.03. The provisions of this section are in addition to, and do not limit or replace, any other rights or remedies available to holders of mortgages and sheriff's certificates, at law or under the applicable mortgage agreements.

Sec. 23. Laws 2004, chapter 263, section 26, is amended to read:

Sec. 26. **EFFECTIVE DATE; EXPIRATION.**

Sections 1 to 18, 22, 23, and 25 are effective August 1, 2004, ~~and expire December 31, 2009.~~
Sections 19, 20, 21, and 24 are effective July 1, 2004."

Amend the title numbers accordingly

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

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

S.F. No. 2915: A bill for an act relating to judicial process; modifying certain civil and criminal penalties; amending Minnesota Statutes 2006, section 363A.29, subdivision 4; Minnesota Statutes 2007 Supplement, section 609.822, subdivision 3.

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

Page 2, lines 1 and 2, reinstate the stricken language

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

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

S.F. No. 2908: A bill for an act relating to landlord and tenant; providing for certain notices relating to foreclosure; amending Minnesota Statutes 2006, sections 504B.151; 504B.178, subdivision 8; 504B.285, subdivision 1.

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

Page 2, line 14, delete "Attornment" and insert "Transfer of tenancy by operation of law"

Page 2, line 15, delete "attorn to" and insert "become the tenant of"

Page 2, line 19, delete "attorns" and insert "becomes the tenant of holder"

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

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

S.F. No. 2917: A bill for an act relating to manufactured housing; providing for regulation of lending practices and default; providing notices and remedies; amending Minnesota Statutes 2006, sections 327.64; 327.65; 327.66; 327B.01, by adding subdivisions; 327B.08, by adding a subdivision; 327B.09, by adding a subdivision; 327B.12; proposing coding for new law in Minnesota Statutes, chapter 325B.

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

Page 2, after line 7, insert:

"Subd. 3. **Exemption.** This section does not apply to a residential mortgage loan originated by a federal or state chartered bank, savings bank, or credit union."

Page 4, delete section 6

Page 5, line 3, delete "4b" and insert "4a"

Page 5, delete section 9

Page 8, delete lines 17 and 18

Page 8, line 19, delete "(2)" and insert "(1)"

Page 8, line 21, delete "(3)" and insert "(2)"

Page 8, line 24, delete "(4)" and insert "(3)"

Page 8, line 28, delete "(5)" and insert "(4)"

Page 8, line 29, delete "(6)" and insert "(5)"

Page 8, line 31, delete "(7)" and insert "(6)"

Page 8, line 34, delete "(8)" and insert "(7)"

Page 9, line 1, delete "(9)" and insert "(8)"

Page 9, line 6, delete "(10)" and insert "(9)"

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

Page 9, line 13, delete "(12)" and insert "(11)"

Page 9, line 18, delete "(13)" and insert "(12)"

Page 9, line 22, delete "(14)" and insert "(13)"

Page 9, delete lines 25 and 26

Page 9, line 27, delete "(16)" and insert "(14)"

Page 9, line 30, delete "(17)" and insert "(15)"

Page 9, line 34, delete "(18)" and insert "(16)"

Page 10, line 3, delete "(19)" and insert "(17)"

Page 10, line 7, delete "(20)" and insert "(18)"

Page 10, line 24, delete "(21)" and insert "(19)"

Page 10, line 25, delete "(22)" and insert "(20)"

Page 11, after line 18, insert:

"Subd. 4. **Exemption.** This section does not apply to a residential mortgage loan originated by a federal or state chartered bank, savings bank, or credit union."

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 2909: A bill for an act relating to landlord and tenant; modifying right of tenant to pay utility bills; amending Minnesota Statutes 2006, section 504B.215, subdivision 3.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2511, 2379, 624, 2575, 2377, 2796, 2667, 2418, 2910, 2915, 2908 and 2909 were read the second time.

MOTIONS AND RESOLUTIONS

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

Senator Saltzman moved that the name of Senator Scheid be added as a co-author to S.F. No. 1606. The motion prevailed.

Senator Latz moved that the name of Senator Moua be added as a co-author to S.F. No. 1708. The motion prevailed.

Senator Torres Ray moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Erickson Ropes be shown as chief author to S.F. No. 1780. The motion prevailed.

Senator Olson, G. moved that the name of Senator Wiger be added as a co-author to S.F. No. 2313. The motion prevailed.

Senator Rest moved that the name of Senator Olson, G. be added as a co-author to S.F. No. 2517. The motion prevailed.

Senator Larson moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Rest be shown as chief author to S.F. No. 2574. The motion prevailed.

Senator Day moved that the name of Senator Dahle be added as a co-author to S.F. No. 2622. The motion prevailed.

Senator Skogen moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 2704. The motion prevailed.

Senator Cohen moved that the name of Senator Rest be added as a co-author to S.F. No. 2766. The motion prevailed.

Senator Moua moved that the name of Senator Foley be added as a co-author to S.F. No. 2828. The motion prevailed.

Senator Marty moved that the name of Senator Jungbauer be added as a co-author to S.F. No. 2917. The motion prevailed.

Senator Larson moved that the name of Senator Rest be added as a co-author to S.F. No. 2948. The motion prevailed.

Senator Rummel moved that the name of Senator Wiger be added as a co-author to S.F. No. 2972. The motion prevailed.

Senator Rummel moved that the names of Senators Rest and Wiger be added as co-authors to S.F. No. 2973. The motion prevailed.

Senator Stumpf moved that the name of Senator Scheid be added as a co-author to S.F. No. 2979. The motion prevailed.

Senator Dahle moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 2980. The motion prevailed.

Senator Larson moved that the name of Senator Rest be added as a co-author to S.F. No. 2982. The motion prevailed.

Senator Ortman moved that the name of Senator Rest be added as a co-author to S.F. No. 2984.

The motion prevailed.

Senator Anderson moved that the name of Senator Sheran be added as a co-author to S.F. No. 2999. The motion prevailed.

Senator Wiger moved that the name of Senators Hann, Rummel, Erickson Ropes and Saltzman be added as co-authors to S.F. No. 3001. The motion prevailed.

Senator Rummel moved that S.F. No. 2391 be withdrawn from the Committee on Agriculture and Veterans and returned to its author. The motion prevailed.

Senator Rummel moved that S.F. No. 2419 be withdrawn from the Committee on Agriculture and Veterans and returned to its author. The motion prevailed.

Senator Saxhaug moved that S.F. No. 2806 be withdrawn from the Committee on State and Local Government Operations and Oversight and re-referred to the Committee on Business, Industry and Jobs. The motion prevailed.

Senator Wergin moved that S.F. No. 2887 be withdrawn from the Committee on Finance and re-referred to the Committee on Capital Investment. The motion prevailed.

Senator Larson introduced –

Senate Resolution No. 145: A Senate resolution honoring the city of Richfield, Minnesota, on the occasion of its centennial celebration.

