

NINETY-THIRD DAY

St. Paul, Minnesota, Wednesday, March 19, 2008

The Senate met at 10:30 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. Mike Tegeder.

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.

March 18, 2008

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

Please be advised that I have received, approved, signed and deposited in the Office of the

Secretary of State, S.F. No. 2471.

Sincerely,
Tim Pawlenty, Governor

March 18, 2008

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2008 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2008	Date Filed 2008
2471		157	11:09 a.m. March 18	March 18

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 3114, 3240 and 3420.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 19, 2008

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 3114: A bill for an act relating to park districts; providing that a park district may acquire property within a city in accordance with the adopted comprehensive plan of the city; amending Minnesota Statutes 2006, section 398.09.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2820, now on General Orders.

H.F. No. 3240: A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the Capitol grounds by Minnesota's Mexican-American veterans to honor all Minnesota veterans who have served at any time in the United States armed forces.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3006, now on General Orders.

H.F. No. 3420: A bill for an act relating to local government; revising procedures and fees charged by county registrars of title for registering supplemental declarations of common interest communities; amending Minnesota Statutes 2006, sections 508.82, subdivision 1; 515B.1-116.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

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

S.F. No. 2736: A bill for an act relating to state employees; modifying equitable compensation limits; modifying caps on state commissioner salaries; amending Minnesota Statutes 2006, sections 3.855, subdivision 3; 15A.081, subdivisions 7c, 8; 15A.0815; 15A.082, subdivisions 1, 3; 43A.01, subdivision 3; 43A.17, subdivision 9; 119A.03, subdivision 1; 124D.385, subdivision 4; Minnesota Statutes 2007 Supplement, section 216C.052, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 15A.081, subdivision 8, is amended to read:

Subd. 8. **Expense allowance.** Notwithstanding any law to the contrary, positions listed in section 15A.0815, ~~subdivisions 2 and 3~~, constitutional officers, the commissioner of Iron Range resources and rehabilitation, and the director of the State Lottery are authorized an annual expense allowance not to exceed \$1,500 for necessary expenses in the normal performance of their duties for which no other reimbursement is provided. The expenditures under this subdivision are subject to any laws and rules relating to budgeting, allotment and encumbrance, preaudit and postaudit. The commissioner of finance may adopt rules to assure the proper expenditure of these funds and to provide for reimbursement.

Sec. 2. Minnesota Statutes 2006, section 15A.0815, is amended to read:

15A.0815 SALARY LIMITS FOR CERTAIN EMPLOYEES.

Subdivision 1. **Salary limits.** The governor or other appropriate appointing authority shall set the salary rates for positions listed in ~~this section~~ subdivision 2 within the salary limits listed in ~~subdivisions 2 to 4~~ subdivision 2 to 4 and section 43A.17, subdivision 9, subject to approval of the Legislative Coordinating Commission and the legislature as provided by subdivision 5 and sections

3.855 and 15A.081, subdivision 7b.

Subd. 2. ~~Group I salary limits~~ Positions. The salaries for positions in this subdivision may not exceed 95 percent of the salary of the governor:

Commissioner of administration;
Commissioner of agriculture;
Commissioner of education;
Commissioner of commerce;
Commissioner of corrections;
Commissioner of employee relations;
Commissioner of employment and economic development;
Commissioner of finance;
Director, Gambling Control Board;
Commissioner of health;
Executive director, Minnesota Office of Higher Education;
Commissioner, Housing Finance Agency;
Commissioner of human rights;
Commissioner of human services;
Commissioner, Iron Range Resources and Rehabilitation Board;
Commissioner of labor and industry;
Commissioner, Bureau of Mediation Services;
Ombudsman for Mental Health and Developmental Disabilities;
Chair, Metropolitan Airports Commission;
Chair, Metropolitan Council;
Director, Minnesota State Lottery;
Commissioner of natural resources;
~~Director of Office of Strategic and Long-Range Planning;~~
Commissioner, Pollution Control Agency;
Executive director, Public Employees Retirement Association;
Commissioner of public safety;

Commissioner, Public Utilities Commission;
Director, Minnesota Racing Commission;
Commissioner of revenue;
~~Commissioner of employment and economic development;~~
Executive director, State Retirement System;
Executive director, Teachers Retirement Association;
Commissioner of transportation; and
Commissioner of veterans affairs.

Subd. 3. ~~**Group II salary limits.** The salaries for positions in this subdivision may not exceed 85 percent of the salary of the governor:~~

~~Executive director of Gambling Control Board;~~
~~Commissioner, Iron Range Resources and Rehabilitation Board;~~
~~Commissioner, Bureau of Mediation Services;~~
~~Ombudsman for Mental Health and Developmental Disabilities;~~
~~Chair, Metropolitan Council;~~
~~Executive director of pari-mutuel racing;~~
~~Executive director, Public Employees Retirement Association;~~
~~Commissioner, Public Utilities Commission;~~
~~Executive director, State Retirement System; and~~
~~Executive director, Teachers Retirement Association.~~

Subd. 4. ~~**Group III salary limits.** The salary for a position in this subdivision may not exceed 25 percent of the salary of the governor:~~

~~Chair, Metropolitan Airports Commission.~~

Subd. 5. **Appointing authorities to recommend certain salaries.** (a) The governor, or other appropriate appointing authority, may submit to the Legislative Coordinating Commission recommendations for salaries within the salary limits for the positions listed in subdivisions 2 to 4. An appointing authority may also propose additions or deletions of positions from those listed.

(b) Before submitting the recommendations, the appointing authority shall consult with the commissioner of employee relations concerning the recommendations.

(c) In making recommendations, the appointing authority shall consider the criteria established in section 43A.18, subdivision 8, and the performance of individual incumbents. The performance evaluation must include a review of an incumbent's progress toward attainment of affirmative action

goals. The appointing authority shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities, and accountabilities, and in determining recommendations, rate each position by this system.

(d) Before the appointing authority's recommended salaries take effect, the recommendations must be reviewed and approved, rejected, or modified by the Legislative Coordinating Commission and the legislature under section 3.855, subdivisions 2 and 3. If, when the legislature is not in session, the commission fails to reject or modify salary recommendations of the governor within 30 calendar days of their receipt, the recommendations are deemed to be approved.

(e) The appointing authority shall set the initial salary of a head of a new agency or a chair of a new metropolitan board or commission whose salary is not specifically prescribed by law after consultation with the commissioner, whose recommendation is advisory only. The amount of the new salary must be comparable to the salary of an agency head or commission chair having similar duties and responsibilities.

