

EIGHTY-FOURTH DAY

St. Paul, Minnesota, Monday, March 12, 2012

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

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

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

The members of the Senate gave the pledge of allegiance to the flag of the United States of America, led by military service veteran, Mr. Ray Trebus.

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

Bakk	Gazelka	Koch	Newman	Sieben
Benson	Gerlach	Kruse	Nienow	Skoe
Bonoff	Gimse	Langseth	Olson	Sparks
Brown	Goodwin	Latz	Ortman	Stumpf
Carlson	Hall	Lillie	Pappas	Thompson
Chamberlain	Hann	Limmer	Parry	Tomassoni
Cohen	Harrington	Lourey	Pederson	Torres Ray
Dahms	Hayden	Magnus	Reinert	Vanderveer
Daley	Higgins	Marty	Rest	Wiger
DeKruif	Hoffman	McGuire	Robling	Wolf
Dibble	Howe	Metzen	Rosen	
Dziedzic	Ingebrigtsen	Michel	Saxhaug	
Eaton	Jungbauer	Miller	Senjem	
Fischbach	Kelash	Nelson	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 8, 2012

The Honorable Michelle L. Fischbach
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, S.F. Nos. 1240 and 1213.

Sincerely,
Mark Dayton, Governor

March 8, 2012

The Honorable Kurt Zellers
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2012 Session of the State Legislature have been received from the Office of the Governor and are 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 2012	Date Filed 2012
1240		128	9:39 a.m. March 8	March 8
1213		130	9:40 a.m. March 8	March 8

Sincerely,
Mark Ritchie
Secretary of State

March 8, 2012

The Honorable Michelle L. Fischbach
President of the Senate

Dear Madam President:

I have vetoed and am returning Chapter 129, Senate File 134, a bill to change the definition of a public employee.

This bill modifies a provision of the Public Employee Labor Relations Act (PELRA) that defines which temporary or seasonal workers are considered public employees. Public employees are afforded certain rights under PELRA, including the right to bargain for wages and benefits, protection from dismissal without cause, and the right to file grievances against wrongful employers. The particular change provided in this bill affects students who perform temporary or seasonal work for public employers, including state agencies, schools, and municipalities.

Current law states that certain fulltime students under the age of 22, who work for a public employer for up to 100 days a year, are not public employees. This bill would exclude all fulltime students, of any age, who are temporary or seasonal employees of a public employer, and who work

for up to 100 days a year, from being public employees.

According to the Minnesota Bureau of Meditation Services, this change in the law would have several effects on older workers, which in my judgment, are harmful. Under this bill, students older than the age of 22 would not be considered public employees and, therefore, would not be eligible for the benefits contained in the labor agreement covering their positions, because the labor agreement would only cover employees meeting the definition of a public employee.

Among the rights and benefits for which they would not be eligible, are those benefits found in collective bargaining agreements, which include: Health Care Benefits, Negotiated Wage Rates and Negotiated Wage Increases, Vacation, Sick Leave, Job Protection (not being discharged without just cause), Protection from Discipline without just cause, and Overtime.

One of the reasons this age limitation is in statute, is to provide protections for workers beyond the age where they often have health care coverage through their families. This bill puts in jeopardy adults who happen to be in school but work temporary or seasonal jobs. They would find themselves without insurance, benefits and other protections afforded other public employees.

Current law balances the interests of students to access the rights and benefits of PELRA, while providing public employers the flexibility to hire student employees for short term or seasonal work. This change would result in a significant increase in temporary seasonal positions lacking job protections and fringe benefits provided by PELRA. I cannot support it.

Sincerely,
Mark Dayton, Governor

Senator Senjem moved that S.F. No. 134 and the veto message thereon be laid on the table. The motion prevailed.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1183.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 8, 2012

Madam President:

I have the honor to announce the following change in the membership of the Conference Committee on House File 1870:

Delete the name of Kelly and add the name of Erickson.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 8, 2012

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1738, 2022, 2132, 2392, 2152, 2376 and 2455.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 8, 2012

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 1738: A bill for an act relating to local government; providing for detachment from a municipality; amending Minnesota Statutes 2010, section 414.06, subdivisions 1, 2, 3, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1450, now on General Orders.

H.F. No. 2022: A bill for an act relating to St. Louis County; authorizing the private sale of certain real and personal property.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1625, now on General Orders.

H.F. No. 2132: A bill for an act relating to the Washington County Housing and Redevelopment Authority; clarifying the jurisdiction of the authority; amending Laws 1974, chapter 475, sections 1; 2, subdivision 1; 3.

Referred to the Committee on Local Government and Elections.

H.F. No. 2392: A bill for an act relating to Anoka County; providing for powers and jurisdiction of the Anoka County Housing and Redevelopment Authority; amending Minnesota Statutes 2010, sections 383E.17; 383E.18.

Referred to the Committee on Local Government and Elections.

H.F. No. 2152: A bill for an act relating to commerce; specifying the extent of responsibility of real estate licensees for property management activities on real property owned by the licensee or by an entity in which the licensee has an ownership interest; amending Minnesota Statutes 2010, section 82.73, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1739, now on the Calendar.

H.F. No. 2376: A bill for an act relating to education finance; simplifying the approval process for food service equipment purchased from the food service fund; amending Minnesota Statutes 2010, section 124D.111, subdivision 3.

Referred to the Committee on Education.

H.F. No. 2455: A bill for an act relating to the city of Montgomery; authorizing the city to convey property for less than market value.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1544, now on General Orders.

REPORTS OF COMMITTEES

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

Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred

S.F. No. 2148: A bill for an act relating to public safety; imposing a temporary moratorium on the establishment of new fire departments; requiring a report from the state fire marshal; proposing coding for new law in Minnesota Statutes, chapter 299F.

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

Delete everything after the enacting clause and insert:

"Section 1. **REPORT.**

By January 15, 2013, the state fire marshal shall report to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over the state fire marshal on minimum standards with which newly established fire departments should be required to comply. At a minimum, the standards must address staffing levels, equipment needs, estimated response times, and the experience levels of departmental personnel."

Delete the title and insert:

"A bill for an act relating to public safety; requiring a report from the state fire marshal."

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

Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred

S.F. No. 2121: A bill for an act relating to data practices; classifying data on unofficial fiscal notes; amending Minnesota Statutes 2010, section 13.64, by adding a subdivision.

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

Page 1, delete lines 10 to 14 and insert:

"(b) This paragraph applies if a request for an unofficial fiscal note is accompanied by a directive from the requester that the data be classified under this paragraph. Government data on the request, the bill draft, and the unofficial fiscal note are private data on individuals or nonpublic data, provided that the data are accessible to, and may be disclosed by, the requester. If the unofficial fiscal note or an updated version is subsequently used for an introduced bill, the fiscal note becomes public data."

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

Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred

S.F. No. 2114: A bill for an act relating to child support judgments; eliminating certain provisions providing for 20-year survival of judgments; amending Minnesota Statutes 2010, sections 541.04; 548.09, subdivision 1.

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

Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred

S.F. No. 1749: A bill for an act relating to data practices; repealing certain classifications related to electronic licensing; repealing Minnesota Statutes 2010, sections 13.7931, subdivision 6; 84.0874.

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 2010, section 84.0874, is amended to read:

84.0874 ELECTRONIC LICENSING SYSTEM DATA.

The following data created, collected, stored, or maintained by the department for purposes of obtaining a noncommercial game and fish license, cross-country ski pass, horse pass, or snowmobile trail sticker; registering a recreational motor vehicle; or any other electronic licensing transaction are private data on individuals as defined in section 13.02, subdivision 12: name, addresses, driver's license number, and date of birth. The data may be disclosed for law enforcement purposes. The data, other than the driver's license number, may be disclosed:

(1) to a government entity and for natural resources management purposes, including recruitment, retention, and training certification and verification;

(2) for use in the normal course of business by a legitimate business or its agents, employees, or contractors, in order to verify the accuracy of personal information submitted by an individual. If the information as submitted is not correct or is no longer correct, correct information may be obtained only for the purpose of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against the individual. If the person requesting access is acting as the agent of a lienholder, the requestor must submit proof of a contract with the lienholder;

(3) for use in connection with any civil, criminal, administrative, or arbitration proceedings in any court or agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to a court order, provided that the requestor provides a copy of the order; or

(4) for use in providing notice to the owners of towed or impounded recreational vehicles or watercraft. The person requesting access must provide the name, address, and telephone number of the entity that requested that the recreational vehicle or watercraft be towed."

Delete the title and insert:

"A bill for an act relating to data practices; authorizing access to Department of Natural Resources electronic licensing data for certain purposes; amending Minnesota Statutes 2010, section 84.0874."

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

Senator Limmer from the Committee on Judiciary and Public Safety, to which was re-referred

S.F. No. 1675: A bill for an act relating to human services; modifying provisions related to children and family services; reforming adoptions under guardianship of the commissioner; modifying statutory provisions related to child support, child care and MFIP; amending Minnesota Statutes 2010, sections 13.46, subdivision 2; 13.461, subdivision 17; 13.465, by adding a subdivision; 119B.09, subdivision 7; 119B.12, subdivisions 1, 2; 119B.125, subdivisions 1a, 2, 6; 119B.13, subdivision 6; 145.902, subdivisions 1, 2, 3; 256.998, subdivisions 1, 5; 256J.08, subdivision 11; 256J.24, subdivisions 2, 5; 256J.32, subdivision 6; 256J.621; 256J.68, subdivision 7; 256J.95, subdivision 3; 259.22, subdivision 2; 259.23, subdivision 1; 259.24, subdivisions 1, 3, 5, 6a, 7; 259.29, subdivision 2; 260C.193, subdivision 3; 260C.201, subdivision 11a; 260C.212, subdivisions 1, 2, 5, 7; 260C.217; 260C.317, subdivisions 3, 4; 260C.325, subdivisions 1, 3, 4; 260C.328; 541.04; 548.09, subdivision 1; 609.3785; 626.556, subdivisions 2, 10f, 10i, 11; Minnesota Statutes 2011 Supplement, section 119B.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 260C; repealing Minnesota Statutes 2010, section 256.022.

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

Page 6, line 20, delete "department" and insert "office"

Page 6, line 22, after "place" insert "during its hours of operation"

Page 6, lines 27, 29, and 32, delete "During its hours of operation,"

Page 7, after line 2, insert:

"(d) A safe place that is not a hospital shall arrange to transport the newborn to a hospital. The safe place can either: (1) dial 911, advise the 911 dispatcher that the call is being made from a safe place for newborns, and request that the dispatcher send an ambulance; or (2) arrange to transport the newborn in a safe and appropriate manner. The hospital shall receive the newborn and perform the duties under subdivision 2."