Referred to the Committee on Rules and Administration.

Senator Erickson Ropes introduced –

Senate Resolution No. 146: A Senate resolution honoring the 25th anniversary of Women in Business.

Referred to the Committee on Rules and Administration.

Senator Stumpf introduced –

Senate Resolution No. 147: A Senate resolution congratulating Christopher Barnes of East Grand Forks, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Betzold moved that S.F. No. 624, on General Orders, be stricken and re-referred to the Committee on Finance. 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.

Senators Robling, Higgins and Frederickson introduced—

S.F. No. 3003: A bill for an act relating to agriculture; requiring wholesalers of lawn fertilizer containing phosphorous to provide retail signage; amending Minnesota Statutes 2006, section 18C.60, by adding a subdivision; repealing Minnesota Statutes 2006, section 18C.60, subdivision 4.

Referred to the Committee on Agriculture and Veterans.

Senator Dille introduced—

S.F. No. 3004: A bill for an act relating to capital improvements; appropriating money for roadway improvements in the city of Glencoe; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Prettner Solon, Berglin, Marty, Higgins and Sheran introduced—

S.F. No. 3005: A bill for an act relating to public health; requiring information on meningococcal disease and human papillomavirus disease to be provided through the schools; amending Minnesota Statutes 2006, section 121A.15, by adding a subdivision.

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

Senators Torres Ray and Vickerman introduced—

S.F. No. 3006: A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the Capitol grounds to honor Mexican-American veterans of the United States armed forces.

Referred to the Committee on Agriculture and Veterans.

Senator Erickson Ropes introduced—

S.F. No. 3007: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for a grant to Whalan.

Referred to the Committee on Finance.

Senator Erickson Ropes introduced—

S.F. No. 3008: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for a grant to the city of Fountain.

Referred to the Committee on Finance.

Senators Sheran and Lynch introduced—

S.F. No. 3009: A bill for an act relating to the city of Mankato; authorizing extension of sales and

use tax and modification of use of revenues; authorizing imposition of other local taxes; amending Laws 1991, chapter 291, article 8, section 27, subdivisions 3, as amended, 4, as amended; repealing Laws 2005, First Special Session chapter 3, article 5, section 24.

Referred to the Committee on Taxes.

Senator Erickson Ropes introduced—

S.F. No. 3010: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for the Minnesota Historical Society grants for local historic preservation projects.

Referred to the Committee on Finance.

Senator Erickson Ropes introduced—

S.F. No. 3011: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for a grant to the city of La Crescent.

Referred to the Committee on Finance.

Senator Erickson Ropes introduced—

S.F. No. 3012: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for a grant to Brownsville.

Referred to the Committee on Finance.

Senator Erickson Ropes introduced—

S.F. No. 3013: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for a grant to the city of Peterson.

Referred to the Committee on Finance.

Senator Sheran introduced—

S.F. No. 3014: A bill for an act relating to game and fish; modifying ammunition restrictions; amending Minnesota Statutes 2006, section 97B.041.

Referred to the Committee on Environment and Natural Resources.

Senator Sheran introduced—

S.F. No. 3015: A bill for an act relating to natural resources; permitting electronic licensing system agents to charge a higher fee to credit card users and requiring that individuals be notified

of the higher fee; amending Minnesota Statutes 2006, section 84.027, subdivision 15.

Referred to the Committee on Environment and Natural Resources.

Senators Wergin and Vickerman introduced—

S.F. No. 3016: A bill for an act relating to capital improvements; appropriating money for an ice arena in Big Lake; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Sparks, Clark, Fischbach, Michel and Kubly introduced—

S.F. No. 3017: A bill for an act relating to capital improvements; appropriating money for native prairie conservation and scientific and natural areas acquisition; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Pogemiller introduced—

S.F. No. 3018: A bill for an act relating to capital improvements; appropriating money for an All Wars Memorial at Sheridan Memorial Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Dahle introduced—

S.F. No. 3019: A bill for an act relating to human services; increasing payment rates for a nursing facility in Le Sueur County to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Referred to the Committee on Finance.

Senators Latz, Pappas and Koering introduced—

S.F. No. 3020: A bill for an act relating to higher education; authorizing a law school loan repayment program for public defenders; appropriating money; amending Minnesota Statutes 2006, section 611.215, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 611.

Referred to the Committee on Higher Education.

Senator Latz introduced—

S.F. No. 3021: A bill for an act relating to claims against the state; providing for settlement of various claims; appropriating money.

Referred to the Committee on Finance.

Senators Wergin, Koch, Dille and Dahle introduced—

S.F. No. 3022: A bill for an act relating to human services; increasing payment rates for nursing facilities in specified counties to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Referred to the Committee on Finance.

Senators Latz, Hann, Bonoff, Michel and Saltzman introduced—

S.F. No. 3023: A bill for an act relating to education finance; creating a location equity index; modifying the general education revenue formula; increasing revenue for some school districts; amending Minnesota Statutes 2006, sections 126C.01, by adding a subdivision; 126C.10, subdivision 1, by adding a subdivision.

Referred to the Committee on Finance.

Senators Hann, Bonoff and Michel introduced—

S.F. No. 3024: A bill for an act relating to education finance; eliminating the referendum allowance limit; repealing Minnesota Statutes 2006, section 126C.17, subdivisions 2, 3.

Referred to the Committee on Finance.

Senators Latz, Hann, Bonoff, Michel and Olson, G. introduced—

S.F. No. 3025: A bill for an act relating to education; removing the inflationary adjustment limitation; amending Minnesota Statutes 2006, section 126C.17, subdivision 2.

Referred to the Committee on Finance.

Senators Saltzman, Hann, Bonoff, Latz and Lynch introduced—

S.F. No. 3026: A bill for an act relating to education finance; removing the limit on lease levy funding; amending Minnesota Statutes 2006, section 126C.40, subdivision 1.

Referred to the Committee on Finance.

Senators Moua, Murphy, Carlson, Saltzman and Lourey introduced—

S.F. No. 3027: A bill for an act relating to bridges; requiring commissioner of transportation to post signs on certain trunk highway bridges; proposing coding for new law in Minnesota Statutes, chapter 165.

Referred to the Committee on Transportation.

Senators Dibble, Betzold and Sieben introduced—

S.F. No. 3028: A bill for an act relating to pet animals; requiring a notice for retail sales of cocoa bean shell mulch; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Consumer Protection.

Senators Dahle, Saltzman, Wiger and Michel introduced—

S.F. No. 3029: A bill for an act relating to education; establishing a five-year pilot program allowing alternative learning centers and charter schools to identify systemic improvement measures to best serve eligible students; appropriating money.

Referred to the Committee on Education.

Senators Marty and Sheran introduced—

S.F. No. 3030: A bill for an act relating to human services; creating a working group to study access to emergency mental health services.