(f) The salary of a newly appointed head of an agency or chair of a metropolitan agency listed in ~~subdivisions~~ subdivision 2 to 4, may be increased or decreased by the appointing authority from the salary previously set for that position within 30 days of the new appointment after consultation with the commissioner. If the appointing authority increases a salary under this paragraph, the appointing authority shall submit the new salary to the Legislative Coordinating Commission and the full legislature for approval, modification, or rejection under section 3.855, subdivisions 2 and 3. If, when the legislature is not in session, the commission fails to reject or modify salary recommendations of the governor within 30 calendar days of their receipt, the recommendations are deemed to be approved.

Sec. 3. Minnesota Statutes 2006, section 43A.01, subdivision 3, is amended to read:

Subd. 3. Equitable compensation relationships. It is the policy of this state to ~~attempt to~~ establish equitable compensation relationships between female-dominated, male-dominated, and balanced classes of employees in the executive branch. Compensation relationships are equitable within the meaning of this subdivision when the primary consideration in negotiating, establishing, recommending, and approving total compensation is comparability of the value of the work in relationship to other positions in the executive branch. A recognized system for classification analysis and its concurrent point allocation system must be used in order to attain compensation equity. Classification range maximums must fall within the system's point allocation window. Market-driven forces are recognized as acceptable in order to maintain employee recruitment and retention efforts whenever the compensation rates exceed the allocated points. No contract executed under chapter 179A may modify, waive, or abridge this section and sections 43A.07 to 43A.121, 43A.15, and 43A.17 to 43A.21, except to the extent expressly permitted in those sections. Any compensation equity adjustments must be made from agency appropriations. Fifty percent of the compensation governed by this system must be adjusted in fiscal year 2009 and the remaining compensation in fiscal year 2010.

Sec. 4. Minnesota Statutes 2006, section 43A.17, subdivision 9, is amended to read:

Subd. 9. ~~Political subdivision~~ Compensation limit. (a) The salary and the value of all other forms of compensation of the positions in section 15A.0815 and a person employed by a political subdivision of this state, excluding a school district, or employed under section 422A.03 may not exceed 110 percent of the salary of the governor as set under section 15A.082, except as provided

in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Beginning in 2006, the limit in paragraph (a) shall be adjusted annually in January. The limit shall equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

(c) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which shall be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which shall not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation shall be the annual cost to the political subdivision for the provision of the compensation.

(d) The salary of a medical doctor or doctor of osteopathy occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(e) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the Legislative Coordinating Commission and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have made no recommendation. If the commissioner grants or granted an increase under this paragraph, the new limitation shall be adjusted beginning in August 2005 and in each subsequent calendar year in January by the percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

Sec. 5. Minnesota Statutes 2006, section 119A.03, subdivision 1, is amended to read:

Subdivision 1. **General.** The department is under the administrative control of the commissioner. The commissioner is appointed by the governor with the advice and consent of the senate. The commissioner must possess broad knowledge and experience in strengthening children and families. The commissioner has the general powers as provided in section 15.06, subdivision 6.

The commissioner's salary must be established according to the procedure in section 15A.0815, ~~in the same range as that specified for the commissioner of finance.~~

Sec. 6. Minnesota Statutes 2006, section 124D.385, subdivision 4, is amended to read:

Subd. 4. **Delegation to nonprofit.** The commission may create a private nonprofit corporation that is exempt from taxation under section 501(c)(3) of the federal Internal Revenue Code of 1986. If the commission creates a private nonprofit corporation, the commission must serve as the corporation's board of directors. The private nonprofit corporation is not subject to laws governing state agencies or political subdivisions, except the provisions of chapter 13, the Open Meeting Law under chapter 13D, salary limits under section 15A.0815, ~~subdivision 2,~~ and audits by the legislative auditor under chapter 3 apply. Further provided that the board of directors and the executive director of the nonprofit corporation are each considered an "official" for purposes of section 10A.071. The commission may delegate any or all of its powers and duties under federal law or under sections 124D.37 to 124D.45 to the corporation if the nonprofit corporation is approved under federal law to administer the National and Community Service Trust Act. The commission may revoke a delegation of powers and duties at any time, and must revoke the delegation if the corporation is no longer approved under federal law as the administrator in the state of Minnesota for the National and Community Service Trust Act.

Sec. 7. Minnesota Statutes 2007 Supplement, section 216C.052, subdivision 2, is amended to read:

Subd. 2. **Administrative issues.** (a) The commissioner may select the administrator. The administrator must have at least five years of experience working as a power systems engineer or transmission planner, or in a position dealing with power system reliability issues, and may not have been a party or a participant in a commission energy proceeding for at least one year prior to selection by the commissioner. The commissioner shall oversee and direct the work of the administrator, annually review the expenses of the administrator, and annually approve the budget of the administrator. The administrator may hire staff and may contract for technical expertise in performing duties when existing state resources are required for other state responsibilities or when special expertise is required. The salary of the administrator is governed by section 15A.0815, ~~subdivision 2.~~

(b) Costs relating to a specific proceeding, analysis, or project are not general administrative costs. For purposes of this section, "energy utility" means public utilities, generation and transmission cooperative electric associations, and municipal power agencies providing natural gas or electric service in the state.

(c) The Department of Commerce shall pay:

(1) the general administrative costs of the administrator, not to exceed \$1,000,000 in a fiscal year, and shall assess energy utilities for those administrative costs. These costs must be consistent

with the budget approved by the commissioner under paragraph (a). The department shall apportion the costs among all energy utilities in proportion to their respective gross operating revenues from sales of gas or electric service within the state during the last calendar year, and shall then render a bill to each utility on a regular basis; and

(2) costs relating to a specific proceeding analysis or project and shall render a bill to the specific energy utility or utilities participating in the proceeding, analysis, or project directly, either at the conclusion of a particular proceeding, analysis, or project, or from time to time during the course of the proceeding, analysis, or project.

(d) For purposes of administrative efficiency, the department shall assess energy utilities and issue bills in accordance with the billing and assessment procedures provided in section 216B.62, to the extent that these procedures do not conflict with this subdivision. The amount of the bills rendered by the department under paragraph (c) must be paid by the energy utility into an account in the special revenue fund in the state treasury within 30 days from the date of billing and is appropriated to the department for the purposes provided in this section. The commission shall approve or approve as modified a rate schedule providing for the automatic adjustment of charges to recover amounts paid by utilities under this section. All amounts assessed under this section are in addition to amounts appropriated to the commission and the department by other law.

Sec. 8. Minnesota Statutes 2006, section 349A.02, subdivision 1, is amended to read:

Subdivision 1. **Director.** A State Lottery is established under the supervision and control of a director. The director of the State Lottery shall be appointed by the governor with the advice and consent of the senate. The director serves in the unclassified service at the pleasure of the governor. ~~The annual salary rate authorized for the director is equal to 95 percent of the salary rate prescribed for the governor."~~

Delete the title and insert:

"A bill for an act relating to state employees; modifying equitable compensation limits; modifying caps on state commissioner salaries; amending Minnesota Statutes 2006, sections 15A.081, subdivision 8; 15A.0815; 43A.01, subdivision 3; 43A.17, subdivision 9; 119A.03, subdivision 1; 124D.385, subdivision 4; 349A.02, subdivision 1; Minnesota Statutes 2007 Supplement, section 216C.052, subdivision 2."