Page 7, delete section 5

Page 7, lines 9 and 15, strike "hospital" and insert "safe place"

Page 26, line 5, after "hospital" insert "under sections 144.50 to 144.56"

Page 26, line 6, delete "department" and insert "office"

Page 26, line 19, after "responder" insert "to be transported to a hospital. A safe place that is not a hospital must relinquish the child in accordance with section 145.902, subdivision 1, paragraph

(d)"

Page 26, line 20, delete "safe place or 911 responder" and insert "hospital"

Page 26, line 30, delete everything after the period

Page 26, delete line 31

Page 50, line 29, strike "HOSPITALS" and insert "SAFE PLACES"

Page 50, after line 30, insert:

"(a) For purposes of this section, "safe place" has the meaning given in section 260C.217, subdivision 1a."

Page 51, line 1, before "A" insert "(b)"

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 1531: A bill for an act relating to education; expanding the postsecondary enrollment options program; amending Minnesota Statutes 2010, sections 124D.09, subdivisions 3, 9, 12, 24, by adding a subdivision; 135A.101, subdivision 1; Minnesota Statutes 2011 Supplement, section 124D.09, subdivision 5; repealing Minnesota Statutes 2010, section 124D.09, subdivision 23.

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 2010, section 124D.09, is amended by adding a subdivision to read:

Subd. 5a. **Authorization; career or technical education.** A 10th, 11th, or 12th grade pupil enrolled in a district or an American Indian-controlled tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may enroll in a career or technical education course offered by a Minnesota state college or university. A 10th grade pupil applying for enrollment in a career or technical education course under this subdivision must have received a passing score on the 8th grade Minnesota Comprehensive Assessment in reading as a condition of enrollment. A secondary pupil may enroll in their first postsecondary options enrollment course under this subdivision. A student who is refused enrollment by a Minnesota state college or university under this subdivision, may apply to an eligible institution offering a career or technical education course or a college or university registered under chapter 136A by the Office of Higher Education that is eligible to receive state student aid. The postsecondary institution must give priority to its students according to subdivision 9. If a secondary student receives a grade of "C" or better in the career or technical education course taken under this subdivision, the postsecondary institution must allow the student to take additional secondary courses at that institution, not to exceed the limits in subdivision 8. A

"career or technical course" is a course that is part of a career and technical education program that provides individuals with coherent, rigorous content aligned with academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in current and emerging professions and provide technical skill proficiency, an industry recognized credential, and a certificate, diploma, or an associate degree.

Sec. 2. Minnesota Statutes 2010, section 124D.09, subdivision 9, is amended to read:

Subd. 9. **Enrollment priority.** A postsecondary institution shall give priority to its postsecondary students when enrolling 10th, 11th, and 12th grade pupils in its courses. A postsecondary institution may provide information about its programs to a secondary school or to a pupil or parent, ~~but it may not advertise or otherwise recruit or solicit the participation of secondary pupils to enroll in its programs on financial grounds.~~ An institution must not enroll secondary pupils, for postsecondary enrollment options purposes, in remedial, developmental, or other courses that are not college level. Once a pupil has been enrolled in a postsecondary course under this section, the pupil shall not be displaced by another student.

Sec. 3. Minnesota Statutes 2010, section 124D.09, subdivision 12, is amended to read:

Subd. 12. **Credits.** ~~A pupil may enroll in a course under this section for either secondary credit or postsecondary credit. At the time a pupil enrolls in a course, the pupil shall designate whether the course is for secondary or postsecondary credit. A pupil taking several courses may designate some for secondary credit and some for postsecondary credit.~~ A pupil must not audit a course under this section.

A district shall grant academic credit to a pupil enrolled in a course for secondary credit if the pupil successfully completes the course. Seven quarter or four semester college credits equal at least one full year of high school credit. Fewer college credits may be prorated. A district must also grant academic credit to a pupil enrolled in a course for postsecondary credit if secondary credit is requested by a pupil. If no comparable course is offered by the district, the district must, as soon as possible, notify the commissioner, who shall determine the number of credits that shall be granted to a pupil who successfully completes a course. If a comparable course is offered by the district, the school board shall grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits shall be final.

The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil shall provide the school with a copy of the pupil's grade in each course taken for secondary credit under this section. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10.

Sec. 4. Minnesota Statutes 2010, section 124D.09, subdivision 13, is amended to read:

Subd. 13. **Financial arrangements.** For a pupil enrolled in a course under this section, the department must make payments according to this subdivision for courses that were taken for secondary credit.

The department must not make payments to a school district or postsecondary institution for a course taken for postsecondary credit only. The department must not make payments to a postsecondary institution for a course from which a student officially withdraws during the first 14 days of the quarter or semester or who has been absent from the postsecondary institution for the first 15 consecutive school days of the quarter or semester and is not receiving instruction in the home or hospital.

A postsecondary institution, including a college or university under subdivision 5a, shall receive the following:

(1) for an institution granting quarter credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the formula allowance minus \$415, multiplied by 1.3, and divided by 45; or

(2) for an institution granting semester credit, the reimbursement per credit hour shall be an amount equal to 88 percent of the product of the general revenue formula allowance minus \$415, multiplied by 1.3, and divided by 30.

The department must pay to each postsecondary institution 100 percent of the amount in clause (1) or (2) within 30 days of receiving initial enrollment information each quarter or semester. If changes in enrollment occur during a quarter or semester, the change shall be reported by the postsecondary institution at the time the enrollment information for the succeeding quarter or semester is submitted. At any time the department notifies a postsecondary institution that an overpayment has been made, the institution shall promptly remit the amount due.

Sec. 5. Minnesota Statutes 2010, section 124D.09, subdivision 24, is amended to read:

Subd. 24. **Limit; state obligation.** The provisions of subdivisions 13, 19, and ~~22, and 23~~ shall not apply for any postsecondary courses in which a pupil is enrolled in addition to being enrolled full time in that pupil's district or for any postsecondary course in which a pupil is enrolled for postsecondary credit. The pupil is enrolled full time if the pupil attends credit-bearing classes in the high school or high school program for all of the available hours of instruction.

EFFECTIVE DATE. This section is effective for the 2012-2013 school year and later.

Sec. 6. Minnesota Statutes 2010, section 135A.101, subdivision 1, is amended to read:

Subdivision 1. **Requirements for participation.** To participate in the postsecondary enrollment options program, a college or university must abide by the provisions in this section. The institution

may provide information about its programs to a secondary school or to a pupil or parent, ~~but may not recruit or solicit participation on financial grounds.~~

Sec. 7. POSTSECONDARY ENROLLMENT OPTION APPROPRIATION ADJUSTMENT.

Notwithstanding Minnesota Statutes, section 124D.09, for fiscal year 2013 only, the commissioner must limit the appropriation paid to colleges in the postsecondary enrollment option program that is attributable to tenth grade students enrolling in career and technical classes to the amount of the general education deduction for these students multiplied times 0.6.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2013 only.

Sec. 7. REPEALER.

Minnesota Statutes 2010, section 124D.09, subdivision 23, is repealed effective for the 2012-2013 school year and later."

Amend the title accordingly

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

Senator Rosen from the Committee on Energy, Utilities and Telecommunications, to which was referred

S.F. No. 2181: A bill for an act relating to energy; regulating the renewable development account; amending Minnesota Statutes 2010, section 116C.779, subdivision 2; Minnesota Statutes 2011 Supplement, section 116C.779, subdivision 1; repealing Laws 2003, First Special Session chapter 11, article 2, section 17.

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

Page 2, delete line 24 and insert "near-commercial and demonstration scale electric infrastructure delivery projects."

Page 2, line 32, after the period, insert "The commission may approve reasonable and necessary expenditures for administering the account in an amount not to exceed five percent of expenditures."

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

Senator Rosen from the Committee on Energy, Utilities and Telecommunications, to which was re-referred

S.F. No. 1918: A bill for an act relating to public administration; modifying provisions governing energy forward pricing mechanisms for government agencies; amending Minnesota Statutes 2010, section 16C.143; repealing Minnesota Statutes 2010, sections 383B.1588; 473.1293.

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

Page 1, line 11, reinstate the stricken "except electricity"

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

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

S.F. No. 1560: A bill for an act relating to waters; eliminating conservation rate structure requirement; amending Minnesota Statutes 2010, section 103G.291, subdivision 3; repealing Minnesota Statutes 2010, section 103G.291, subdivision 4.

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 2010, section 103G.291, subdivision 3, is amended to read:

Subd. 3. **Water supply plans; demand reduction.** (a) Every public water supplier serving more than 1,000 people must submit a water supply plan to the commissioner for approval by January 1, 1996. In accordance with guidelines developed by the commissioner, the plan must address projected demands, adequacy of the water supply system and planned improvements, existing and future water sources, natural resource impacts or limitations, emergency preparedness, water conservation, supply and demand reduction measures, and allocation priorities that are consistent with section 103G.261. Public water suppliers must update their plan and, upon notification, submit it to the commissioner for approval every ten years.

(b) The water supply plan in paragraph (a) is required for all communities in the metropolitan area, as defined in section 473.121, with a municipal water supply system and is a required element of the local comprehensive plan required under section 473.859. Water supply plans or updates submitted after December 31, 2008, must be consistent with the metropolitan area master water supply plan required under section 473.1565, subdivision 1, paragraph (a), clause (2).

(c) Public water suppliers serving more than 1,000 people must ~~employ~~ encourage water conservation by employing water use demand reduction measures, ~~including a conservation rate structure,~~ as defined in subdivision 4, paragraph (a), ~~unless exempted under subdivision 4, paragraph (e),~~ before requesting approval from the commissioner of health under section 144.383, paragraph (a), to construct a public water supply well or requesting an increase in the authorized volume of appropriation. ~~Demand reduction measures must include evaluation of conservation rate structures and a public education program that may include a toilet and showerhead retrofit program.~~ The commissioner of natural resources and the water supplier shall use a collaborative process to achieve demand reduction measures as a part of a water supply plan review process.

(d) Public water suppliers serving more than 1,000 people must submit records that indicate the number of connections and amount of use by customer category and volume of water unaccounted for with the annual report of water use required under section 103G.281, subdivision 3.

(e) For the purposes of this section, "public water supplier" means an entity that owns, manages, or operates a public water supply, as defined in section 144.382, subdivision 4.