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

Senators Lynch, Erickson Ropes, Sparks, Senjem and Murphy introduced—

S.F. No. 3031: A bill for an act relating to human services; revising requirements for county-based purchasing for state health care programs; amending Minnesota Statutes 2007 Supplement, section 256B.69, subdivision 4; Laws 2005, First Special Session chapter 4, article 8, section 84, as amended.

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

Senators Dille and Vickerman introduced—

S.F. No. 3032: A bill for an act relating to counties; increasing authorized amount of county payment for Memorial Day expenses; amending Minnesota Statutes 2006, section 375.35.

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

Senators Wergin, Koering and Saxhaug introduced—

S.F. No. 3033: A bill for an act relating to capital improvements; appropriating money for a new dam for the Platte River Watershed in Morrison County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Anderson introduced—

S.F. No. 3034: A bill for an act relating to state government; creating a new Department of Energy; transferring existing duties from the Department of Commerce; amending Minnesota Statutes 2006, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; 116C.779; 123B.65, subdivisions 1, 5; 216A.085; 216A.095; 216B.241, subdivision 1; 216C.01, subdivisions 2, 3; proposing coding for new law as Minnesota Statutes, chapter 216H.

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

Senators Moua, Higgins and Betzold introduced–

S.F. No. 3035: A bill for an act relating to crime; prohibiting use of arrest records for private employment purposes; providing immunity from negligent hiring as it relates to use of criminal records; proposing coding for new law in Minnesota Statutes, chapter 364.

Referred to the Committee on Judiciary.

Senator Moua introduced–

S.F. No. 3036: A bill for an act relating to public safety; correcting name of federal government entity to United States Immigration and Customs Enforcement; amending Minnesota Statutes 2007 Supplement, section 629.30, subdivision 2.

Referred to the Committee on Judiciary.

Senator Moua introduced–

S.F. No. 3037: A bill for an act relating to public safety; modifying theft penalties; amending Minnesota Statutes 2007 Supplement, section 609.52, subdivision 3.

Referred to the Committee on Judiciary.

Senators Prettner Solon and Lourey introduced–

S.F. No. 3038: A bill for an act relating to health; requiring the commissioner to provide information on human papillomavirus immunization; amending Minnesota Statutes 2006, section 121A.23, subdivision 1.

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

Senators Carlson, Metzen, Jungbauer, Doll and Sieben introduced–

S.F. No. 3039: A bill for an act relating to crimes; providing penalty for careless driving resulting in death; providing for revocation of violator's driver's license; amending Minnesota Statutes 2006, sections 169.13, by adding a subdivision; 171.17, subdivision 1; 171.30, subdivision 2a.

Referred to the Committee on Judiciary.

Senators Dille and Gimse introduced–

S.F. No. 3040: A bill for an act relating to wastewater treatment; providing for additional wastewater treatment loan amounts for the cities of Litchfield and Willmar.

Referred to the Committee on Finance.

Senators Dille and Gimse introduced–

S.F. No. 3041: A bill for an act relating to appropriations; appropriating money for the small community wastewater treatment program.

Referred to the Committee on Finance.

Senators Murphy and Pariseau introduced—

S.F. No. 3042: A bill for an act relating to capital improvements; appropriating money for a pedestrian bridge over the Cannon River; authorizing sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Larson, Stumpf, Senjem, Scheid and Wiger introduced—

S.F. No. 3043: A bill for an act relating to taxation; providing an equity and opportunity in education tax credit; amending Minnesota Statutes 2006, section 290.01, subdivisions 19a, 19c; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Bonoff, Michel, Clark, Wiger and Saltzman introduced—

S.F. No. 3044: A bill for an act relating to education; providing for school readiness assessments and kindergarten transition strategies; appropriating money.

Referred to the Committee on Education.

Senator Metzen introduced—

S.F. No. 3045: A bill for an act relating to horse racing; providing for certain occupational licenses; amending Minnesota Statutes 2006, section 240.08, by adding a subdivision.

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

Senators Marty and Kubly introduced—

S.F. No. 3046: A bill for an act relating to public health; prohibiting sale of certain poultry and pork products to retail stores and restaurants; proposing coding for new law in Minnesota Statutes, chapter 25.

Referred to the Committee on Agriculture and Veterans.

Senator Wiger introduced—

S.F. No. 3047: A bill for an act relating to education; establishing a pilot program to explore the development of a regional center for visual arts; appropriating money.

Referred to the Committee on Education.

Senator Scheid introduced—

S.F. No. 3048: A bill for an act relating to community education; modifying adults with disabilities revenue; amending Minnesota Statutes 2006, section 124D.56, subdivisions 1, 2, 3;

Laws 2007, chapter 146, article 9, section 17, subdivision 9.

Referred to the Committee on Finance.

Senator Berglin introduced—

S.F. No. 3049: A bill for an act relating to children's mental health; requiring children's mental health providers to develop a plan for and comply with requirements on the use of restrictive procedures; amending Minnesota Statutes 2006, section 256B.0943, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 245.

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

Senator Vickerman introduced—

S.F. No. 3050: A bill for an act relating to agriculture; modifying the expiration date for the Minnesota Agriculture Education Leadership Council; amending Minnesota Statutes 2006, section 41D.01, subdivision 4.

Referred to the Committee on Agriculture and Veterans.

Senators Vickerman and Lourey introduced—

S.F. No. 3051: A bill for an act relating to veterans; providing for a current listing of deceased Minnesota military personnel; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Agriculture and Veterans.

Senator Pogemiller introduced—

S.F. No. 3052: A bill for an act relating to human services; increasing payment rates for nursing facilities in Minneapolis to the geographic group III median rate; amending Minnesota Statutes 2006, section 256B.434, by adding a subdivision.

Referred to the Committee on Finance.

Senator Olseen introduced—

S.F. No. 3053: A bill for an act relating to human services; eliminating certain Minnesota health care program outreach requirements for school districts; repealing Minnesota Statutes 2007 Supplement, section 256.962, subdivision 6.

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

Senator Tomassoni introduced—

S.F. No. 3054: A bill for an act relating to retirement; amending certain coverage provisions; making certain technical changes; amending Minnesota Statutes 2007 Supplement, section 352D.02, subdivisions 1, 3.

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

Senators Koch, Vickerman and Dille introduced—

S.F. No. 3055: A bill for an act relating to veterans; establishing a loan program; adding certain veterans to those eligible for a program; changing an unemployment compensation provision; appropriating money; amending Minnesota Statutes 2007 Supplement, sections 116L.17, subdivision 1; 268.047, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Agriculture and Veterans.

Senators Frederickson and Anderson introduced—

S.F. No. 3056: A bill for an act relating to natural resources; providing for disposition of proceeds from sale of administrative sites; appropriating money; amending Minnesota Statutes 2006, sections 84.0857; 94.16, subdivision 3.

Referred to the Committee on Environment and Natural Resources.