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

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

S.F. No. 3213: A bill for an act relating to human services; making technical changes; amending health care and miscellaneous provisions; amending Minnesota Statutes 2006, sections 254A.035, subdivision 2; 254A.04; 256.046; 256B.093, subdivision 1; 256L.07, subdivision 5; Minnesota Statutes 2007 Supplement, sections 256.01, subdivision 2b; 256.476, subdivisions 4, 5; 256B.057, subdivision 2c; 256B.06, subdivision 4; 256B.0655, subdivision 12; 256D.03, subdivision 3; 256L.15, subdivision 2; repealing Minnesota Statutes 2006, section 256B.039.

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

Page 15, after line 32, insert:

"Sec. 3. **CHILD CARE ADVISORY TASK FORCE.**

Subdivision 1. **Establishment.** The commissioner of human services shall establish a Child Care Advisory Task Force of stakeholders to review and make recommendations to the legislature, as specified in subdivision 4, to remove barriers facing families applying for and receiving child care assistance under Minnesota Statutes, chapter 119B.

Subd. 2. **Membership.** By July 30, 2008, the commissioner of human services shall appoint a Child Care Advisory Task Force composed of eight members. The Child Care Advisory Task Force shall include:

- (1) two representatives from the Department of Human Services;
- (2) two representatives from counties and nonprofit organizations administering the child care assistance programs;
- (3) two representatives from the child care advocacy community; and
- (4) two representatives from the antipoverty advocacy community.

The commissioner shall designate a member of the task force to convene the first meeting within 30 days after the commissioner has completed appointments. The task force shall select a chair from its membership.

Subd. 3. **Duties.** The Child Care Advisory Task Force shall review child care assistance laws, rules, and policies and make recommendations to remove barriers facing families applying for child care assistance or completing reauthorization for child care assistance to the legislative committees with jurisdiction over the child care assistance programs under Minnesota Statutes, chapter 119B. Barriers to review include, but are not limited to:

- (1) length of application forms;
- (2) consistency of application and reauthorization forms statewide;
- (3) documentation requirements, including frequency of producing documentation;
- (4) barriers facing parents with limited English; and
- (5) length of reauthorization periods.

Subd. 4. **Report.** By January 15, 2010, the Department of Human Services shall report recommendations under this section to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over child care assistance programs, including any necessary draft legislation to remove the barriers facing families in applying for and receiving child care assistance.

Subd. 5. **Task force expenses.** Task force members must not be paid a per diem or reimbursed for any expenses associated with their membership on the task force.

Subd. 6. **Expiration.** The Child Care Advisory Task Force expires June 30, 2010."

Renumber the sections in sequence

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

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

S.F. No. 3398: A bill for an act relating to state government; requiring the Office of Enterprise Technology to report to the legislature regarding its approval process for state agency technology requests and assistance provided to state agencies in developing agency information systems plans; amending Minnesota Statutes 2006, sections 16E.01, subdivision 3; 16E.04, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 16E.01, subdivision 3, is amended to read:

Subd. 3. **Duties.** (a) The office shall:

(1) manage the efficient and effective use of available federal, state, local, and public-private resources to develop statewide information and telecommunications technology systems and services and its infrastructure;

(2) approve state agency and intergovernmental information and telecommunications technology systems and services development efforts involving state or intergovernmental funding, including federal funding, provide information to the legislature regarding projects reviewed, and recommend projects for inclusion in the governor's budget under section 16A.11;

(3) ensure cooperation and collaboration among state and local governments in developing intergovernmental information and telecommunications technology systems and services, and define the structure and responsibilities of a representative governance structure;

(4) cooperate and collaborate with the legislative and judicial branches in the development of information and communications systems in those branches;

(5) continue the development of North Star, the state's official comprehensive online service and information initiative;

(6) promote and collaborate with the state's agencies in the state's transition to an effectively competitive telecommunications market;

(7) collaborate with entities carrying out education and lifelong learning initiatives to assist Minnesotans in developing technical literacy and obtaining access to ongoing learning resources;

(8) promote and coordinate public information access and network initiatives, consistent with chapter 13, to connect Minnesota's citizens and communities to each other, to their governments, and to the world;

(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota businesses and citizens can successfully compete in the global economy;

(10) manage and promote the regular and periodic reinvestment in the information and telecommunications technology systems and services infrastructure so that state and local

government agencies can effectively and efficiently serve their customers;

(11) facilitate the cooperative development of and ensure compliance with standards and policies for information and telecommunications technology systems and services, electronic data practices and privacy, and electronic commerce among international, national, state, and local public and private organizations;

(12) eliminate unnecessary duplication of existing information and telecommunications technology systems and services provided by other public and private organizations while building on the existing governmental, educational, business, health care, and economic development infrastructures;

(13) identify, sponsor, develop, and execute shared information and telecommunications technology projects and ongoing operations; and

(14) ensure overall security of the state's information and technology systems and services.

(b) The chief information officer, in consultation with the commissioner of finance, must determine when it is cost-effective for agencies to develop and use shared information and telecommunications technology systems and services for the delivery of electronic government services. The chief information officer may require agencies to use shared information and telecommunications technology systems and services. The chief information officer shall establish reimbursement rates in cooperation with the commissioner of finance to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of interagency agreements, or other means as allowed by law.

(c) A state agency with any information and telecommunications technology project that has a total expected project cost of more than \$1,000,000, whether funded as part of the biennial budget or by any other means, shall, for the purpose of registration with the office, submit basic project startup documentation as specified by the chief information officer in both content and format. Registration must occur prior to the date of commencement of the project and before any project funding is requested or committed. State agency project leaders must demonstrate that acceptable and sustainable project management methodology is being followed for the project, provide updates to the project documentation as changes are proposed, and regularly report on the current status of the project on a schedule agreed to by the chief information officer.

(d) The chief information officer shall monitor progress on any active information and telecommunications technology project that has a total expected project cost of more than \$5,000,000 and report on the performance of the project in comparison with the plans for the project in terms of time, scope, and budget. The chief information officer may conduct an independent project audit of the project. The audit analysis and evaluation of the projects subject to paragraph (c) must be presented to agency executive sponsors, the project governance bodies, and the chief information officer. All reports and responses must become part of the project record.

(e) For any active information and telecommunications technology project that has a total expected project cost of more than \$10,000,000, an annual independent audit must be performed that conforms to published project audit principles from the office.