Sec. 2. Minnesota Statutes 2010, section 103G.291, subdivision 4, is amended to read:

Subd. 4. **Conservation rate structure required Demand reduction measures.** (a) For the purposes of this section, "demand reduction measures" means measures that reduce water demand,

water losses, peak water demands, and nonessential water uses. Demand reduction measures must include a conservation rate structure, or a uniform rate structure with a conservation program that achieves demand reduction. A "conservation rate structure" means a rate structure that encourages conservation and may include increasing block rates, seasonal rates, time of use rates, individualized goal rates, or excess use rates. If a conservation rate is applied to multi-family dwellings, the rate structure must consider each residential unit as an individual user in multiple-family dwellings.

(b) To encourage conservation, a public water supplier serving more than 1,000 people ~~in the metropolitan area, as defined in section 473.121, subdivision 2,~~ shall use a conservation rate structure by January 1, 2010. All remaining public water suppliers serving more than 1,000 people shall use a conservation rate structure must implement demand reduction measures by January 1, 2013 2015.

(c) ~~A public water supplier without the proper measuring equipment to track the amount of water used by its users, as of July 1, 2008, is exempt from this subdivision and the conservation rate structure requirement under subdivision 3, paragraph (c)."~~

Delete the title and insert:

"A bill for an act relating to waters; requiring water supply demand reduction measures; amending Minnesota Statutes 2010, section 103G.291, subdivisions 3, 4."

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

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

S.F. No. 1943: A bill for an act relating to natural resources; modifying game and fish license requirements; providing for taking wolf; modifying requirements to take and transport wild animals; modifying department authority and duties; modifying restrictions on discharging firearms and bows; modifying predator control program; modifying deer baiting restrictions; modifying authority to remove beavers; modifying disposition of certain receipts; eliminating authority for certain executive orders; requiring rulemaking; providing civil penalties; appropriating money; amending Minnesota Statutes 2010, sections 17.4993, subdivision 2; 84.027, subdivision 14; 97A.015, subdivision 53; 97A.065, subdivision 6; 97A.085, by adding a subdivision; 97A.421, subdivision 3; 97A.451, subdivisions 3, 4, by adding a subdivision; 97A.473, subdivisions 3, 5, 5a; 97A.475, subdivisions 2, 3, 20; 97A.482; 97B.031, subdivisions 1, 2; 97B.035, subdivision 1a; 97B.055, subdivision 1; 97B.071; 97B.085, subdivision 3; 97B.328; 97B.601, subdivisions 3a, 4; 97B.603; 97B.605; 97B.671, subdivisions 3, 4; 97B.711, subdivision 1; 97B.805, subdivision 1; 97B.901; 97C.515, subdivisions 2, 4; Minnesota Statutes 2011 Supplement, sections 97A.075, subdivision 1, by adding a subdivision; 97B.075; 97B.645, subdivision 9; 97B.667; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2010, sections 97A.045, subdivisions 8, 13; 97A.065, subdivision 1; 97A.095, subdivision 3; 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.645, subdivision 2; 97C.031; 97C.515, subdivision 5.

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 2010, section 84.027, subdivision 14, is amended to read:

Subd. 14. **Mission; efficiency.** It is part of the department's mission that within the department's resources the commissioner shall endeavor to:

- (1) prevent the waste or unnecessary spending of public money;
- (2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;
- (3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;
- (4) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;
- (5) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;
- (6) report to the legislature on the performance of agency operations and the accomplishment of agency goals in the agency's biennial budget according to section 16A.10, subdivision 1; ~~and~~
- (7) recommend to the legislature appropriate changes in law necessary to carry out the mission and improve the performance of the department; and
- (8) plan and implement activities designed to recruit new outdoor recreation participants and retain existing participants. This includes but is not limited to anglers, hunters, trappers, and campers.

Sec. 2. Minnesota Statutes 2011 Supplement, section 84D.03, subdivision 3, is amended to read:

Subd. 3. **Bait harvest from infested waters.** (a) Taking wild animals from infested waters for bait or aquatic farm purposes is prohibited, except as provided in paragraph (b) and section 97C.341.

(b) In waters that are designated as infested waters, except those designated because they contain prohibited invasive species of fish or certifiable diseases of fish, as defined under section 17.4982, subdivision 6, taking wild animals may be permitted for:

- (1) commercial taking of wild animals for bait and aquatic farm purposes according to a permit issued under section 84D.11, subject to rules adopted by the commissioner; ~~and~~
- (2) bait purposes for noncommercial personal use in waters that contain Eurasian water milfoil, when the infested waters are designated solely because they contain Eurasian water milfoil and if the equipment for taking is limited to cylindrical minnow traps not exceeding 16 inches in diameter and 32 inches in length; and
- (3) harvest of bullheads, goldeyes, mooneyes, sheepshead (freshwater drum), and suckers for bait from streams or rivers designated as infested waters, by hook and line for noncommercial personal use. Other provisions that apply to this clause are:

(i) fish taken under this clause must be used on the same body of water where caught and while still on that water body;

(ii) fish taken under this clause may not be transported live from/off the water body;

- (iii) fish harvested under this clause may only be used in accordance with this section;
- (iv) any other use of wild animals used for bait from infested waters is prohibited;
- (v) fish taken under this clause must meet all other size restrictions and requirements as established in rules; and
- (vi) all species listed under this clause shall be included in the person's daily limit as established in rules, if applicable.

(c) Equipment authorized for minnow harvest in a designated infested water by permit issued under paragraph (b) may not be transported to, or used in, any waters other than waters specified in the permit.

Sec. 3. Minnesota Statutes 2010, section 97A.015, subdivision 3a, is amended to read:

Subd. 3a. **Bonus permit.** "Bonus permit" means a license to take and tag deer by archery or firearms, in addition to deer authorized to be taken under regular firearms or archery licenses, or a license issued under section 97A.441, subdivision 7.

Sec. 4. Minnesota Statutes 2010, section 97A.015, subdivision 53, is amended to read:

Subd. 53. **Unprotected wild animals.** "Unprotected wild animals" means wild animals that are not protected wild animals including weasel, coyote (~~brush wolf~~), gopher, porcupine, striped skunk, and unprotected birds.

Sec. 5. Minnesota Statutes 2010, section 97A.065, subdivision 6, is amended to read:

Subd. 6. **Deer license donations and surcharges.** ~~(a)~~ The surcharges and donations collected under section 97A.475, subdivision 3, paragraph (b), and subdivision 3a, shall be deposited in an account in the special revenue fund and are appropriated to the commissioner for deer management, including for grants or payments to agencies, organizations, or individuals for assisting with the cost of processing deer taken for population management purposes for venison donation programs. None of the additional license fees shall be transferred to any other agency for administration of programs other than venison donation. If any money transferred by the commissioner is not used for a venison donation program, it shall be returned to the commissioner.

~~(b) By February 10, 2010, the commissioner shall report to the legislature on the participation in and the effectiveness of the venison donation program.~~

Sec. 6. Minnesota Statutes 2011 Supplement, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5), (6), (7), (13), (14), and (15), and 3, clauses (2), (3), (4), (10), (11), and (12), and licenses issued under section 97B.301, subdivision 4.

(b) \$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and is appropriated to the commissioner for deer habitat improvement or deer management programs.

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear management account and is appropriated to the commissioner for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. ~~The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent.~~

When the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Sec. 7. Minnesota Statutes 2011 Supplement, section 97A.075, is amended by adding a subdivision to read:

Subd. 7. **Wolf licenses.** (a) For purposes of this subdivision, "wolf license" means a license or permit issued under section 97A.475, subdivision 2, clause (16); 3, paragraph (a), clause (13); or 20, paragraph (b).

(b) Revenue from wolf licenses must be credited to the wolf management and monitoring account and is appropriated to the commissioner only for wolf management, research, damage control, enforcement, and education.

Sec. 8. Minnesota Statutes 2010, section 97A.085, is amended by adding a subdivision to read:

Subd. 9. **Vacating refuges open to hunting.** Notwithstanding subdivision 8, the commissioner may vacate a state game refuge by publishing a notice in the State Register if the refuge has been open to trapping and hunting small game including waterfowl, deer or bear by archery, and deer or bear by firearms for at least five years.

Sec. 9. Minnesota Statutes 2010, section 97A.137, subdivision 5, is amended to read:

Subd. 5. **Portable stands.** Prior to the Saturday on or nearest September 16, a portable stand may be left overnight in a wildlife management area by a person with a valid bear license who is hunting within 100 yards of a bear bait site that is legally tagged and registered as prescribed under section 97B.425. Any person leaving a portable stand overnight under this subdivision must affix a tag with: (1) the person's name and address; (2) the licensee's driver's license number; or (3) the "MDNR#" license identification number issued to the licensee. The tag must be affixed to the stand in such a manner that it can be read from the ground.

Sec. 10. Minnesota Statutes 2010, section 97A.421, subdivision 3, is amended to read:

Subd. 3. **Issuance of a big game license after conviction.** (a) A person may not obtain any big game license or take big game under a lifetime license, issued under section 97A.473, for three years after the person is convicted of:

- (1) a gross misdemeanor violation under the game and fish laws relating to big game;
- (2) doing an act without a required big game license; or
- (3) the second violation within three years under the game and fish laws relating to big game.

(b) A person may not obtain any deer license or take deer under a lifetime license issued under section 97A.473 for one year after the person is convicted of hunting deer with the aid or use of bait under section 97B.328.

(c) The revocation period under paragraphs (a) and (b) doubles if the conviction is for a deer that is a trophy deer scoring higher than 170 using the scoring method established for wildlife restitution values adopted under section 97A.345.

Sec. 11. Minnesota Statutes 2010, section 97A.441, subdivision 7, is amended to read:

Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may issue, without a fee, a license to take an antlerless deer to a resident who is an owner or tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land, as defined in section 97B.001, in deer permit areas that ~~have deer archery licenses to take additional deer under section 97B.301, subdivision 4~~ allow the taking of antlerless deer without making a lottery application. A person may receive only one license per year under this subdivision. For properties with co-owners or cotenants, only one co-owner or cotenant may receive a license under this subdivision per year. The license issued under this subdivision is restricted to land leased for agricultural purposes or owned by the holder of the license within the permit area where the qualifying land is located. The holder of the license may transfer the license to the holder's spouse or dependent. Deer taken under this subdivision do not count towards the total bag limit for the permit area. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license may purchase ~~an~~ additional license licenses or permits for taking deer and may take ~~an~~ additional deer under that license those licenses or permits, provided the holder adheres to the bag limits established for that permit area.