Senators Senjem, Lourey, Frederickson and Chaudhary introduced—

S.F. No. 3057: A bill for an act relating to natural resources; modifying restrictions on shining artificial lights; amending Minnesota Statutes 2006, section 97B.081.

Referred to the Committee on Environment and Natural Resources.

Senators Rest, Doll, Robling, Dibble and Larson introduced—

S.F. No. 3058: A bill for an act relating to transportation; authorizing urban partnership agreements to provide for user fees for use of high-occupancy vehicle lanes and dynamic shoulder lanes; exempting commissioner of transportation from rulemaking regarding urban partnership agreements, toll facilities, and final layouts for highways; imposing penalties; appropriating money; amending Minnesota Statutes 2006, sections 160.02, by adding a subdivision; 169.01, subdivision 31, by adding a subdivision; 169.306; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Transportation.

Senators Ingebrigtsen, Gimse and Jungbauer introduced—

S.F. No. 3059: A bill for an act relating to state lands; requiring sale of state land to provide funding for transportation projects; appropriating money.

Referred to the Committee on Environment and Natural Resources.

Senator Stumpf introduced—

S.F. No. 3060: A bill for an act relating to state lands; authorizing public sale of certain

tax-forfeited land that borders public water.

Referred to the Committee on Environment and Natural Resources.

Senators Skoe, Murphy and Dille introduced—

S.F. No. 3061: A bill for an act relating to environment; modifying Petrofund program; amending Minnesota Statutes 2006, sections 115C.04, subdivision 3; 115C.09, subdivision 3h, by adding a subdivision; repealing Minnesota Statutes 2006, section 115C.09, subdivision 3j.

Referred to the Committee on Environment and Natural Resources.

Senator Bakk introduced—

S.F. No. 3062: A bill for an act relating to natural resources; providing a uniform expiration date for snowmobile registrations and trail stickers; extending effective period of temporary permits for snowmobiles, off-highway motorcycles, all-terrain vehicles, and watercraft; modifying temporary permit information requirements for snowmobiles; amending Minnesota Statutes 2006, sections 84.788, subdivision 3; 84.82, subdivision 2, by adding a subdivision; 84.922, subdivision 2; 86B.401, subdivision 2; Minnesota Statutes 2007 Supplement, section 84.8205, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

Senators Scheid, Pogemiller, Moua, Johnson and Gerlach introduced—

S.F. No. 3063: A bill for an act relating to insurance; regulating viatical settlements; enacting and modifying the Viatical Settlements Model Act of the National Association of Insurance Commissions; providing criminal penalties; amending Minnesota Statutes 2006, section 60A.964, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2006, sections 13.716, subdivision 7; 60A.961; 60A.962; 60A.963; 60A.965; 60A.966; 60A.967; 60A.968; 60A.969; 60A.970; 60A.971; 60A.972; 60A.973; 60A.974.

Referred to the Committee on Commerce and Consumer Protection.

Senators Marty and Wiger introduced—

S.F. No. 3064: A bill for an act relating to education; expecting students to be present and participate in school safety drills; amending Minnesota Statutes 2006, sections 121A.035, subdivision 2; 121A.037; 299F.30, subdivision 1.

Referred to the Committee on Education.

Senators Bonoff, Michel and Saltzman introduced—

S.F. No. 3065: A bill for an act relating to education finance; appropriating money for the parent-child home program.

Referred to the Committee on Finance.

Senator Olseen introduced–

S.F. No. 3066: A bill for an act relating to taxation; exempting cities, counties, and townships from sales tax; amending Minnesota Statutes 2006, section 297A.70, subdivision 2.

Referred to the Committee on Taxes.

Senators Olson, M. and Scheid introduced–

S.F. No. 3067: A bill for an act relating to business organizations; waiver of reinstatement fee after certain dissolution of an entity when a principal of the entity is a returning combat veteran; proposing coding for new law in Minnesota Statutes, chapter 5.

Referred to the Committee on Agriculture and Veterans.

Senators Latz and Michel introduced–

S.F. No. 3068: A bill for an act relating to education; adding an inflationary adjustment for the alternative teacher compensation revenue; amending Minnesota Statutes 2006, section 122A.415, subdivision 1.

Referred to the Committee on Finance.

Senators Michel, Clark, Lynch, Rosen and Prettner Solon introduced–

S.F. No. 3069: A bill for an act relating to motor vehicles; requiring commissioner of public safety to issue special 2008 U.S. Women's Open license plates.

Referred to the Committee on Transportation.

Senators Latz, Gerlach, Limmer, Dahle and Johnson introduced–

S.F. No. 3070: A bill for an act relating to trust property; authorizing the use of debit or credit cards to draw funds from custodial trust accounts; amending Minnesota Statutes 2006, section 529.08.

Referred to the Committee on Judiciary.

Senators Rest, Erickson Ropes, Dibble, Jungbauer and Moua introduced–

S.F. No. 3071: A bill for an act relating to traffic regulations; expanding requirement of display of vehicle lighting; amending Minnesota Statutes 2006, section 169.48.

Referred to the Committee on Transportation.

Senators Rest, Wiger, Scheid, Tomassoni and Higgins introduced–

S.F. No. 3072: A bill for an act proposing an amendment to the Minnesota Constitution, article IV, section 12; adding a provision to allow the legislature or presiding officers to call a special session.

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

Senators Higgins, Pappas, Berglin, Rest and Metzen introduced–

S.F. No. 3073: A bill for an act relating to housing; providing assistance to prevent mortgage foreclosure; increasing the maximum amount of financial assistance; amending Minnesota Statutes 2006, section 462A.209, subdivision 7.

Referred to the Committee on Finance.

Senators Higgins, Scheid, Prettner Solon and Clark introduced–

S.F. No. 3074: A bill for an act relating to public safety; adding the definitions of retail property and retail establishment under theft; creating new penalties for retail theft and possession or use of shoplifting gear; amending Minnesota Statutes 2006, sections 609.52, subdivisions 1, 2, by adding a subdivision; 609.521; Minnesota Statutes 2007 Supplement, section 609.52, subdivision 3.

Referred to the Committee on Judiciary.

Senator Bakk introduced–

S.F. No. 3075: A bill for an act relating to capital investments; appropriating money for the engineering and repair of the Pike River Dam; authorizing the sale of state bonds.

Referred to the Committee on Finance.

Senators Bakk and Saxhaug introduced–

S.F. No. 3076: A bill for an act relating to natural resources; establishing Lake Vermilion State Park; amending Minnesota Statutes 2006, section 85.012, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Dibble introduced–

S.F. No. 3077: A bill for an act relating to student transportation; establishing procedures and standards for contracting for private student transportation services; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

Senator Dibble introduced–

S.F. No. 3078: A bill for an act relating to student transportation; establishing procedures and standards for contracting for private student transportation services; amending Minnesota Statutes 2006, sections 123B.88, by adding a subdivision; 123B.91, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

Senators Olson, M.; Torres Ray; Clark; Pappas and Skoe introduced—

S.F. No. 3079: A bill for an act relating to education; integrating instruction about the contributions of Minnesota American Indian tribes and communities into teacher preparation and licensing requirements; appropriating money; amending Minnesota Statutes 2006, section 122A.09, subdivision 4; proposing coding for new law in Minnesota Statutes, chapters 124D; 127A.