(f) The chief information officer shall report to the chairs and ranking minority members of the

legislative committees and divisions with jurisdiction over the office by January 15 of each year regarding the review process required under paragraph (a), clause (2). The report must include a description of the current status of each project reviewed by the office. The report must include the rationale used for the determination made for each project.

Sec. 2. Minnesota Statutes 2006, section 16E.03, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of chapter 16E, the following terms have the meanings given them.

(a) "Information and telecommunications technology systems and services" means all computing and telecommunications hardware and software, the activities undertaken to secure that hardware and software, and the activities undertaken to acquire, transport, process, analyze, store, and disseminate information electronically. "Information and telecommunications technology systems and services" includes all proposed expenditures for computing and telecommunications hardware and software, security for that hardware and software, and related consulting or other professional services.

(b) "Information and telecommunications technology project" means an effort to acquire or produce information and telecommunications technology systems and services.

(c) "Telecommunications" means voice, video, and data electronic transmissions transported by wire, wireless, fiber-optic, radio, or other available transport technology.

(d) "Cyber security" means the protection of data and systems in networks connected to the Internet.

(e) "State agency" means an agency in the executive branch of state government and includes the Minnesota Office of Higher Education, but does not include the Minnesota State Colleges and Universities unless specifically provided elsewhere in this chapter.

(f) "Total expected project cost" includes direct staff costs, all supplemental contract staff and vendor costs, and costs of hardware and software development or purchase. Breaking a project into several phases does not affect the cost threshold, which must be computed on the full cost of all aspects of the related subprojects.

Sec. 3. Minnesota Statutes 2006, section 16E.04, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** (a) In addition to other activities prescribed by law, the office shall carry out the duties set out in this subdivision.

(b) The office shall develop and establish a state information architecture to ensure that state agency development and purchase of information and communications systems, equipment, and services is designed to ensure that individual agency information systems complement and do not needlessly duplicate or conflict with the systems of other agencies. When state agencies have need for the same or similar public data, the chief information officer, in coordination with the affected agencies, shall manage the most efficient and cost-effective method of producing and storing data for or sharing data between those agencies. The development of this information architecture must include the establishment of standards and guidelines to be followed by state agencies. The office shall ensure compliance with the architecture.

(c) The office shall assist state agencies in the planning and management of information systems so that an individual information system reflects and supports the state agency's mission and the state's requirements and functions. The office shall review and approve agency technology plans to ensure consistency with enterprise information and telecommunications technology strategy. By January 15 of each year, the chief information officer must report to the chairs and the ranking minority members of the legislative committees and divisions with jurisdiction over the office regarding the assistance provided under this paragraph. The report must include a listing of agencies that have developed or are developing plans under this paragraph.

(d) The office shall review and approve agency requests for funding for the development or purchase of information systems equipment or software before the requests may be included in the governor's budget.

(e) The office shall review major purchases of information systems equipment to:

(1) ensure that the equipment follows the standards and guidelines of the state information architecture;

(2) ensure the agency's proposed purchase reflects a cost-effective policy regarding volume purchasing; and

(3) ensure that the equipment is consistent with other systems in other state agencies so that data can be shared among agencies, unless the office determines that the agency purchasing the equipment has special needs justifying the inconsistency.

(f) The office shall review the operation of information systems by state agencies and ensure that these systems are operated efficiently and securely and continually meet the standards and guidelines established by the office. The standards and guidelines must emphasize uniformity that is cost-effective for the enterprise, that encourages information interchange, open systems environments, and portability of information whenever practicable and consistent with an agency's authority and chapter 13.

(g) The office shall conduct a comprehensive review at least every three years of the information systems investments that have been made by state agencies and higher education institutions. The review must include recommendations on any information systems applications that could be provided in a more cost-beneficial manner by an outside source. The office must report the results of its review to the legislature and the governor."

Amend the title accordingly

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

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

S.F. No. 3540: A bill for an act relating to economic development; creating a task force to analyze and plan for an economy that advances the environmental and energy policies of the state; appropriating money.

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

Page 1, line 10, after "shall" insert "be appointed no later than June 30, 2008, and"

Page 1, delete lines 11 to 14 and insert:

"(1) three members of the house of representatives, including one member of the minority party appointed by the speaker;

(2) three members of the senate, including two members of the majority party appointed by the Majority Leader and one member of the minority party appointed by the Minority Leader;"

Page 1, line 15, delete "(2)" and insert "(3)"

Page 1, line 19, delete "additional" and after "member" insert "from the Pollution Control Agency"

Page 1, line 20, delete "(3)" and insert "(4)" and delete "three" and insert "two"

Page 1, line 21, after the first comma, insert "and" and delete the second comma and insert a semicolon

Page 1, delete line 22

Page 2, delete lines 1 to 5 and insert:

"(5) three public members appointed by the speaker of the house of representatives, including one member representing labor, one member representing a statewide environmental organization, and one member representing financial institutions or venture capital; and

(6) three public members appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration, including one member from a local economic development authority, one member from a statewide organization dedicated to furthering the green economy, and one additional member."

Page 2, line 6, delete everything after "(b)" and insert "The commissioner of commerce, in cooperation with the commissioner of employment and economic development, shall provide"

Page 2, after line 8, insert:

"(c) Each of the legislative appointing authorities must name a cochair of the task force from the legislative members appointed by that authority."

Page 2, line 10, after "legislature" insert "under Minnesota Statutes, section 3.195," and after "and" insert "to" and after "necessary" insert "draft"

Page 2, line 22, delete "legislative actions" and insert "recommended changes in law"

Page 2, delete line 33 and insert:

"Subd. 3. **Expiration.** The task force expires June 30, 2009."

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

Senator Rest from the Committee on State and Local Government Operations and

Oversight, to which was re-referred

S.F. No. 3281: A bill for an act relating to state government; creating the Veterans Health Care Advisory Council; proposing coding for new law in Minnesota Statutes, chapter 196.

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

Page 2, delete subdivision 4

Page 2, line 24, delete "Subd. 5." and insert "Subd. 4." and delete "subdivision 5" and insert "subdivision 4" and delete "is"

Page 2, delete line 25 and insert "expires June 30, 2013."

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

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

S.F. No. 3282: A bill for an act relating to veterans; transferring functions of the Veterans Homes Board of Directors to commissioner of veterans affairs; amending Minnesota Statutes 2006, sections 196.021; 196.03; 198.32, subdivision 1; repealing Minnesota Statutes 2006, sections 198.001, subdivisions 6, 9; 198.002, subdivisions 1, 3, 6; 198.003, subdivisions 5, 6; 198.004, subdivision 2; Minnesota Statutes 2007 Supplement, sections 198.002, subdivision 2; 198.004, subdivision 1; Minnesota Rules, part 9050.0040, subpart 15.