(b) A person who obtains a license under paragraph (a) must allow public deer hunting on their land during that deer hunting season, with the exception of the first Saturday and Sunday during the deer hunting season applicable to the license issued under section 97A.475, subdivision 2, clause (5).

Sec. 12. Minnesota Statutes 2010, section 97A.451, subdivision 3, is amended to read:

Subd. 3. **Residents under age 16; small game.** (a) A resident under age 16 must obtain a small game license in order to take small game by firearms or bow and arrow without paying the applicable fees under section 97A.475, subdivisions 2, 4, and 5, if the resident is:

- (1) age 14 or 15 and possesses a firearms safety certificate;
- (2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or guardian;
- (3) age 13, 14, or 15, possesses an apprentice hunter validation, and is accompanied by a parent or guardian who possesses a small game license that was not obtained using an apprentice hunter validation; or
- (4) age 12 or under and is accompanied by a parent or guardian.

(b) A resident under age 16 may take small game, other than wolves, by trapping without a small game license, but a resident 13 years of age or older must have a trapping license. A resident under age 13 may trap small game, other than wolves, without a trapping license, but may not register fisher, otter, bobcat, or pine marten unless the resident is at least age five. Any fisher, otter, bobcat, or pine marten taken by a resident under age five must be included in the limit of the accompanying parent or guardian.

(c) A resident under age 12 may apply for a turkey license and may take a turkey without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.

(d) A resident under age 12 may apply for a prairie chicken license and may take a prairie chicken without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.

Sec. 13. Minnesota Statutes 2010, section 97A.451, subdivision 4, is amended to read:

Subd. 4. **Persons Residents under age 16; big game.** (a) A ~~person~~ resident age 12, 13, 14, or 15 may not obtain a license to take big game unless the person possesses a firearms safety certificate. A ~~person~~ resident age 12 or 13 must be accompanied by a parent or guardian to hunt big game.

(b) A ~~person~~ resident age 10 or 11 may take big game provided the person is under the direct supervision of a parent or guardian where the parent or guardian is within immediate reach. ~~Until March 1, 2009, a person age 10 or 11 may take big game under a parent or guardian's license. Beginning March 1, 2009, A person~~ resident age 10 or 11 must obtain a license ~~in order~~ to take big game and may obtain the license without paying the fee required under section 97A.475, subdivision 2.

Sec. 14. Minnesota Statutes 2010, section 97A.451, is amended by adding a subdivision to read:

Subd. 4a. **Nonresidents under age 16; big game.** (a) A nonresident age 12, 13, 14, or 15 may not obtain a license to take big game unless the person possesses a firearms safety certificate. A nonresident age 12 or 13 must be accompanied by a parent or guardian to hunt big game.

(b) A nonresident age 10 or 11 may take big game provided the person is under the direct supervision of a parent or guardian where the parent or guardian is within immediate reach. A nonresident age 10 or 11 must obtain a license to take big game and must pay the fee required under section 97A.475, subdivision 3.

Sec. 15. Minnesota Statutes 2010, section 97A.473, subdivision 3, is amended to read:

Subd. 3. **Lifetime small game hunting license; fee.** (a) A resident lifetime small game hunting license authorizes a person to hunt and trap small game, other than wolves, in the state. The license authorizes those hunting and trapping activities authorized by the annual resident small game hunting ~~and trapping licenses~~ license and the trapping license for fur-bearing animals ~~other than wolves~~. The license does not include a turkey stamp validation or any other hunting stamps required by law.

(b) The fees for a resident lifetime small game hunting license are:

(1) age 3 and under, \$217;

- (2) age 4 to age 15, \$290;
- (3) age 16 to age 50, \$363; and
- (4) age 51 and over, \$213.

Sec. 16. Minnesota Statutes 2010, section 97A.473, subdivision 5, is amended to read:

Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt and trap small game, other than wolves, in the state. The license authorizes those activities authorized by the annual resident angling, and resident small game hunting, licenses and the resident trapping licenses license for fur-bearing animals other than wolves. The license does not include a trout and salmon stamp validation, a turkey stamp validation, a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting license are:

- (1) age 3 and under, \$357;
- (2) age 4 to age 15, \$480;
- (3) age 16 to age 50, \$613; and
- (4) age 51 and over, \$413.

Sec. 17. Minnesota Statutes 2010, section 97A.473, subdivision 5a, is amended to read:

Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident lifetime sporting with spearing option license authorizes a person to take fish by angling or spearing and hunt and trap small game, other than wolves, in the state. The license authorizes those activities authorized by the annual resident angling, spearing, and resident small game hunting, and resident trapping licenses and the resident trapping license for fur-bearing animals other than wolves. The license does not include a trout and salmon stamp validation, a turkey stamp validation, a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting with spearing option license are:

- (1) age 3 and under, \$615;
- (2) age 4 to age 15, \$800;
- (3) age 16 to age 50, \$985; and
- (4) age 51 and over, \$586.

Sec. 18. Minnesota Statutes 2010, section 97A.475, subdivision 2, is amended to read:

Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents only, are:

- (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
- (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- (3) for persons age 18 or over to take turkey, \$23;

- (4) for persons under age 18 to take turkey, \$12;
- (5) for persons age 18 or over to take deer with firearms during the regular firearms season, \$26;
- (6) for persons age 18 or over to take deer by archery, \$26;
- (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$26;
- (8) to take moose, for a party of not more than six persons, \$310;
- (9) to take bear, \$38;
- (10) to take elk, for a party of not more than two persons, \$250;
- (11) to take Canada geese during a special season, \$4;
- (12) to take prairie chickens, \$20;
- (13) for persons under age 18 to take deer with firearms during the regular firearms season, \$13;
- (14) for persons under age 18 to take deer by archery, \$13; ~~and~~
- (15) for persons under age 18 to take deer by muzzleloader during the muzzleloader season, \$13; and
- (16) to take wolf, \$26.

Sec. 19. Minnesota Statutes 2010, section 97A.475, subdivision 3, is amended to read:

Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to nonresidents, are:

- (1) for persons age 18 or over to take small game, \$73;
- (2) for persons age 18 or over to take deer with firearms during the regular firearms season, \$135;
- (3) for persons age 18 or over to take deer by archery, \$135;
- (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$135;
- (5) to take bear, \$195;
- (6) for persons age 18 and older to take turkey, \$78;
- (7) for persons under age 18 to take turkey, \$12;
- (8) to take raccoon or bobcat, \$155;
- (9) to take Canada geese during a special season, \$4;
- (10) for persons under age 18 to take deer with firearms during the regular firearms season in any open season option or time period, \$13;
- (11) for persons under age 18 to take deer by archery, \$13; ~~and~~
- (12) for persons under age 18 to take deer during the muzzleloader season, \$13; and

(13) to take wolf, \$230.

(b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph (a), clauses (1) to (8). An additional commission may not be assessed on this surcharge.

Sec. 20. Minnesota Statutes 2010, section 97A.475, subdivision 20, is amended to read:

Subd. 20. **Trapping ~~license~~ licenses.** (a) The fee for a license to trap fur-bearing animals, other than wolves, is:

- (1) for residents over age 13 and under age 18, \$6;
- (2) for residents age 18 or over and under age 65, \$20;
- (3) for residents age 65 or over, \$10; and
- (4) for nonresidents, \$73.

(b) The fee for a license to trap wolves is \$26, to be issued to residents only.

Sec. 21. Minnesota Statutes 2010, section 97A.482, is amended to read:

97A.482 LICENSE APPLICATIONS; COLLECTION OF SOCIAL SECURITY NUMBERS.

(a) All applicants for individual noncommercial game and fish licenses under this chapter and chapters 97B and 97C must include the applicant's Social Security number on the license application. If an applicant does not have a Social Security number, the applicant must certify that the applicant does not have a Social Security number.

(b) The Social Security numbers collected by the commissioner on game and fish license applications are private data under section 13.355, subdivision 1, and must be provided by the commissioner to the commissioner of human services for child support enforcement purposes. Title IV-D of the Social Security Act, United States Code, title 42, section 666(a)(13), requires the collection of Social Security numbers on game and fish license applications for child support enforcement purposes.

~~(c) The commissioners of human services and natural resources shall request a waiver from the secretary of health and human services to exclude any applicant under the age of 16 from the requirement under this section and under cross-country ski licensing sections to provide the applicant's Social Security number. If a waiver is granted, this section will be so amended effective January 1, 2006, or upon the effective date of the waiver, whichever is later.~~

Sec. 22. Minnesota Statutes 2010, section 97B.001, subdivision 7, is amended to read:

Subd. 7. **Taking with firearms in certain areas.** (a) A person may not take a wild animal with a firearm within 500 feet of a building occupied by a human or livestock without the written permission of the owner, occupant, or lessee:

- (1) on another person's private land; or
- (2) on a public right-of-way.

(b) A No person may not take a wild animal with shoot a firearm without the permission of the

~~owner, occupant, or lessee~~, within 500 feet of a stockade or corral containing livestock without the permission of the owner, occupant, or lessee.

(c) A person may not take a wild animal on any land where the person is prohibited from entering by this section.

Sec. 23. Minnesota Statutes 2010, section 97B.020, is amended to read:

97B.020 FIREARMS SAFETY CERTIFICATE REQUIRED.

(a) Except as provided in this section and section 97A.451, subdivision 3a, a person born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has:

- (1) a firearms safety certificate or equivalent certificate;
- (2) a driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13;
- (3) a previous hunting license with a valid firearms safety qualification indicator;
- (4) an apprentice hunter validation issued under section 97B.022; or
- (5) other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement or certified by the department as substantially similar.

(b) A person who ~~is on active duty and~~ has successfully completed basic training in the United States armed forces, reserve component, or National Guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a firearms safety certificate.

(c) A person born after December 31, 1979, may not use a lifetime license to take wild animals by firearms, unless the person meets the requirements for obtaining an annual license under paragraph (a) or (b).

Sec. 24. Minnesota Statutes 2010, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. **Firearms and ammunition that may be used to take big game and wolves.** A person may take big game and wolves with a firearm only if:

- (1) the rifle, shotgun, and handgun used is a caliber of at least .22 inches and with centerfire ignition;
- (2) the firearm is loaded only with single projectile ammunition;
- (3) a projectile used is a caliber of at least .22 inches and has a soft point or is an expanding bullet type;
- (4) the muzzleloader used is incapable of being loaded at the breech;
- (5) the smooth-bore muzzleloader used is a caliber of at least .45 inches; and
- (6) the rifled muzzleloader used is a caliber of at least .40 inches.