Referred to the Committee on Education.

Senators Doll, Carlson, Gimse, Gerlach and Olseen introduced—

S.F. No. 3080: A bill for an act relating to motor vehicles; allowing use of temporary permit while awaiting delivery of license plates; amending Minnesota Statutes 2006, section 168.09, subdivision 7.

Referred to the Committee on Transportation.

Senators Doll, Prettner Solon, Rummel, Rosen and Dibble introduced—

S.F. No. 3081: A bill for an act relating to utilities; setting filing deadline for certain reports; regulating customer payment arrangements during cold weather period; regulating payment agreements for certain utility services; prohibiting disconnections of services if certain medical conditions exist; amending Minnesota Statutes 2006, section 216B.098, subdivisions 3, 5, by adding a subdivision; Minnesota Statutes 2007 Supplement, sections 216B.091; 216B.096, subdivisions 5, 10.

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

Senators Olseen, Latz, Larson, Scheid and Doll introduced—

S.F. No. 3082: A bill for an act relating to consumer protection; providing for disclosure of damage to older vehicles; amending Minnesota Statutes 2006, section 325F.6644.

Referred to the Committee on Commerce and Consumer Protection.

Senators Saltzman, Lynch, Rosen, Michel and Sheran introduced—

S.F. No. 3083: A bill for an act relating to state government finance; allowing an individual income and corporate franchise credit for investment in Minnesota high technology businesses; reducing an appropriation; amending Minnesota Statutes 2006, section 290.06, by adding a subdivision.

Referred to the Committee on Business, Industry and Jobs.

Senator Prettner Solon introduced—

S.F. No. 3084: A bill for an act relating to the city of Duluth; correcting the legal description of the boundaries of the tracts of land administered by the Spirit Mountain Recreation Area Authority; amending Laws 1973, chapter 327, section 2, subdivision 1, as amended.

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

Senator Betzold introduced—

S.F. No. 3085: A bill for an act relating to probate; changing certain provisions of the Uniform Probate Code; amending Minnesota Statutes 2006, sections 524.2-301; 524.2-402; 524.3-801; 524.3-803.

Referred to the Committee on Judiciary.

Senators Bakk, Saxhaug and Tomassoni introduced—

S.F. No. 3086: A bill for an act relating to state lands; authorizing the private sale of tax-forfeited land in St. Louis County.

Referred to the Committee on Environment and Natural Resources.

Senators Anderson and Dibble introduced—

S.F. No. 3087: A bill for an act relating to natural resources; eliminating gas-tax revenue for motorized recreation; modifying provisions for motorized trail grants-in-aid; requiring rulemaking to implement recommendations for state-funded motorized recreational trails; amending Minnesota Statutes 2006, sections 84.794, subdivision 1; 84.803, subdivision 1; 84.83, subdivision 2; 84.927, subdivision 1; 84.930; 86B.706, subdivision 3; Minnesota Statutes 2007 Supplement, section 86B.706, subdivision 2; repealing Minnesota Statutes 2006, section 296A.18, subdivisions 2, 3, 4, 5, 6.

Referred to the Committee on Environment and Natural Resources.

Senators Skoe, Rest and Stumpf introduced—

S.F. No. 3088: A bill for an act relating to appropriations; appropriating money for Minnesota Public Radio digital conversion.

Referred to the Committee on Finance.

Senator Dahle introduced—

S.F. No. 3089: A bill for an act relating to energy; mandating inclusion of strategic tree planting as eligible for direct expenditures as energy conservation improvement; amending Minnesota Statutes 2007 Supplement, section 216B.241, by adding a subdivision.

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

Senator Koering introduced—

S.F. No. 3090: A bill for an act relating to game and fish; exempting nonresident senior citizens from angling license requirement; amending Minnesota Statutes 2006, section 97A.451, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Koering introduced—

S.F. No. 3091: A bill for an act relating to natural resources; modifying definitions of all-terrain vehicles; amending Minnesota Statutes 2006, section 84.92, subdivisions 8, 9, 10.

Referred to the Committee on Environment and Natural Resources.

Senators Rummel, Wiger, Stumpf, Saxhaug and Koch introduced—

S.F. No. 3092: A bill for an act relating to education funding; appropriating money for the Minnesota Learning Resource Center.

Referred to the Committee on Finance.

Senators Dibble, Anderson, Prettner Solon, Clark and Rosen introduced—

S.F. No. 3093: A bill for an act relating to local government; extending and changing the terms of guaranteed energy savings contracts under the uniform municipal contracting law; amending Minnesota Statutes 2007 Supplement, section 471.345, subdivision 13.

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

Senators Cohen, Pappas, Langseth, Pogemiller and Senjem introduced—

S.F. No. 3094: A bill for an act relating to capital investment; establishing a biomedical science research facilities funding program for the University of Minnesota; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Finance.

Senators Metzen and Sieben introduced—

S.F. No. 3095: A bill for an act relating to state lands; authorizing conveyance of certain tax-forfeited land that borders public water or wetland.

Referred to the Committee on Environment and Natural Resources.

Senators Dibble, Rosen, Prettner Solon, Doll and Anderson introduced—

S.F. No. 3096: A bill for an act relating to energy; creating program for government energy conservation investments; amending Minnesota Statutes 2006, section 216C.09; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Laws 2007, chapter 57, article 2, section 30.

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

Senators Olseen, Vandever, Rummel, Lourey and Marty introduced–

S.F. No. 3097: A bill for an act relating to transportation; appropriating money for commuter bus service along Interstate Highway I-35.

Referred to the Committee on Finance.

Senators Lourey, Gerlach, Rest, Robling and Sparks introduced–

S.F. No. 3098: A bill for an act relating to lawful gambling; making changes to expenditure restrictions; modifying bingo games and prizes; making clarifying and technical changes to lawful gambling; amending Minnesota Statutes 2006, section 349.213, subdivisions 1, 3; Minnesota Statutes 2007 Supplement, sections 349.15, subdivision 1; 349.17, subdivision 8; 349.211, subdivisions 2, 2a, 2c, 3, by adding a subdivision.