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

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

S.F. No. 2925: A bill for an act relating to transportation; modifying provisions relating to certain positions in Department of Transportation; amending Minnesota Statutes 2006, section 174.02, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 174.02, subdivision 2, is amended to read:

Subd. 2. **Unclassified positions.** The commissioner shall appoint a deputy commissioner/chief engineer. The deputy commissioner/chief engineer must be licensed as a professional engineer under Minnesota Statutes, section 326.02. The commissioner may establish ~~four~~ three positions in the unclassified service at the ~~deputy and~~ assistant commissioner, assistant to commissioner, or personal secretary levels. ~~No more than two of these positions shall be at the deputy commissioner level."~~

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

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

S.F. No. 3671: A bill for an act relating to elections; exempting certain towns from a voting system requirement in certain situations; amending Minnesota Statutes 2006, section 206.57, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 206.57, subdivision 5.

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

Page 1, line 18, before "A" insert "(a)"

Page 2, after line 2, insert:

"(b) If the secretary of state, after consultation with the Minnesota Association of Townships, county auditors, or other interested parties, determines that a town's share of the cost of compliance with subdivision 5 will not exceed \$150 for an election, the town may not use the exemption under paragraph (a) and shall conduct elections under subdivision 5. In determining the town's cost of compliance, the secretary shall include any expense associated with programming, ballot preparation and printing, and the equipment costs directly related to compliance with subdivision 5."

Page 2, delete lines 3 to 11 and insert:

"Sec. 3. **TOWNSHIP VOTING EQUIPMENT STUDY.**

(a) Beginning in 2009 and at least once every other year until 2016, the secretary of state shall consult with interested parties, including, but not limited to, members of the legislature, town officers, county election officials, the National Federation of the Blind, the Minnesota State Council on Disability, and the Disability Law Center regarding:

(1) options for full compliance with Minnesota Statutes, section 206.57, subdivision 5; and

(2) ongoing costs of compliance with Minnesota Statutes, section 206.57, subdivision 5, and methods of reducing those costs.

(b) Beginning January 15, 2010, and until January 15, 2017, the secretary of state shall report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over elections policy and finance regarding the findings, discussions, and developments under paragraph (a)."

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

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

S.F. No. 3245: A bill for an act relating to health; changing provisions for uniform billing forms and electronic claim filing; amending Minnesota Statutes 2006, sections 62J.51, subdivisions 17, 18; 62J.52, subdivision 4; 62J.59; Minnesota Statutes 2007 Supplement, sections 62J.52, subdivisions 1, 2; 62J.536, subdivision 1, by adding subdivisions; repealing Minnesota Statutes 2006, sections 62J.52, subdivision 5; 62J.58.

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

Page 5, lines 20 and 27, delete "promulgate" and insert "adopt"

Page 5, lines 23 and 29, delete "promulgated" and insert "adopted"

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

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

S.F. No. 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.

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

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

S.F. No. 3685: A bill for an act relating to boxing; changing the name of the Minnesota Boxing Commission; providing penalties; extending jurisdiction of the commissions; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2006, sections 341.21, as amended; 341.23; 341.26; 341.28, as amended; 341.29; 341.30; 341.32, as amended; 341.33; 341.34, subdivision 1; 341.35; 341.37; Minnesota Statutes 2007 Supplement, sections 214.04, subdivision 3; 341.22; 341.25; 341.27; 341.321; proposing coding for new law in Minnesota Statutes, chapter 341; repealing Minnesota Statutes 2006, section 341.31.

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

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

S.F. No. 3224: A bill for an act relating to transportation; authorizing creation of Advisory Committee on Nonmotorized Transportation; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Page 1, line 17, delete "Minnesota citizens" and insert "public members"

Page 1, line 20, delete "seven"

Page 2, line 17, delete everything before the period and insert "expires June 30, 2014"

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

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

S.F. No. 3262: A bill for an act relating to agriculture; adding a member to the NextGen Energy

Board; removing a sunset date; modifying an appropriation; amending Minnesota Statutes 2007 Supplement, section 41A.105; Laws 2007, chapter 45, article 1, section 3, subdivision 4.

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

Page 2, line 19, reinstate "~~This section expires June 30,~~" and delete "Notwithstanding section" and insert "2014."

Page 2, delete line 20

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

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

H.F. No. 2582 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		2582			
			2632		

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3213, 3398, 3281, 3282, 2925, 3671, 3050 and 3224 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 2582 was read the second time.

MOTIONS AND RESOLUTIONS

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

Senator Erickson Ropes moved that the name of Senator Dibble be added as a co-author to S.F. No. 2742. The motion prevailed.

Senator Higgins moved that the name of Senator Clark be added as a co-author to S.F. No. 3376. The motion prevailed.

Senator Doll moved that the name of Senator Erickson Ropes be added as a co-author to S.F. No. 3699. The motion prevailed.

Senator Vandever moved that his name be stricken as a co-author to S.F. No. 3717. The motion prevailed.

Senator Vickerman moved that S.F. No. 3346 be withdrawn from the Committee on Health, Housing and Family Security 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.

Senator Pappas introduced—

S.F. No. 3786: A bill for an act relating to public safety; requiring commissioner of public safety's annual report on human trafficking include information on trafficking of American Indian women and girls; appropriating money for research on trafficking of American Indian women and girls; amending Minnesota Statutes 2006, section 299A.785, subdivision 2.

Referred to the Committee on Judiciary.

Senator Olseen introduced—

S.F. No. 3787: A bill for an act relating to transportation; establishing driver and vehicle services technology account; imposing technology surcharge; adjusting certain fees; amending Minnesota Statutes 2006, sections 168.013, by adding a subdivision; 168A.29, as amended; 299A.705, by adding a subdivision; Minnesota Statutes 2007 Supplement, section 171.06, subdivision 2.

Referred to the Committee on Finance.

Senators Vandever, Saxhaug and Tomassoni introduced—

S.F. No. 3788: A bill for an act relating to unemployment insurance; regulating benefits for certain employees who own or are related to owners of family businesses; repealing Minnesota Statutes 2007 Supplement, section 268.085, subdivision 9.

Referred to the Committee on Business, Industry and Jobs.

Senators Bonoff and Saltzman introduced—

S.F. No. 3789: A bill for an act relating to public safety; designating a specified law as the "Teri Lee Law"; amending Minnesota Statutes 2007 Supplement, section 299C.46, subdivision 6.

Referred to the Committee on Judiciary.

Senators Higgins, Murphy, Betzold, Dille and Tomassoni introduced—

S.F. No. 3790: A resolution memorializing Congress; requesting Congress to acknowledge that the neurological disorder known as Parkinson's disease can be caused by exposure to Agent Orange and to require that the United States Department of Veterans Affairs offer assistance to United States military members who, while serving their country, have acquired Parkinson's disease through their exposure to Agent Orange.