Sec. 25. Minnesota Statutes 2010, section 97B.031, subdivision 2, is amended to read:

Subd. 2. **Handguns for small game.** A person may take small game with a handgun of any caliber in a manner prescribed by the commissioner, except that wolves may only be taken by hunting with the calibers specified in subdivision 1.

Sec. 26. Minnesota Statutes 2011 Supplement, section 97B.031, subdivision 5, is amended to read:

Subd. 5. **Scopes; visually impaired hunters on muzzleloaders.** ~~(a) Notwithstanding any other law to the contrary, the commissioner may issue a special permit, without a fee, to a person who obtains the required licenses and who has a visual impairment. The scope may not have magnification capabilities.~~

~~(b) The visual impairment must be to the extent that the applicant is unable to identify targets and the rifle sights at the same time without a scope. The visual impairment and specific conditions must be established by medical evidence verified in writing by (1) a licensed physician or a certified nurse practitioner or certified physician assistant acting under the direction of a licensed physician; (2) a licensed ophthalmologist; or (3) a licensed optometrist. The commissioner may request additional information from the physician if needed to verify the applicant's eligibility for the permit.~~

~~(c) A permit issued under this subdivision may be valid for up to five years, based on the permanence of the visual impairment as determined by the licensed physician, ophthalmologist, or optometrist.~~

~~(d) The permit must be in the immediate possession of the permittee when hunting under the special permit.~~

~~(e) The commissioner may deny, modify, suspend, or revoke a permit issued under this subdivision for cause, including a violation of the game and fish laws or rules.~~

~~(f) A person who knowingly makes a false application or assists another in making a false application for a permit under this subdivision is guilty of a misdemeanor. A physician, certified nurse practitioner, certified physician assistant, ophthalmologist, or optometrist who fraudulently certifies to the commissioner that a person is visually impaired as described in this subdivision is guilty of a misdemeanor.~~

Sec. 27. Minnesota Statutes 2010, section 97B.035, subdivision 1a, is amended to read:

Subd. 1a. **Minimum draw weight.** A bow used to take big game ~~or~~ turkey, or wolves must have a pull that meets or exceeds 30 pounds at or before full draw.

Sec. 28. Minnesota Statutes 2010, section 97B.055, subdivision 1, is amended to read:

Subdivision 1. **Restrictions related to highways.** (a) A person may not discharge a firearm ~~or an arrow from a bow~~ containing No. 4 buckshot or larger diameter shot or single projectile ammunition on, over, or across, or within the right-of-way of an improved public highway at a big game animal. A person may not discharge a firearm or an arrow from a bow and arrow on, over, across, or within the right-of-way of an improved public highway at a big game animal. The commissioner may by rule extend the application of this subdivision to the taking of migratory waterfowl in designated

locations.

(b) A person may not discharge a firearm or an arrow from a bow on, over, across, or within the right-of-way of an improved public highway at a decoy of a big game animal that has been set out by a licensed peace officer.

Sec. 29. Minnesota Statutes 2010, section 97B.071, is amended to read:

97B.071 BLAZE ORANGE REQUIREMENTS.

(a) Except as provided in rules adopted under paragraph (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange. Blaze orange includes a camouflage pattern of at least 50 percent blaze orange within each foot square. This section does not apply to migratory waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

(b) Except as provided in rules adopted under paragraph (c), and in addition to the requirement in paragraph (a), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except while trapping, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange. This paragraph does not apply to a person when in a stationary location while hunting deer by archery or when hunting small game by falconry.

(c) The commissioner may, by rule, prescribe an alternative color in cases where paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141.

(d) A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning.

Sec. 30. Minnesota Statutes 2011 Supplement, section 97B.075, is amended to read:

97B.075 HUNTING RESTRICTED BETWEEN EVENING AND MORNING.

(a) A person may not take protected wild animals, except raccoon and fox, with a firearm between the evening and morning times established by commissioner's rule, except as provided in this section.

(b) Big game and wolves may be taken from one-half hour before sunrise until one-half hour after sunset.

(c) Except as otherwise prescribed by the commissioner on or before the Saturday nearest October 8, waterfowl may be taken from one-half hour before sunrise until sunset during the entire season prescribed by the commissioner.

Sec. 31. Minnesota Statutes 2010, section 97B.085, subdivision 3, is amended to read:

Subd. 3. **Communication excepted.** This section does not prohibit the use of:

(1) ~~one-way~~ radio communication between a handler and a dog; ~~or~~

(2) a remote-controlled animal noise caller for taking crows, fur-bearing animals, and unprotected animals; or

(3) a remote-controlled motorized decoy used for taking migratory waterfowl under section 97B.811, subdivision 4a, or doves.

Sec. 32. [97B.1115] USE OF MECHANICAL OR ELECTRONIC ASSISTANCE TO HOLD AND DISCHARGE FIREARMS OR BOWS BY PHYSICALLY DISABLED.

Notwithstanding sections 97B.035, subdivision 1, 97B.321, and 97B.701, subdivision 2, the commissioner may authorize a physically disabled hunter who has a verified statement of the disability from a licensed physician or a certified nurse practitioner or certified physician assistant acting under the direction of a licensed physician to use a swivel or otherwise mounted gun or bow or any electronic or mechanical device to discharge a gun or bow as long as the participant is physically present at the site.

Sec. 33. Minnesota Statutes 2010, section 97B.303, is amended to read:

97B.303 VENISON DONATIONS.

An individual who legally takes a deer may donate the deer, for distribution to charitable food assistance programs, to a meat processor that is licensed under chapter 28A. An individual donating a deer must supply the processor with the tag number under which the deer was taken. Hunter-harvested venison donated under this section is not subject to chapter 31 and must be clearly marked as hunter-harvested venison.

Sec. 34. Minnesota Statutes 2010, section 97B.328, is amended to read:

97B.328 BAITING PROHIBITED.

Subdivision 1. **Hunting with aid of bait ~~or feed~~ prohibited.** A person may not ~~hunt~~ take deer:

~~(1) with the aid or use of bait ~~or feed~~; or~~

~~(2) in the vicinity of bait or feed if the person knows or has reason to know that bait or feed is present.~~

Subd. 2. **Removal of bait.** An area is considered baited for ten days after the complete removal of all bait ~~or feed~~.

Subd. 3. **Definition.** (a) For purposes of this section, "bait ~~or feed~~" includes grains, fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer and that has been placed by a person. "Baiting" means placing, exposing, depositing, distributing, or scattering bait that is capable of attracting or enticing deer.

(b) Liquid scents, salt, and minerals are not bait ~~or feed~~ if they do not contain liquid or solid food ingredients.

~~Food that has not been placed by a person and resulting~~ (c) Agricultural crops from normal or accepted farming, forest management, wildlife food plantings, orchard management, or other similar land management activities are not bait ~~or feed~~. This exclusion does not apply to agricultural crops that have been re-introduced and concentrated where a person is hunting.

Subd. 4. **Exception for bait or feed on adjacent land.** A person otherwise in compliance with this section who is hunting on private or public property that is adjacent to property where bait or

~~feed~~ food is present is not in violation of this section if the person has not participated in, been involved with, or agreed to baiting or feeding wildlife on the adjacent property.

Sec. 35. Minnesota Statutes 2010, section 97B.601, subdivision 3a, is amended to read:

Subd. 3a. **Nonresidents; trapping small game.** A nonresident may take small game, except wolves, by trapping only on land owned by the nonresident, if the nonresident possesses a trapping license for fur-bearing animals other than wolves and a small game license.

Sec. 36. Minnesota Statutes 2010, section 97B.601, subdivision 4, is amended to read:

Subd. 4. **Exception to license requirements.** (a) A resident under age 16 may take small game, other than wolves, without a small game license, and a resident under age 13 may trap small game and fur-bearing animals, other than wolves, without a trapping license, as provided in section 97A.451, subdivision 3.

(b) A person may take small game, other than wolves, without a small game license on land occupied by the person as a principal residence.

(c) An owner or occupant may take certain small game causing damage without a small game or trapping license as provided in section 97B.655.

(d) A person may use dogs to pursue and tree raccoons under section 97B.621, subdivision 2, during the closed season without a license.

(e) A person may take a wolf, turkey, or a prairie chicken without a small game license.

Sec. 37. Minnesota Statutes 2010, section 97B.603, is amended to read:

97B.603 TAKING SMALL GAME AS A PARTY.

(a) While two or more persons are taking small game as a party and maintaining unaided visual and vocal contact, a member of the party may take and possess more than one limit of small game, but the total number of small game taken and possessed by the party may not exceed the limit of the number of persons in the party that may take and possess small game.

(b) This section does not apply to ~~the hunting of~~ wolves, migratory game birds, or turkeys, except that a licensed turkey hunter may assist another licensed turkey hunter and a licensed wolf hunter may assist another licensed wolf hunter for the same zone and time period as long as the hunter does not shoot or tag a turkey or wolf for the other hunter.

Sec. 38. Minnesota Statutes 2010, section 97B.605, is amended to read:

97B.605 COMMISSIONER MAY RESTRICT TAKING OF CERTAIN SMALL GAME ANIMALS.

The commissioner may prescribe restrictions on and designate areas where gray and fox squirrels, cottontail and jack rabbits, snowshoe hare, raccoon, bobcat, red fox and gray fox, fisher, pine marten, opossum, wolves, and badger may be taken and possessed.

Sec. 39. Minnesota Statutes 2011 Supplement, section 97B.645, subdivision 9, is amended to read:

Subd. 9. **Open season.** There shall be no open season for ~~gray~~ wolves until after the ~~gray~~ wolf is delisted under the federal Endangered Species Act of 1973. After that time, the commissioner may prescribe open seasons and restrictions for taking ~~gray~~ wolves but must provide opportunity for public comment.

Sec. 40. [97B.647] TAKING WOLVES.

Subdivision 1. **License required.** Except as provided under section 97B.645 or 97B.671, a person may not take a wolf without a wolf hunting or wolf trapping license.

Subd. 2. **Open seasons.** Wolves may be taken with legal firearms, with bow and arrow, and by trapping. The commissioner may by rule prescribe the open seasons for wolves.

Subd. 3. **Open areas.** The commissioner may by rule designate areas where wolves may be taken.

Subd. 4. **Daily and possession limits.** The commissioner may establish by rule the daily and possession limits for wolves.

Subd. 5. **Limit on number of hunters and trappers.** The commissioner may by rule limit the number of persons that may hunt or trap wolves in an area, if it is necessary to prevent an overharvest or improve the distribution of hunters and trappers. The commissioner shall establish a method, including a drawing, to impartially select the hunters and trappers for an area.