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

Senators Berglin, Lourey, Lynch and Rosen introduced–

S.F. No. 3099: A bill for an act relating to public health; increasing affordability and continuity of care for state health care programs; modifying health care provisions; establishing a public health access fund; increasing the tobacco impact fees; providing subsidies for employee share of employer-subsidized insurance; establishing the Minnesota Health Insurance Exchange; requiring certain employers to offer Section 125 Plan; creating an affordability standard; requiring mandated reports; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2006, sections 16A.725, subdivision 1; 62A.65, subdivision 3; 62E.141; 62L.12, subdivisions 2, 4; 256.01, by adding a subdivision; 256.9658, subdivisions 3, 9; 256B.061; 256B.69, by adding a subdivision; 256D.03, by adding a subdivision; 256L.05, by adding a subdivision; 256L.06, subdivision 3; 256L.07, subdivision 3; 256L.15, by adding a subdivision; Minnesota Statutes 2007 Supplement, sections 13.46, subdivision 2; 256B.056, subdivision 10; 256L.03, subdivisions 3, 5; 256L.04, subdivisions 1, 7; 256L.05, subdivision 3a; 256L.07, subdivision 1; 256L.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 16A; 145; 256B; proposing coding for new law as Minnesota Statutes, chapter 62U; repealing Minnesota Statutes 2006, section 256L.15, subdivision 3.

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

Senators Saltzman, Olseen, Lynch, Michel and Bonoff introduced–

S.F. No. 3100: A bill for an act relating to education; modifying the reporting of assessment results; amending Minnesota Statutes 2007 Supplement, section 120B.30, subdivision 1a.

Referred to the Committee on Education.

Senator Moua introduced–

S.F. No. 3101: A bill for an act relating to taxation; limiting the jurisdiction to tax persons investing in certain entities; amending Minnesota Statutes 2006, section 290.015, subdivision 3, by adding a subdivision.

Referred to the Committee on Business, Industry and Jobs.

Senators Robling and Dahle introduced—

S.F. No. 3102: A bill for an act relating to transportation; repealing prohibition against Dan Patch commuter rail line; repealing Laws 2002, chapter 393, section 85.

Referred to the Committee on Transportation.

Senators Sparks, Metzen, Rosen and Gimse introduced—

S.F. No. 3103: A bill for an act relating to economic development; appropriating money for business assistance in greater Minnesota.

Referred to the Committee on Business, Industry and Jobs.

Senators Sparks, Metzen and Saltzman introduced—

S.F. No. 3104: A bill for an act relating to capital improvements; appropriating money for bioscience public infrastructure grants; authorizing the sale and issuance of state bonds.

Referred to the Committee on Business, Industry and Jobs.

Senators Bonoff, Metzen, Saltzman and Sparks introduced—

S.F. No. 3105: A bill for an act relating to economic development; providing assistance for small business development; appropriating money; amending Minnesota Statutes 2006, section 116J.68, by adding a subdivision.

Referred to the Committee on Business, Industry and Jobs.

Senators Bonoff, Metzen, Saltzman and Sparks introduced—

S.F. No. 3106: A bill for an act relating to taxation; allowing additional research and development credit for small businesses; appropriating money; amending Minnesota Statutes 2006, section 290.068, subdivision 3, by adding subdivisions.

Referred to the Committee on Business, Industry and Jobs.

Senators Sparks and Metzen introduced—

S.F. No. 3107: A bill for an act relating to economic development; establishing a grant program for innovative technology and economic development research at the University of Minnesota; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

Referred to the Committee on Business, Industry and Jobs.

Senators Sparks, Metzen, Rosen and Gimse introduced—

S.F. No. 3108: A bill for an act relating to capital improvements; appropriating money for greater

Minnesota redevelopment; authorizing the sale and issuance of state bonds.

Referred to the Committee on Business, Industry and Jobs.

Senators Sparks, Fischbach, Metzen, Koch and Rosen introduced—

S.F. No. 3109: A bill for an act relating to economic development; implementing certain strategic entrepreneurial economic development initiatives; appropriating money; amending Minnesota Statutes 2006, sections 116J.03, by adding a subdivision; 116J.656; 116J.66; 116J.68; 116L.02; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L.

Referred to the Committee on Business, Industry and Jobs.

Senator Lynch introduced—

S.F. No. 3110: A bill for an act relating to capital improvements; appropriating money for the Southeast Expressway from Rochester to St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Robling and Koch introduced—

S.F. No. 3111: A bill for an act relating to capital improvements; appropriating money for preliminary design and engineering to construct improvements to intersection of U.S. Highway 169, Trunk Highway 282, and County Highway 9; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Olseen introduced—

S.F. No. 3112: A bill for an act relating to natural resources; requiring an experimental iron treatment to reduce phosphorus levels in Rush Lake.

Referred to the Committee on Environment and Natural Resources.

Senators Rosen, Clark, Marty and Berglin introduced—

S.F. No. 3113: A bill for an act relating to human services; appropriating money for community action agencies.

Referred to the Committee on Finance.

Senators Jungbauer, Tomassoni, Bakk, Johnson and Doll introduced—

S.F. No. 3114: A bill for an act relating to contracts; requiring prompt payment to construction subcontractors; amending Minnesota Statutes 2006, section 337.10, subdivision 3.

Referred to the Committee on Business, Industry and Jobs.

Senators Rosen, Metzen, Tomassoni, Sparks and Senjem introduced—

S.F. No. 3115: A bill for an act relating to economic development; requiring a standard business subsidy agreement for the JOBZ program; amending Minnesota Statutes 2006, section 469.310, subdivision 11.

Referred to the Committee on Business, Industry and Jobs.

Senators Scheid, Bakk, Sparks, Gerlach and Skogen introduced—

S.F. No. 3116: A bill for an act relating to commerce; establishing a consumer complaint resolution procedure for insurance claims; imposing fees; proposing coding for new law in Minnesota Statutes, chapter 72A.

Referred to the Committee on Commerce and Consumer Protection.

Senator Koch introduced—

S.F. No. 3117: A bill for an act relating to human services; mandating an annual report on the effectiveness of substance abuse treatment; proposing coding for new law in Minnesota Statutes, chapter 254B.

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

Senator Dahle introduced—

S.F. No. 3118: A bill for an act relating to capital investment; appropriating money for capital improvements to Lake Washington Park; authorizing the issuance of general obligation bonds.

Referred to the Committee on Finance.

Senators Olseen, Stumpf, Kubly, Lourey and Sparks introduced—

S.F. No. 3119: A bill for an act relating to emergency management; authorizing interstate assistance by local governments; proposing coding for new law in Minnesota Statutes, chapter 192.

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

Senator Betzold introduced—

S.F. No. 3120: A bill for an act relating to data practices; specifying access to disputed data; requiring closed meetings to be recorded; granting attorney fees in certain cases; amending Minnesota Statutes 2006, sections 13.072, subdivision 4; 13D.05, subdivision 1; 13D.06, subdivision 4; Minnesota Statutes 2007 Supplement, section 13.08, subdivision 4.