Referred to the Committee on Agriculture and Veterans.

Senator Bakk introduced—

S.F. No. 3791: A bill for an act relating to motor fuels; modifying provisions relating to petroleum product distribution; amending Minnesota Statutes 2006, sections 296A.01, subdivisions 44, 45; 296A.03, subdivision 2.

Referred to the Committee on Taxes.

Senators Skoe and Langseth introduced—

S.F. No. 3792: A bill for an act relating to natural resources; modifying definitions related to native prairie restorations; amending Minnesota Statutes 2007 Supplement, section 84.02, subdivisions 2, 7.

Referred to the Committee on Environment and Natural Resources.

Senators Clark, Frederickson, Lynch, Olseen and Wergin introduced—

S.F. No. 3793: A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article III, by adding a section; article IV, section 9; article V, section 4; establishing a council to prescribe salaries for legislators and constitutional officers; abolishing the compensation council; amending Minnesota Statutes 2006, sections 15A.083, subdivision 6a; 43A.17, subdivision 9; 116S.03, subdivision 1; 352.029, subdivision 2a; 353.017, subdivision 7; 354.41, subdivision 4a; 480A.02, subdivision 7; repealing Minnesota Statutes 2006, section 15A.082.

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

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. The Sergeant at Arms was instructed to bring in the absent members.

MOTIONS AND RESOLUTIONS - CONTINUED

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

CALENDAR

H.F. No. 1546: A bill for an act relating to elections; providing for verification of certain address changes; making conforming procedural changes; amending Minnesota Statutes 2006, sections 201.12; 201.13, subdivision 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 3564: A bill for an act relating to transportation finance; correcting transitional rate of special fuel excise tax on compressed natural gas; amending Laws 2008, chapter 152, article 3, section 6.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 46 and nays 19, as follows:

Those who voted in the affirmative were:

Bakk	Dille	Lourey	Prettner Solon	Skogen
Berglin	Doll	Lynch	Rest	Sparks
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	Senjem	
Cohen	Langseth	Olson, M.	Sheran	
Dahle	Larson	Pappas	Sieben	
Dibble	Latz	Pogemiller	Skoe	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

H.F. No. 3099: A bill for an act relating to state government; requiring emergency management training for certain executive branch employees; amending Minnesota Statutes 2006, section 12.09, by adding a subdivision.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

H.F. No. 2636: A bill for an act relating to local government; providing for town parks; authorizing certain expenditures by towns; amending Minnesota Statutes 2006, section 365.10, subdivisions 8, 12.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 1, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Murphy

So the bill passed and its title was agreed to.

S.F. No. 2369: A bill for an act relating to education; requiring criminal history background checks; amending Minnesota Statutes 2006, section 123B.03, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

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

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 59 and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Fischbach	Gerlach	Limmer	Vandever
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So the bill passed and its title was agreed to.

S.F. No. 2786: A bill for an act relating to occupations; modifying effective dates for restricted plumber licenses; amending Minnesota Statutes 2007 Supplement, section 326.402, subdivisions 1, 3.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2688: A bill for an act relating to unemployment compensation; eliminating an exception to the general rule for determining independent contractor status; requiring certain audit activities; amending Minnesota Statutes 2007 Supplement, section 268.035, subdivision 25b.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dille	Gerlach	Hann	Koch	Michel
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So the bill passed and its title was agreed to.

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.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 2390: A bill for an act relating to consumer protection; modifying restrictions on the collection and use of Social Security numbers; amending Minnesota Statutes 2006, section 325E.59, subdivision 3; Minnesota Statutes 2007 Supplement, section 325E.59, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 2, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Limmer Vandever

So the bill passed and its title was agreed to.

S.F. No. 2653: A bill for an act relating to education; establishing a conflict of interest exception for certain school contracts for professional and other services; amending Minnesota Statutes 2006, section 471.88, subdivision 5.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Gerlach	Limmer	Vandev eer
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So the bill passed and its title was agreed to.

S.F. No. 2941: A bill for an act relating to health; changing provisions for prescribing and filing drugs; amending Minnesota Statutes 2006, sections 151.01, subdivision 23; 151.37, subdivision 7; Minnesota Statutes 2007 Supplement, sections 148.235, subdivision 11; 151.37, subdivision 2; 151.56; repealing Minnesota Statutes 2007 Supplement, section 148.235, subdivision 12.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SUSPENSION OF RULES

Senator Pogemiller moved that Rule 24.2 be suspended as to the lie-over requirement on the Calendar. The motion prevailed.

S.F. No. 2822: A bill for an act relating to insurance; providing for penalties and attorney fees for certain insurance claims practices; proposing coding for new law in Minnesota Statutes, chapter 604.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bakk	Erickson Ropes	Jungbauer	Olson, G.	Scheid
Berglin	Fischbach	Koering	Olson, M.	Senjem
Bonoff	Foley	Larson	Ortman	Sheran
Carlson	Frederickson	Latz	Pariseau	Skogen
Chaudhary	Gerlach	Limmer	Pogemiller	Tomassoni
Clark	Gimse	Lourey	Prettner Solon	Torres Ray
Cohen	Hann	Metzen	Rest	Vandevier
Dahle	Higgins	Michel	Robling	Vickerman
Day	Ingebrigtsen	Moua	Rosen	Wergin
Doll	Johnson	Olseen	Saltzman	Wiger

Those who voted in the negative were:

Betzold	Koch	Lynch	Pappas	Sieben
Dibble	Kubly	Marty	Rummel	Skoe
Dille	Langseth	Murphy	Saxhaug	Sparks

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

CONSENT CALENDAR

S.F. No. 3402: A bill for an act relating to transportation; transferring highway right-of-way to state rail bank.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bakk	Day	Gimse	Langseth	Moua
Berglin	Dibble	Hann	Larson	Murphy
Betzold	Dille	Higgins	Latz	Olseen
Bonoff	Doll	Ingebrigtsen	Limmer	Olson, G.
Carlson	Erickson Ropes	Johnson	Lourey	Olson, M.
Chaudhary	Fischbach	Jungbauer	Lynch	Ortman
Clark	Foley	Koch	Marty	Pappas
Cohen	Frederickson	Koering	Metzen	Pogemiller
Dahle	Gerlach	Kubly	Michel	Prettner Solon

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

So the bill passed and its title was agreed to.