Subd. 6. **Application for license.** An application for a wolf hunting or trapping license must be made in a manner provided by the commissioner and accompanied by a \$4 application fee. The \$4 application fee is appropriated to pay for costs associated with conducting the wolf license drawing and wolf management. A person may not make more than one application for each season as prescribed by the commissioner. If a person makes more than one application, the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Subd. 7. **Quotas.** The commissioner may by rule set an annual quota for the number of wolves that can be taken by hunting and trapping. The commissioner may establish a method to monitor harvest and close the season when the quota is reached. The commissioner shall reserve a portion of the annual quota for the trapping season.

Sec. 41. Minnesota Statutes 2011 Supplement, section 97B.667, is amended to read:

97B.667 REMOVAL OF BEAVERS, BEAVER DAMS, AND LODGES BY ROAD AUTHORITIES.

When a drainage watercourse is impaired by a beaver dam and the water damages or threatens to damage a public road, the road authority, as defined in section 160.02, subdivision 25, may remove the impairment and any associated beaver lodge within 300 feet of the road. Notwithstanding any law to the contrary, the road authority may remove, kill, or arrange to have removed or killed by any lawful means a beaver associated with the lodge. ~~Before killing or arranging to kill a beaver under this section, the road authority must contact a conservation officer for a special beaver permit. The conservation officer must issue the permit for any beaver subject to this section.~~ A road authority that kills or arranges to have killed a beaver under this section must notify a conservation officer or ~~the officer's designee as specified in the permit~~ employee of the Wildlife Division within ten days after the animal is killed. A road authority may, after consultation with the Wildlife Division ~~and the~~

~~Board of Water and Soil Resources~~, implement a local beaver control program designed to reduce the number of incidents of beaver interfering with or damaging a public road. The local control program may include the offering of a bounty for the lawful taking of beaver.

Sec. 42. Minnesota Statutes 2010, section 97B.671, subdivision 3, is amended to read:

Subd. 3. **Predator control payments.** The commissioner shall pay a predator controller the amount the commissioner ~~prescribes~~ determines by written order published in the State Register for each ~~predator coyote~~ and fox taken. ~~The commissioner shall pay at least \$25 but not more than \$60 for each coyote taken.~~ The commissioner may require the predator controller to submit proof of the taking and a signed statement concerning the predators taken. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

Sec. 43. Minnesota Statutes 2010, section 97B.671, subdivision 4, is amended to read:

Subd. 4. **Gray Wolf control.** (a) The commissioner shall provide a ~~gray~~ wolf control training program for certified predator controllers participating in ~~gray~~ wolf control.

(b) After the ~~gray~~ wolf is delisted under the federal Endangered Species Act of 1973, in zone B, as defined under section 97B.645, subdivision 12, if the commissioner, after considering recommendations from an extension agent or conservation officer, has verified that livestock, domestic animals, or pets were destroyed by a ~~gray~~ wolf within the previous five years, and if the livestock, domestic animal, or pet owner requests ~~gray~~ wolf control, the commissioner shall open a predator control area for ~~gray~~ wolves.

(c) After the ~~gray~~ wolf is delisted under the federal Endangered Species Act of 1973, in zone A, as defined under paragraph (g), if the commissioner, after considering recommendations from an extension agent or conservation officer, verifies that livestock, domestic animals, or pets were destroyed by a ~~gray~~ wolf, and if the livestock, domestic animal, or pet owner requests ~~gray~~ wolf control, the commissioner shall open a predator control area for ~~gray~~ wolves for up to 60 days.

(d) A predator control area opened for ~~gray~~ wolves may not exceed a one-mile radius surrounding the damage site.

(e) The commissioner shall pay a certified ~~gray~~ wolf predator controller ~~\$150~~ the amount the commissioner determines by written order published in the State Register for each wolf taken. The certified ~~gray~~ wolf predator controller must dispose of unsalvageable remains as directed by the commissioner. All salvageable ~~gray~~ wolf remains must be surrendered to the commissioner. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply.

(f) The commissioner may, in consultation with the commissioner of agriculture, develop a cooperative agreement for ~~gray~~ wolf control activities with the United States Department of Agriculture. The cooperative agreement activities may include, but not be limited to, ~~gray~~ wolf control, training for state predator controllers, and control monitoring and record keeping.

(g) For the purposes of this subdivision, "zone A" means that portion of the state lying outside of zone B, as defined under section 97B.645, subdivision 12.

Sec. 44. Minnesota Statutes 2010, section 97B.711, subdivision 1, is amended to read:

Subdivision 1. **Seasons for certain upland game birds.** (a) The commissioner may, by rule,

prescribe an open season in designated areas between September 16 and January 3 for:

- (1) pheasant;
- (2) ruffed grouse;
- (3) sharp tailed grouse;
- (4) Canada spruce grouse;
- (5) prairie chicken;
- (6) gray partridge;
- (7) bobwhite quail; and
- (8) turkey.

(b) The commissioner may by rule prescribe an open season for turkey in the spring.

~~(c) The commissioner shall allow a four-week fall season for turkey in the area designated as turkey permit area 601 as of the 2008 season. All applicable local and state regulations apply.~~

Sec. 45. Minnesota Statutes 2010, section 97B.805, subdivision 1, is amended to read:

Subdivision 1. **Hunter must be concealed.** (a) A person may not take migratory waterfowl, coots, or rails in open water unless the person is:

- (1) within a natural growth of vegetation sufficient to partially conceal the person or boat;
- (2) on a river or stream that is not more than 100 yards in width; ~~or~~
- (3) pursuing or shooting wounded birds; or
- (4) in areas specifically designated for such taking by the commissioner by rule.

(b) A person may not take migratory waterfowl, coots, or rails in public waters from a permanent artificial blind or sink box.

Sec. 46. Minnesota Statutes 2010, section 97B.901, is amended to read:

97B.901 REGISTRATION AND TAGGING OF FUR-BEARING ANIMALS.

(a) The commissioner may, by rule, require persons taking, possessing, and transporting fur-bearing animals to tag the animals. The commissioner shall prescribe the manner of issuance and the type of tag, which must show the year of issuance. The commissioner shall issue the tag, without a fee, upon request.

(b) The pelt of each bobcat, fisher, pine marten, ~~and~~ otter, and wolf must be presented, by the person taking it, to a state wildlife manager designee for registration before the pelt is sold and before the pelt is transported out of the state, but in no event more than 48 hours after the season closes for the species.

(c) The whole carcass of each wolf, with the pelt removed, must be presented by the person taking it to a state wildlife manager designee for registration before the pelt is sold and before the

pelt is transported out of the state, but in no event more than 48 hours after the season closes. The commissioner may require that the entire carcass or samples from the carcass be surrendered to the state wildlife manager designee.

Sec. 47. [97B.903] USE OF BODY-GRIPPING TRAPS.

A person may not set, place, or operate, except as a water set, a body-gripping or conibear-type trap on public lands and waters that has a maximum jaw opening when set greater than six and one-half inches and less than seven and one-half inches measured from the inside edges of the body-gripping portions of the jaws, unless:

(1) the trap is in a baited or unbaited enclosure with the opening no greater than 81 square inches and the trap trigger is recessed seven inches or more from the top of the opening;

(2) no bait, lure, or other attractant is placed within 20 feet of the trap; or

(3) the trap is elevated at least three feet above the surface of the ground or snowpack.

Sec. 48. Minnesota Statutes 2010, section 97C.395, subdivision 1, is amended to read:

Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling are as follows:

(1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend to the last Sunday in February;

(2) for lake trout, from January 1 to October 31;

(3) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and splake on all lakes located outside or partially within the Boundary Waters Canoe Area, from January 15 to March 31;

(4) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and splake on all lakes located entirely within the Boundary Waters Canoe Area, from January 1 to March 31;

(5) for brown trout, brook trout, rainbow trout, and splake, between January 1 to October 31 as prescribed by the commissioner by rule except as provided in section 97C.415, subdivision 2;

~~(6) for the winter season for brown trout, brook trout, rainbow trout, and splake on all lakes, from January 15 to March 31; and~~

~~(7)~~ (6) for salmon, as prescribed by the commissioner by rule.

(b) The commissioner shall close the season in areas of the state where fish are spawning and closing the season will protect the resource.

Sec. 49. RULEMAKING; TROUT SEASONS.

The commissioner of natural resources shall amend Minnesota Rules, part 6262.0200, to make brown trout, brook trout, rainbow trout, and splake in lakes inside and outside the Boundary Waters Canoe Area consistent with this section. The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388.

Sec. 50. RULEMAKING; RESTITUTION VALUE FOR WOLVES.

(a) The commissioner of natural resources shall amend the restitution value for gray wolves in Minnesota Rules, part 6133.0075, to be \$500 and shall change the term "gray wolves" to "wolves."

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

Sec. 51. RULEMAKING; USE OF SNARES.

(a) The commissioner of natural resources shall add a definition of a wolf snare to Minnesota Rules, part 6234.0900, to read: "'Wolf snare' means any snare set that:

A. has a maximum loop diameter greater than ten inches, but less than or equal to 18 inches;

B. has a cable diameter of at least 7/64 inches;

C. includes stops affixed to the cable to ensure that the portion of the snare that makes up the noose loop may not be less than three inches in diameter when fully closed;

D. includes a breakaway device that would cause the snare loop to break when pulled by a moose; and

E. includes a diverter wire that extends 27 inches in both directions, measured perpendicular to and from the top of the snare loop. The diverter wires must be positioned at an angle no more than 20 degrees from the horizontal plane of the top of the snare, and the snare must be set within 20 yards of bait."

(b) The commissioner of natural resources shall amend Minnesota Rules, part 6234.2300, to include a subpart to read: "Wolves may be taken with snares or wolf snares as defined in part 6234.0900."

(c) The commissioner of natural resources shall amend Minnesota Rules, part 6234.2400, subpart 7, to read: "A snare may not be set so that the top of the loop is more than 20 inches above the first surface beneath the bottom of the set snare loop. During the wolf season, licensed wolf trappers may use wolf snares but a wolf snare may not be set so that the bottom of the loop is more than 18 inches above the first surface beneath the bottom of the set snare loop."

(d) The commissioner of natural resources shall amend Minnesota Rules, part 6234.2400, subpart 5, to read: "Snares, including wolf snares, may not be set in deer, elk, or moose trails."

(e) The commissioner of natural resources shall amend Minnesota Rules, part 6234.2400, to include a subpart to read: "Licensed wolf trappers shall set wolf snares for wolves no closer than 500 feet to another wolf snare set by the same licensed wolf trapper."

(f) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388.