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

Senator Pappas introduced—

S.F. No. 3121: A bill for an act relating to capital improvements; appropriating money for

preservation of state historic sites; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Doll, Marty, Koering, Erickson Ropes and Olson, M. introduced—

S.F. No. 3122: A bill for an act relating to health; changing provisions for health professional educational loan forgiveness program; expanding access to dental care services; amending Minnesota Statutes 2006, sections 144.1501, subdivisions 1, 2, by adding subdivisions; 256B.037, subdivisions 1, 1b, 4, by adding subdivisions; repealing Minnesota Statutes 2006, section 256B.037, subdivisions 1a, 1c, 2, 5, 6.

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

Senators Jungbauer and Senjem introduced—

S.F. No. 3123: A bill for an act relating to human services; modifying MFIP provisions; eliminating and repealing family stabilization services, the work participation bonus, and the Workforce U pilot program; reducing appropriations; amending Minnesota Statutes 2007 Supplement, sections 119B.05, subdivision 1; 256J.08, subdivision 65; 256J.20, subdivision 3; 256J.32, subdivision 6; 256J.521, subdivision 1; 256J.53, subdivision 2; 256J.626, subdivisions 2, 3, 4, 5; 256J.95, subdivision 3; Laws 2007, chapter 147, article 2, section 63; article 19, section 3, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 256J; repealing Laws 2007, chapter 147, article 2, section 52.

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

Senators Pappas; Moua; Higgins; Olson, M. and Limmer introduced—

S.F. No. 3124: A bill for an act relating to public safety; appropriating money to provide victim services for the safety of human trafficking victims.

Referred to the Committee on Finance.

Senators Saxhaug, Torres Ray, Rummel, Skogen and Saltzman introduced—

S.F. No. 3125: A bill for an act relating to education finance; increasing the basic formula allowance; eliminating proration of special education revenue; increasing funding for special education services; appropriating money; amending Minnesota Statutes 2006, section 126C.20; Minnesota Statutes 2007 Supplement, sections 125A.76, subdivision 4; 125A.79, subdivision 6; 126C.10, subdivision 2; Laws 2007, chapter 146, article 3, section 24, subdivisions 2, 5.

Referred to the Committee on Finance.

Senator Saxhaug introduced—

S.F. No. 3126: A bill for an act relating to natural resources; creating a Minnesota forests for the future program; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Senator Limmer introduced–

S.F. No. 3127: A bill for an act relating to retirement; public employees police and fire retirement plan; authorizing a transfer of service credit for a prior period of firefighter employment by the city of Maple Grove.

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

Senators Cohen, Rest, Pogemiller, Clark and Bakk introduced–

S.F. No. 3128: A bill for an act relating to state finance; requiring the commissioner of finance to adjust for projected inflation in forecasting state expenditures; amending Minnesota Statutes 2006, section 16A.103, subdivisions 1a, 1b.

Referred to the Committee on Finance.

Senator Moua introduced–

S.F. No. 3129: A bill for an act relating to the judiciary; including appellate court appointments in the Commission on Judicial Selection process; amending Minnesota Statutes 2006, section 480B.01, subdivisions 1, 6, 10.

Referred to the Committee on Judiciary.

Senator Moua introduced–

S.F. No. 3130: A bill for an act relating to corrections; making technical corrections and amendments to certain youth correction, county jail, adult offender supervision, and fingerprinting provisions; changing date for annual report of Advisory Council on Interstate Adult Offender Supervision; amending Minnesota Statutes 2006, sections 241.301; 243.1606, subdivision 3; 609.117, subdivision 3; 641.09; 641.18; repealing Minnesota Statutes 2006, sections 242.193, subdivision 1; 242.39; 260B.241; 260C.207.

Referred to the Committee on Judiciary.

Senators Sheran, Skoe, Rest and Larson introduced–

S.F. No. 3131: A bill for an act relating to local government; prohibiting certain payments in annexations; amending Minnesota Statutes 2006, section 414.036.

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

Senators Scheid; Marty; Berglin; Olson, M. and Limmer introduced–

S.F. No. 3132: A bill for an act relating to health; regulating medical debt information; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Senator Anderson introduced—

S.F. No. 3133: A bill for an act relating to capital improvements; appropriating money to capital improvements; appropriating money for a community center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Anderson introduced—

S.F. No. 3134: A bill for an act relating to capital improvements; appropriating money for United Enterprise Laboratories; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Higgins introduced—

S.F. No. 3135: A bill for an act relating to health; creating the Minnesota Responds Medical Reserve Corps; amending Minnesota Statutes 2006, sections 145A.04, by adding subdivisions; 145A.06, by adding subdivisions; 176.011, subdivision 9; proposing coding for new law in Minnesota Statutes, chapter 192.

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

Senator Betzold introduced—

S.F. No. 3136: A bill for an act relating to retirement; modifying state employee postretirement employment provisions; amending Minnesota Statutes 2006, sections 43A.346, subdivisions 5, 6; 352.115, subdivision 10; 356.47, subdivision 1.

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

Senator Betzold introduced—

S.F. No. 3137: A bill for an act relating to commuter rail; clarifying the commissioner of transportation's authority; providing for the operation and maintenance of commuter rail lines located in whole or in part within the metropolitan area; proposing coding for new law in Minnesota Statutes, chapters 174; 473.

Referred to the Committee on Transportation.

Senator Lynch introduced—

S.F. No. 3138: A bill for an act relating to health; changing provisions for handling genetic information; amending Minnesota Statutes 2006, section 13.386, subdivision 3; Minnesota Statutes 2007 Supplement, section 144.125, subdivision 3.

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

Senators Metzen, Wiger, Latz and Dibble introduced—

S.F. No. 3139: A bill for an act relating to crime; establishing offenses involving the sale and purchase of event tickets; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary.

Senator Sheran introduced—

S.F. No. 3140: A bill for an act relating to boiler operations; making changes to licensing procedures; authorizing rulemaking; amending Minnesota Statutes 2006, section 183.545, subdivision 4; Minnesota Statutes 2007 Supplement, sections 183.501; 183.51.

Referred to the Committee on Business, Industry and Jobs.

Senator Dibble introduced—

S.F. No. 3141: A bill for an act relating to metropolitan government; providing for the additional financing of metropolitan area transit and paratransit capital expenditures; authorizing the issuance of certain obligations; limiting the maximum additional amount authorized after July 1, 2007, and after each July 1 thereafter; amending Minnesota Statutes 2006, section 473.39, by adding a subdivision.

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

Senators Clark, Pappas and Wergin introduced—

S.F. No. 3142: A bill for an act relating to capital improvements; appropriating money for asset preservation at St. Cloud State University; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Clark, Pappas and Wergin introduced—

S.F. No. 3143: A bill for an act relating to capital improvements; appropriating money for asset preservation at St. Cloud Technical College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Larson and Rest introduced—

S.F. No. 3144: A bill for an act relating to local government; providing for a stay of action on an orderly annexation resolution pending action on an annexation by order petition; amending Minnesota Statutes 2006, sections 414.0325, by adding a subdivision; 414.09, subdivision 1.