S.F. No. 2755: A bill for an act relating to transportation; permitting deputy registrar office to be moved in city of New Prague.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 3674: A bill for an act relating to legislation; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 2006, sections 13.202, subdivision 3; 13.322, subdivision 1; 13.3806, subdivision 1; 13.635, subdivision 1; 13.681, subdivision 1; 13.712, subdivision 1; 13.83, subdivision 10; 13.871, subdivisions 1, 6; 17.117, subdivision 3; 46.044, subdivision 1; 72A.20, subdivision 11; 103F.725, subdivision 1a; 103I.005, subdivision 22; 103I.311, subdivision 3; 115A.554; 123B.88, subdivision 19; 124D.59, subdivision 3; 126C.17, subdivision 9; 144.396, subdivision 9; 144.581, subdivision 1; 144A.461; 145B.02, subdivision 5; 148.736, subdivisions 2, 3; 169.01, subdivision 4b; 169.421, subdivision 5; 169.448, subdivision 1; 171.12, subdivision 2a; 174.03, subdivision 8; 175.35; 237.411, subdivision 5; 244.08; 256.98, subdivision 7; 256B.04, subdivision 16; 256B.35, subdivision 1; 256J.30, subdivision 9; 256J.32, subdivision 4; 256J.42, subdivisions 5, 6; 256J.425, subdivisions 5, 6; 256J.46, subdivision 1; 256J.50, subdivision 1; 256J.521, subdivision 4; 256J.54, subdivision 5; 260B.235, subdivision 5; 260C.007, subdivision 6; 270.81, subdivision 1; 270.82, subdivision 1; 270.83, subdivision 3; 273.1398, subdivision 6; 275.065, subdivision 5a; 282.01, subdivision 1b; 289A.08, subdivision 7; 289A.63, subdivision 6; 290.0921, subdivision 3; 297A.70, subdivision 13; 298.282, subdivision 2; 300.15; 300.64, subdivision 4; 321.0108; 332.30; 352.03, subdivision 11; 352.119, subdivision 3; 354.07, subdivision 3; 354A.12, subdivisions 1, 2a; 356.30, subdivision 1; 356.65, subdivision 2; 386.015, subdivision 5; 422A.101, subdivision 2; 424A.02, subdivision 8a; 458D.18, subdivision 9; 469.153, subdivision 2; 480.182; 484.012; 501B.86, subdivision 2; 508A.22, subdivision 3; 518C.310;

550.04; 609.101, subdivision 3; 609.75, subdivision 1; 609B.121; 609B.164; 609B.265, subdivision 3; 609B.515; 611.272; Minnesota Statutes 2007 Supplement, sections 16C.03, subdivision 10; 103I.235, subdivision 1; 136A.127, subdivision 8; 144.121, subdivision 5b; 148.67, subdivision 1; 183.57, subdivision 2; 183.59; 216B.1637; 256.01, subdivision 23; 256.476, subdivision 4; 256B.0915, subdivisions 3a, 3e; 256B.49, subdivision 16a; 256J.49, subdivision 13; 256J.55, subdivision 1; 268.101, subdivision 2; 325E.386, subdivision 1; 326.91, subdivision 1; 352.01, subdivision 2b; 446A.051, subdivision 1; 446A.072, subdivision 5a; Laws 2007, chapter 147, article 19, section 3, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609B; repealing Minnesota Statutes 2006, sections 35.701; 35.96, subdivision 5; 62Q.64; 216C.30, subdivision 4; 256E.21, subdivision 3; 289A.11, subdivision 2; 383D.47; 473.1551, subdivision 1; 473.553, subdivision 14; 473.616; 484.69, subdivision 1a; 525.091, subdivision 2; Laws 2006, chapter 270, article 2, section 13; Laws 2007, chapter 128, article 6, section 16; Laws 2007, chapter 134, article 1, section 8; Laws 2007, chapter 147, article 1, section 32.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 3555: A bill for an act relating to natural resources; providing procedures for filling the Watonwan County Soil and Water Conservation District Board supervisor vacant positions.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson	Day	Hann	Limmer	Ortman
Bakk	Dibble	Higgins	Lourey	Pappas
Berglin	Dille	Johnson	Lynch	Pariseau
Betzold	Doll	Jungbauer	Marty	Pogemiller
Bonoff	Erickson Ropes	Koch	Metzen	Prettner Solon
Carlson	Fischbach	Koering	Michel	Rest
Chaudhary	Foley	Kubly	Moua	Robling
Clark	Frederickson	Langseth	Murphy	Rosen
Cohen	Gerlach	Larson	Olseen	Rummel
Dahle	Gimse	Latz	Olson, M.	Saltzman

Saxhaug
Scheid
Senjem

Sheran
Sieben
Skoe

Skogen
Sparks
Tomassoni

Torres Ray
Vandever
Vickerman

Wergin
Wiger

So the bill passed and its title was agreed to.

S.F. No. 3461: A bill for an act relating to local government; changing the date by which counties must provide summary budget data; amending Minnesota Statutes 2006, section 6.745, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson
Bakk
Berglin
Betzold
Bonoff
Carlson
Chaudhary
Clark
Cohen
Dahle
Day
Dibble
Dille
Doll

Erickson Ropes
Fischbach
Foley
Frederickson
Gerlach
Gimse
Hann
Higgins
Ingebrigtsen
Johnson
Jungbauer
Koch
Koering
Kubly

Langseth
Larson
Latz
Limmer
Lourey
Lynch
Marty
Metzen
Michel
Moua
Murphy
Olseen
Olson, G.
Olson, M.

Ortman
Pappas
Pariseau
Pogemiller
Prettner Solon
Rest
Robling
Rosen
Rummel
Saltzman
Saxhaug
Scheid
Senjem
Sheran

Sieben
Skoe
Skogen
Sparks
Tomassoni
Torres Ray
Vandever
Vickerman
Wergin
Wiger

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Pogemiller moved that the Senate take up the 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. 3313, which the committee recommends to pass with the following amendment offered by Senator Kubly:

Page 1, line 12, strike "shall" and insert "must"

Page 2, line 3, delete "may" and insert "must:"

Page 2, delete line 4

Page 2, line 5, delete "has" and insert "have"

Page 2, line 7, delete "is currently licensed" and insert "have a current license"

Page 2, line 8, delete "has" and insert "have a"

Page 4, line 9, delete "may" and insert "must:"

Page 4, delete line 10

Page 4, line 11, delete "has" and insert "have"

Page 4, line 13, delete "is currently licensed" and insert "have a current license"

Page 4, line 14, delete "has" and insert "have a"

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.

MOTIONS AND RESOLUTIONS - CONTINUED

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

REPORTS OF COMMITTEES

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

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

S.F. No. 3755: A bill for an act relating to the military; repealing authorization for the state Persian Gulf War ribbon; repealing Minnesota Statutes 2006, section 190.17.

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

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

S.F. No. 2408: A bill for an act relating to city of Minneapolis; allowing city to restrict use of engine brakes on Interstate Highway 394.

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

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

S.F. No. 3756: A bill for an act relating to the military; changing eligibility for brevet promotion; amending Minnesota Statutes 2006, section 192.20.