Sec. 52. 2012 FIREARMS WOLF SEASON.

The commissioner of natural resources shall establish the first firearms wolf hunting season to

open no later than the first day of the 2012 firearms deer hunting season.

Sec. 53. REVISOR'S INSTRUCTION.

The revisor of statutes shall change the term "gray wolf" or "gray wolves" wherever the terms appear in Minnesota Statutes and Minnesota Rules to "wolf" or "wolves."

Sec. 54. REPEALER.

Minnesota Statutes 2010, sections 97A.045, subdivisions 8 and 13; 97A.065, subdivision 1; 97A.095, subdivision 3; 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.645, subdivision 2; and 97C.031, are repealed."

Delete the title and insert:

"A bill for an act relating to natural resources; modifying game and fish laws; appropriating money; amending Minnesota Statutes 2010, sections 84.027, subdivision 14; 97A.015, subdivisions 3a, 53; 97A.065, subdivision 6; 97A.085, by adding a subdivision; 97A.137, subdivision 5; 97A.421, subdivision 3; 97A.441, subdivision 7; 97A.451, subdivisions 3, 4, by adding a subdivision; 97A.473, subdivisions 3, 5, 5a; 97A.475, subdivisions 2, 3, 20; 97A.482; 97B.001, subdivision 7; 97B.020; 97B.031, subdivisions 1, 2; 97B.035, subdivision 1a; 97B.055, subdivision 1; 97B.071; 97B.085, subdivision 3; 97B.303; 97B.328; 97B.601, subdivisions 3a, 4; 97B.603; 97B.605; 97B.671, subdivisions 3, 4; 97B.711, subdivision 1; 97B.805, subdivision 1; 97B.901; 97C.395, subdivision 1; Minnesota Statutes 2011 Supplement, sections 84D.03, subdivision 3; 97A.075, subdivision 1, by adding a subdivision; 97B.031, subdivision 5; 97B.075; 97B.645, subdivision 9; 97B.667; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2010, sections 97A.045, subdivisions 8, 13; 97A.065, subdivision 1; 97A.095, subdivision 3; 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.645, subdivision 2; 97C.031."

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

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

S.F. No. 2264: A bill for an act relating to clean water; appropriating money for clean water assistance grants; appropriating money for an Aquatic Invasive Species Cooperative Research Center; modifying prior appropriations; amending Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 9.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

CLEAN WATER FUND

Section 1. Laws 2011, First Special Session chapter 6, article 2, section 7, is amended to read:

Sec. 7. **BOARD OF WATER AND SOIL
RESOURCES**

\$	27,534,000	\$	<u>27,534,000</u>
			<u>31,734,000</u>

(a) \$13,750,000 the first year and ~~\$13,750,000~~ \$15,350,000 the second year are for pollution reduction and restoration grants to local government units and joint powers organizations of local government units to protect surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system (SSTS) projects and stream bank, stream channel, and shoreline restoration projects. The projects must be of long-lasting public benefit, include a match, and be consistent with TMDL implementation plans or local water management plans.

(b) \$3,000,000 the first year and ~~\$3,000,000~~ \$3,600,000 the second year are for targeted local resource protection and enhancement grants. The board shall give priority consideration to projects and practices that complement, supplement, or exceed current state standards for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation. Of this amount, at least \$1,500,000 each year is for county SSTS implementation.

(c) \$900,000 the first year and ~~\$900,000~~ \$1,200,000 the second year are to provide state oversight and accountability, evaluate results, and develop an electronic system to measure and track the value of conservation program implementation by local governments, including submission to the legislature by March 1 each year an annual report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, detailing the recipients and projects funded under this

section. The board shall require grantees to specify the outcomes that will be achieved by the grants prior to any grant awards.

(d) ~~\$1,000,000~~ the first year and ~~\$1,000,000~~ \$1,700,000 the second year are for technical assistance and grants for the conservation drainage program in consultation with the Drainage Work Group, created under Minnesota Statutes, section 103B.101, subdivision 13, that consists of projects to retrofit or supplement ~~existing~~ drainage systems with water quality improvement practices, evaluate outcomes, and provide outreach to landowners, public drainage authorities, drainage engineers and contractors, and others. The board shall coordinate practice standards with the USDA-Natural Resources Conservation Service and seek to leverage federal funds as part of conservation drainage program implementation.

(e) ~~\$6,000,000~~ the first year and ~~\$6,000,000~~ the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road, or other impediment beyond the control of the landowner. This appropriation may be used for restoration of riparian buffers protected by easements purchased with this appropriation and for stream bank restorations when the riparian buffers have been restored.

(f) ~~\$1,300,000~~ the first year and ~~\$1,300,000~~ \$2,300,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d). Priority must be placed on land that is located where the vulnerability of the

drinking water supply is designated as high or very high by the commissioner of health. The board shall coordinate with the U.S. Geological Survey, the commissioners of health and natural resources, and local communities contained in the Decorah and St. Lawrence Edge areas of Winona, Goodhue, Olmsted, and Wabasha counties, to obtain easements in identified areas as having the most vulnerability to groundwater contamination.

(g) \$1,500,000 the first year and \$1,500,000 the second year are for community partners grants to local units of government for: (1) structural or vegetative management practices that reduce storm water runoff from developed or disturbed lands to reduce the movement of sediment, nutrients, and pollutants for restoration, protection, or enhancement of water quality in lakes, rivers, and streams and to protect groundwater and drinking water; and (2) installation of proven and effective water retention practices including, but not limited to, rain gardens and other vegetated infiltration basins and sediment control basins in order to keep water on the land. The projects must be of long-lasting public benefit, include a local match, and be consistent with TMDL implementation plans or local water management plans. Local government unit staff and administration costs may be used as a match.

(h) \$84,000 the first year and \$84,000 the second year are for a technical evaluation panel to conduct up to ten restoration evaluations under Minnesota Statutes, section 114D.50, subdivision 6.

(i) The board shall contract for services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for \$500,000 the first year and \$500,000 the second year.

(j) The board may shift grant or cost-share

funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.

(k) The appropriations in this section are available until June 30, 2016.

Sec. 2. AQUATIC INVASIVE SPECIES COOPERATIVE RESEARCH CENTER; APPROPRIATION.

\$1,800,000 is appropriated in fiscal year 2013 from the clean water fund to the Board of Regents of the University of Minnesota to develop and implement an Aquatic Invasive Species Cooperative Research Center. As a condition of receiving this appropriation, the University of Minnesota is requested to collaborate with the commissioner of natural resources in developing solutions to control aquatic invasive species. A portion of this appropriation may be used for educating and engaging citizens on preventing the spread of aquatic invasive species. Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for the purposes of this section. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for the purposes of this section. This is a onetime appropriation and is available until June 30, 2014.

ARTICLE 2

ENVIRONMENT AND NATURAL RESOURCE TRUST FUND

Section 1. Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 9, is amended to read:

	4,522,000	4,213,000
Subd. 9. Emerging Issues		<u>3,213,000</u>

(a) Minnesota Conservation Apprentice Academy

\$100,000 the first year and \$100,000 the second year are from the trust fund to the Board of Water and Soil Resources in cooperation with Conservation Corps Minnesota to train and mentor future conservation professionals by providing apprenticeship service opportunities to soil and water conservation districts. This appropriation is available until June 30, 2014, by which time the project must be completed and the final products delivered.

(b) Chronic Wasting Disease and Animal

Health

\$600,000 the first year and \$600,000 the second year are from the trust fund to the commissioner of natural resources to address chronic wasting disease and accelerate wildlife health programs, including activities directly related to and necessary for this appropriation.

(c) Aquatic Invasive Species

\$2,177,000 the first year and ~~\$3,513,000~~ \$2,513,000 the second year are from the trust fund to the commissioner of natural resources to accelerate aquatic invasive species programs, including the development and implementation of best management practices for public water access facilities to implement aquatic invasive species prevention strategies, including activities directly related to and necessary for this appropriation. \$50,000 is for a grant to develop and produce a documentary identifying the challenges presented by aquatic invasive species. The documentary shall be available to the Department of Natural Resources to distribute to watercraft license purchasers and the general public through online and other media.

(d) Reinvest in Minnesota Wetlands Reserve Acquisition and Restoration Program Partnership

\$1,645,000 the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture Wetlands Reserve Program. A list of proposed land acquisitions must be provided as part of the required work program.

(e) Limitation

Appropriations in paragraphs (b) and (c) are not subject to Minnesota Statutes, sections 116P.05, subdivision 2, paragraph (b), and

116P.09, subdivision 4.

Sec. 2. AQUATIC INVASIVE SPECIES COOPERATIVE RESEARCH CENTER; APPROPRIATION.

\$1,000,000 is appropriated in fiscal year 2013 from the environment and natural resources trust fund to the Board of Regents of the University of Minnesota to develop and implement an Aquatic Invasive Species Cooperative Research Center. As a condition of receiving this appropriation, the University of Minnesota is requested to collaborate with the commissioner of natural resources in developing solutions to control aquatic invasive species. Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for the purposes of this section. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for the purposes of this section. This is a onetime appropriation and is available until June 30, 2014."

Amend the title numbers accordingly

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

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

S.F. No. 2206: A resolution memorializing the President of the United States and Congress to take actions to protect Minnesota's lakes, rivers, and streams from threats due to invasive Asian carp.

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

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

S.F. No. 2202: A bill for an act relating to motor vehicles; amending and clarifying requirements governing titling and license plates for pioneer vehicles; amending Minnesota Statutes 2010, sections 168.10, subdivision 1a; 168A.01, subdivision 16, by adding a subdivision; 168A.04, subdivision 5, by adding a subdivision; 168A.05, subdivision 3; 168A.09, by adding a subdivision; 168A.15, subdivision 2.

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

Page 2, line 11, delete "1936" insert "1919"

Page 3, delete line 7 and insert "the applicant shall supply evidence of the manufacturer's year, make, model, and identifying number of the vehicle. A manufacturer's identifying"

Page 3, line 10, delete everything after the period and insert "In the case of an insufficient application, the commissioner may require"

Page 3, delete line 11 and insert "additional documentation, including, but not limited to, photographic proof, copies of original vehicle catalogs, or certification letters from antique car collector organizations to confirm the manufacturer's identifying number on the vehicle."

Page 3, delete line 12

Page 3, delete section 5

Page 5, after line 10, insert:

"Sec. 8. Minnesota Statutes 2010, section 325F.6644, subdivision 2, is amended to read:

Subd. 2. **Title branding.** Section 325F.6642 does not apply to commercial motor vehicles with a gross vehicle weight rating of 16,000 pounds or more or to motorcycles, other than reconstructed vehicles, as defined in section 168A.01, subdivision 16, and restored pioneer vehicles, as defined in section 168A.01, subdivision 16a."