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

Senators Lourey, Koering, Rest and Berglin introduced—

S.F. No. 3145: A bill for an act relating to human services; extending foster care benefits to age

21; proposing coding for new law in Minnesota Statutes, chapter 260C.

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

Senators Lourey, Koering and Berglin introduced–

S.F. No. 3146: A bill for an act relating to human services; certifying foster children's eligibility for medical assistance until age 21; amending Minnesota Statutes 2006, section 256B.055, by adding a subdivision.

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

Senator Metzen introduced–

S.F. No. 3147: A bill for an act relating to communications; repealing a sunset provision; repealing Laws 2005, chapter 81, section 7.

Referred to the Committee on Business, Industry and Jobs.

Senator Betzold introduced–

S.F. No. 3148: A bill for an act relating to retirement; clarifying certain correctional plan covered positions; making technical changes; amending Minnesota Statutes 2006, section 352.91, subdivisions 1, 2, 3c, 3g, 4a; Minnesota Statutes 2007 Supplement, section 352.91, subdivisions 3d, 3e, 3f.

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

Senators Saltzman, Sparks and Anderson introduced–

S.F. No. 3149: A bill for an act relating to environment; authorizing revenue bonds to be sold for closed landfill cleanup; directing the Pollution Control Agency to provide cleanup of certain closed landfill sites; appropriating money; amending Minnesota Statutes 2006, section 116.155, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Senator Dille introduced–

S.F. No. 3150: A bill for an act relating to retirement; general employees retirement plan of the Public Employees Retirement Association; waiving annuity repayment requirement for a certain Glencoe/Silver Lake school district retiree.

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

Senators Torres Ray, Wiger, Stumpf, Erickson Ropes and Rummel introduced–

S.F. No. 3151: A bill for an act relating to education; providing for a plan to reduce the achievement gap.

Referred to the Committee on Education.

Senator Clark introduced—

S.F. No. 3152: A bill for an act relating to capital improvements; appropriating money for replacement of the roof at the St. Cloud National Guard Training and Community Center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Clark introduced—

S.F. No. 3153: A bill for an act relating to early childhood education; creating an Office of Early Childhood Education; directing the governor to appoint a director of early childhood education.

Referred to the Committee on Education.

Senators Scheid and Vandever introduced—

S.F. No. 3154: A bill for an act relating to commerce; regulating residential mortgage originators and services; verifying the borrower's ability to pay; amending Minnesota Statutes 2007 Supplement, section 58.13, subdivision 1.

Referred to the Committee on Commerce and Consumer Protection.

Senators Anderson, Dibble, Langseth, Moua and Pogemiller introduced—

S.F. No. 3155: A bill for an act relating to taxation; allowing a special research and development credit; amending Minnesota Statutes 2006, section 290.068, subdivision 2, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Saltzman and Olson, G. introduced—

S.F. No. 3156: A bill for an act relating to education; clarifying the definition of comprehensive, scientifically based reading instruction; making requirements of prekindergarten through grade 6 teachers; appropriating money; amending Minnesota Statutes 2006, sections 122A.06, subdivision 4; 122A.18, subdivisions 2, 2a, by adding a subdivision.

Referred to the Committee on Education.

Senators Saltzman, Wiger and Scheid introduced—

S.F. No. 3157: A bill for an act relating to education; requiring every school to have a licensed library media specialist; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Education.

Senator Skogen introduced—

S.F. No. 3158: A bill for an act relating to commerce; requiring Explore Minnesota Tourism to study vacation rental lodging; creating definitions; requiring a report.

Referred to the Committee on Commerce and Consumer Protection.

MOTIONS AND RESOLUTIONS - CONTINUED

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

GENERAL ORDERS

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

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

S.F. No. 2564, which the committee recommends to pass with the following amendment offered by Senator Berglin:

Page 1, line 10, strike "4,940,293,000" and insert "4,931,459,000"

Page 1, line 14, strike "260,051,000" and insert "268,885,000"

Page 5, line 26, delete everything after "of" and insert "clauses (1) to"

Page 5, line 27, delete "(c)" and insert "(3)"

Page 5, line 29, after the second "expenditures" insert "or other qualified expenditures"

Page 6, line 4, delete the comma and insert a period

Page 6, delete lines 5 and 6 and insert:

"If other qualified expenditures are available, the commissioner may use those expenditures as excess MOE and shall report those expenditures to the chairs of the senate and house of representatives Finance Committees, the senate Health and Human Services Budget Division, and house of representatives Health Care and Human Services Finance Division by April 15, 2008."

Adjust amounts accordingly

The motion prevailed. So the amendment was adopted.

On motion of Senator Pogemiller, the report of the Committee of the Whole, as kept by the

Secretary, was adopted.

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.

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate for the balance of the proceedings on H.F. No. 2800. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to inform you that the House has repassed House File No. 2800, notwithstanding the veto of the Honorable Tim Pawlenty, Governor of the State.

There is herewith transmitted to the Senate:

1. H.F. No. 2800: A bill for an act relating to transportation finance; appropriating money for transportation activities; providing funding for highway maintenance, debt service, and local roads; appropriating funds for emergency relief related to the I-35W bridge collapse; establishing a trunk highway bridge improvement program; requiring a study of value capture to reduce the public costs of large transportation infrastructure investment; authorizing sale and issuance of bonds; modifying motor vehicle registration and motor fuel taxes; establishing annual surcharge on motor fuel taxes; creating a motor fuels tax credit; allocating motor vehicle lease tax revenues; providing for local transportation sales taxes; modifying county state-aid highway fund revenue allocation; prohibiting tolling or privatization of existing transportation facilities; establishing bridge improvement program; modifying driver's license reinstatement fee provisions; regulating certain transit funding activities; modifying provisions related to various transportation-related funds and accounts; establishing a task force; requiring reports; amending Minnesota Statutes 2006, sections 160.84, subdivision 1; 161.081, subdivision 3; 162.06; 162.07, subdivision 1, by adding subdivisions; 168.013, subdivision 1a; 171.29, subdivision 2; 290.06, by adding a subdivision; 296A.07, subdivision 3; 296A.08, subdivision 2; 297A.64, subdivision 2; 297A.815, by adding a subdivision; 297A.99, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 160; 165; 296A; 297A; 398A.

2. The veto message of the Governor, dated February 22, 2008.

3. The enrolled copy of Chapter No. 152, H.F. No. 2800, with all of the signatures of the officers of the Senate and the House of Representatives but minus the signature of the Governor.

House File No. 2800 is herewith transmitted to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 25, 2008

VETO RECONSIDERATION

Senator Murphy moved that H.F. No. 2800 be now reconsidered and repassed, the objections of the Governor notwithstanding, pursuant to Article IV, Section 23, of the Constitution of the State of Minnesota.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 47 and nays 20, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed. So the bill was repassed and its title was agreed to, the objections of the Governor notwithstanding.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Thursday, February 28, 2008. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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