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

Page 1, after line 22, insert:

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

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

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

S.F. No. 2449: A bill for an act relating to agriculture; modifying prohibited uses of pesticide; amending Minnesota Statutes 2006, section 18B.07, subdivision 2.

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

Page 2, line 28, after "to" insert "directly" and delete "the wrong site or to"

Page 2, line 29, delete "or" and delete "for by the property" and insert "for, permitted, or performed pursuant to paragraph (c), clause (2), (3), or (4),"

Page 2, line 30, delete everything before "notwithstanding"

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

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

S.F. No. 2775: A bill for an act relating to utilities; requiring notice to city when customer's heat source disconnected; amending Minnesota Statutes 2006, section 13.681, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B.

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 13.681, is amended by adding a subdivision to read:

Subd. 6. **Utility disconnection.** Utility data on disconnections provided to cities under section 216B.0976 shall be treated as private data on individuals or nonpublic data.

Sec. 2. **[216B.0976] NOTICE TO CITIES OF UTILITY DISCONNECTION.**

Subdivision 1. **Notice required.** Notwithstanding section 13.685 or any other law or administrative rule to the contrary, a public utility, cooperative electric association, or municipal utility must provide notice to a statutory city or home rule charter city, as prescribed by this section, of disconnection of a customer's gas or electric service. Upon written request from a city, on October 15 and November 1 of each year, or the next business day if that date falls on a Saturday or Sunday, a report must be made available to the city of the address of properties

currently disconnected and the date of the disconnection. Upon written request from a city, between October 15 and April 15, daily reports must be made available of the address and date of any newly disconnected properties.

For the purpose of this section, "disconnection" means a cessation of services initiated by the public utility, cooperative electric association, or municipal utility that affects the primary heat source of a residence and service is not reconnected within 24 hours.

Subd. 2. **Data.** Data on customers that are provided to cities under subdivision 1 are private data on individuals or nonpublic data, as defined in section 13.02."

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

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

S.F. No. 3473: A bill for an act relating to Jackson County; providing a process for making the office of county auditor-treasurer appointive.

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

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

S.F. No. 3715: A bill for an act relating to Steele County; authorizing transfer of nursing home and assisted living facility and related assets to nonprofit corporation and acquisition of membership interest in nonprofit corporation.

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

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

S.F. No. 2654: A bill for an act relating to statutory cities; providing for discharge of a charter commission; providing for compensation of charter commissions; authorizing charter amendments by ordinance; providing for water and sewer charges; amending Minnesota Statutes 2006, sections 410.05, subdivision 5; 410.06; 410.12, subdivision 7; 444.075, subdivision 3.

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

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

S.F. No. 3372: A bill for an act relating to traffic regulations; establishing minimum requirements for city's permit program for long-term disability parking; amending Minnesota Statutes 2006, section 169.346, subdivision 5.

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

Page 1, line 14, after "disabilities" insert "or a 50 percent reduction in the hourly rate for parkers

with disabilities"

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

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

S.F. No. 3160: A bill for an act relating to energy; authorizing certain governments to engage in energy-related activities, including ownership of renewable energy projects; authorizing bonds; authorizing an annual ad valorem tax; amending Minnesota Statutes 2006, sections 216B.1612, by adding a subdivision; 473.1293, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 216F; 373.

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

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

S.F. No. 3474: A bill for an act relating to Rock County; providing a process for making certain offices appointive in Rock County.

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

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

S.F. No. 3691: A bill for an act relating to state government; requiring the legislative auditor to establish a compensation plan for employees of the auditor, subject to legislative review and approval; amending Minnesota Statutes 2006, sections 3.855, subdivision 3; 3.971, subdivision 2.

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

Page 2, line 2, after "employment" insert "of classified employees in the office of the legislative auditor"

Page 2, line 16, delete "Salary administration" and insert "Compensation"

Page 2, line 17, delete "civil"

Page 2, line 19, after "Commission" insert "and the legislature under section 3.855, subdivision 3"

Page 2, line 22, delete "retroactively from" and delete "2008" and insert "2009"

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

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

S.F. No. 3181: A bill for an act relating to human services; revising requirements for

county-based purchasing for state health care programs; requiring a mandated report; amending Minnesota Statutes 2006, sections 256B.69, subdivision 3a; 256B.692, subdivisions 1, 2, 7; Laws 2005, First Special Session chapter 4, article 8, section 84, as amended.

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

Page 1, lines 10 and 11, delete the new language

Page 2, line 7, delete the new language and reinstate the stricken language

Page 2, lines 22, 25, 28, 29, 32, 33, and 36, reinstate the stricken language

Page 2, lines 23 and 26, delete the new language and reinstate the stricken language

Page 2, line 24, delete "programs"

Page 3, line 1, reinstate the stricken "care"

Page 3, line 16, delete everything after the period

Page 3, delete line 17

Pages 5 to 6, delete sections 2 to 3

Page 7, line 8, delete everything after the period

Page 7, delete line 9

Page 7, line 23, strike "The commissioner shall continue" and delete "to use" and strike "single"

Page 7, lines 24 and 25, strike the old language

Page 7, lines 27 to 32, delete the new language

Page 7, line 33, delete the new language and insert "The commissioner shall continue to use single-health plan, county-based purchasing arrangements for medical assistance and general assistance medical care managed care programs and products for the counties that were in single-health plan, county-based purchasing arrangements on March 1, 2008. This paragraph does not require the commissioner to terminate an existing contract with a noncounty-based purchasing health plan that had enrollment in a medical assistance program or product in these counties on March 1, 2008. This paragraph expires on December 31, 2010, or the effective date of new contracts for medical assistance and general assistance medical care managed care programs entered into at the conclusion of the commissioner's next scheduled procurement process for the county-based purchasing entities covered by this paragraph, whichever is later"

Page 8, line 15, delete "5" and insert "3"

Renumber the sections in sequence

Amend the title numbers accordingly

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3755, 2408, 3756, 2449, 2775, 3473, 3715, 2654, 3372, 3474 and 3691 were read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Doll moved that S.F. No. 3494, No. 105 on General Orders, be stricken and re-referred to the Committee on Judiciary. The motion prevailed.

RECESS

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

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

APPOINTMENTS

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

H.F. No. 2553: Senators Latz, Hann, Scheid, Betzold and Moua.

H.F. No. 1351: Senators Murphy, Rest, Jungbauer, Carlson and Skoe.

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

MEMBERS EXCUSED

Senators Bakk and Cohen were excused from the Session of today from 12:10 to 12:20 p.m. Senator Stumpf was excused from the Session of today from 12:10 to 12:50 p.m. Senator Anderson was excused from the Session of today from 12:15 to 12:40 p.m. Senator Clark was excused from the Session of today from 12:20 to 12:25 p.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 12:00 noon, Tuesday, March 25, 2008. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

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