Renumber the sections in sequence

Amend the title numbers accordingly

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

Senator Vandever from the Committee on Local Government and Elections, to which was referred

S.F. No. 1667: A bill for an act relating to metropolitan government; making certain Metropolitan Council guidelines and plans advisory; amending Minnesota Statutes 2010, sections 473.145; 473.175, subdivision 1; 473.206; 473.856; repealing Minnesota Statutes 2010, section 473.851.

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

Page 2, after line 23, insert:

"Sec. 4. Minnesota Statutes 2010, section 473.852, subdivision 8, is amended to read:

Subd. 8. **Metropolitan system plans.** "Metropolitan system plans" means the transportation portion of the Metropolitan Development Guide, ~~and the policy plans, and capital budgets for metropolitan wastewater service, and transportation, and regional recreation open space.~~"

Page 4, line 1, delete "7" and insert "8"

Renumber the sections in sequence

Amend the title numbers accordingly

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

Senator Vandever from the Committee on Local Government and Elections, to which was re-referred

S.F. No. 864: A bill for an act relating to public employees; authorizing employees of local units of government to participate in group long-term care insurance program; amending Minnesota Statutes 2010, section 43A.318, subdivision 1.

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

Senator Vandever from the Committee on Local Government and Elections, to which was referred

S.F. No. 1673: A bill for an act relating to performance bonds; modifying a cost threshold relating to public works contracts; amending Minnesota Statutes 2010, section 574.26, 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 2010, section 574.26, subdivision 1a, is amended to read:

Subd. 1a. **Exemptions: certain manufacturers; commissioner of transportation; road maintenance.** (a) Sections 574.26 to 574.32 do not apply to a manufacturer of public transit buses that manufactures at least 100 public transit buses in a calendar year. For purposes of this section, "public transit bus" means a motor vehicle designed to transport people, with a design capacity for carrying more than 40 passengers, including the driver. The term "public transit bus" does not include a school bus, as defined in section 169.011, subdivision 71.

(b) At the discretion of the commissioner of transportation, sections 574.26 to 574.32 do not apply to any projects of the Department of Transportation (1) costing less than ~~\$75,000~~ the amount in section 471.345, subdivision 3, or (2) involving the permanent or semipermanent installation of heavy machinery, fixtures, or other capital equipment to be used primarily for maintenance or repair.

(c) Sections 574.26 to 574.32 do not apply to contracts for snow removal, ice removal, grading, or other similar routine road maintenance on town roads.

Sec. 2. Minnesota Statutes 2010, section 574.26, subdivision 2, is amended to read:

Subd. 2. **Terms.** Except as provided in sections 574.263 and 574.264 or if the amount of the contract is ~~\$75,000 or less than the amount in section 471.345, subdivision 3~~, a contract with a public body for the doing of any public work is not valid unless the contractor gives (1) a performance bond to the public body with whom the contractor entered into the contract, for the use and benefit of the public body to complete the contract according to its terms, and conditioned on saving the public body harmless from all costs and charges that may accrue on account of completing the specified work, and (2) a payment bond for the use and benefit of all persons furnishing labor and materials engaged under, or to perform the contract, conditioned for the payment, as they become due, of all just claims for the labor and materials. Reasonable attorneys' fees, costs, and disbursements may be awarded in an action to enforce claims under the act if the action is successfully maintained or successfully appealed."

Amend the title as follows:

Page 1, line 3, before the semicolon, insert "; exempting road maintenance on township roads from performance bond requirements"

Amend the title numbers accordingly

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2148, 2121, 2114, 1675, 1918, 1560, 2202, 1667, 864 and 1673 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Nelson, Rosen, Sheran and Pederson introduced—

S.F. No. 2355: A bill for an act relating to taxation; small business investment credit; providing a higher credit percentage for certain investments; amending Minnesota Statutes 2010, section 116J.8737, subdivisions 5, 7; Minnesota Statutes 2011 Supplement, section 116J.8737, subdivisions 1, 2.

Referred to the Committee on Jobs and Economic Growth.

Senator Senjem, by request, introduced—

S.F. No. 2356: A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a Rochester-Twin Cities High-Speed Passenger Rail project, and for passenger rail facilities.

Referred to the Committee on Capital Investment.

Senator Newman introduced—

S.F. No. 2357: A bill for an act relating to human services; changing human services legal provisions; modifying provisions related to human services licensing, licensing data, and the Office of Inspector General; amending the Human Services Background Studies Act; amending Minnesota Statutes 2010, sections 13.46, subdivisions 2, 3, 4; 13.82, subdivision 1; 245A.04, subdivisions 1, 7, 11, by adding a subdivision; 245A.05; 245A.07, subdivision 3; 245A.08, subdivision 2a; 245A.14, subdivision 11, by adding a subdivision; 245A.146, subdivisions 2, 3; 245A.18, subdivision 1; 245A.22, subdivision 2; 245A.66, subdivisions 2, 3; 245C.03, subdivision 1; 245C.04, subdivision 1; 245C.05, subdivisions 2, 4, 7, by adding a subdivision; 245C.07; 245C.16, subdivision 1; 245C.17, subdivision 2; 245C.22, subdivision 5; 245C.24, subdivision 2; Minnesota Statutes 2011 Supplement, section 256B.04, subdivision 21; proposing coding for new law in Minnesota Statutes, chapter 245A; repealing Minnesota Rules, part 9503.0150, item E.

Referred to the Committee on Health and Human Services.

Senator Parry introduced—

S.F. No. 2358: A bill for an act relating to state government; making certain employee compensation plan changes.

Referred to the Committee on State Government Innovation and Veterans.

Senators Lourey, Hayden and Rosen introduced—

S.F. No. 2359: A bill for an act relating to nursing; authorizing criminal history records check; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health and Human Services.

Senator Koch introduced—

S.F. No. 2360: A bill for an act relating to health; amending health professional education loan forgiveness program requirements; amending Laws 2011, First Special Session chapter 9, article 2, section 30.

Referred to the Committee on Health and Human Services.

Senators Dibble and Rest introduced—

S.F. No. 2361: A bill for an act relating to sales tax on motor vehicles; limiting and eliminating exemptions; changing in lieu tax for collector vehicles; making conforming changes; amending Minnesota Statutes 2010, sections 297B.01, subdivisions 14, 16; 297B.02, subdivision 3; Minnesota Statutes 2011 Supplement, sections 297A.70, subdivision 3; 297B.03.

Referred to the Committee on Transportation.

Senator Gimse introduced—

S.F. No. 2362: A bill for an act relating to unemployment compensation; eliminating limits on wage credits for certain family members of business owners; amending Minnesota Statutes 2011 Supplement, section 268.085, subdivision 9.

Referred to the Committee on Jobs and Economic Growth.

Senator Gimse introduced—

S.F. No. 2363: A bill for an act relating to transportation; traffic regulations; allowing certain vehicles carrying sewage to avoid seasonal or weather-related road restrictions; amending Minnesota Statutes 2010, section 169.87, subdivision 6.

Referred to the Committee on Transportation.

Senators Dahms, Tomassoni, Metzen, Thompson and Newman introduced—

S.F. No. 2364: A bill for an act relating to insurance; requiring the Workers' Compensation Reinsurance Association to comply with the open meeting law and the Data Practices Act; amending Minnesota Statutes 2010, section 79.34, subdivision 1.

Referred to the Committee on Jobs and Economic Growth.

Senator Ingebrigtsen introduced—

S.F. No. 2365: A bill for an act relating to capital investment; appropriating money for the Todd County senior citizens center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Jungbauer introduced—

S.F. No. 2366: A bill for an act relating to manufactured housing; modifying requirement relating to home relocation trust fund balance; amending Minnesota Statutes 2011 Supplement, section 327C.095, subdivision 12.

Referred to the Committee on Jobs and Economic Growth.

Senator Limmer introduced—

S.F. No. 2367: A bill for an act relating to real property; landlord and tenant; establishing a landlord's right to seek police or emergency assistance; prohibiting certain fees, penalties, and charges; preempting local law; proposing coding for new law in Minnesota Statutes, chapter 504B.

Referred to the Committee on Judiciary and Public Safety.

Senator Ingebrigtsen introduced—

S.F. No. 2368: A bill for an act relating to taxation; increasing the city aid base for certain cities; amending Minnesota Statutes 2010, section 477A.011, subdivision 36.

Referred to the Committee on Taxes.

Senator Limmer introduced—

S.F. No. 2369: A bill for an act relating to local government; providing for election of the two appointed members of the Three Rivers Park District; amending Minnesota Statutes 2010, section 383B.68, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2010, section 383B.68, subdivisions 2, 3.

Referred to the Committee on Local Government and Elections.

Senator Limmer introduced—

S.F. No. 2370: A bill for an act relating to watershed districts; requiring watershed districts in Hennepin County to get municipal approval before acquiring property in the municipality; amending Minnesota Statutes 2010, section 103D.335, subdivision 11.

Referred to the Committee on Local Government and Elections.

Senator Brown introduced—

S.F. No. 2371: A bill for an act relating to energy; renewable energy; requiring studies related

to distributed generation.

Referred to the Committee on Energy, Utilities and Telecommunications.

Senators Brown and Rosen introduced—

S.F. No. 2372: A bill for an act relating to human services; repealing continuing care contingent rate reductions; repealing Minnesota Statutes 2011 Supplement, section 256B.5012, subdivision 13; Laws 2011, First Special Session chapter 9, article 7, section 54.

Referred to the Committee on Health and Human Services.

Senators Bonoff and Olson introduced—

S.F. No. 2373: A bill for an act relating to education; authorizing a lease levy for administrative space for Independent School District No. 284, Wayzata.

Referred to the Committee on Education.

Senators Rosen, Sparks and Brown introduced—

S.F. No. 2374: A bill for an act relating to liquor; providing an exemption from Minnesota alcohol license requirements for out-of-state small craft brewers in limited circumstances; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Commerce and Consumer Protection.

Senators Michel and Sieben introduced—

S.F. No. 2375: A bill for an act relating to public safety; drivers' licenses; allowing provisional driver license holder to carry passengers when driving for employment purposes; amending Minnesota Statutes 2010, section 171.055, subdivision 2.

Referred to the Committee on Transportation.

Senator Hayden introduced—

S.F. No. 2376: A bill for an act relating to health; prohibiting smoking in residences that provide foster care for children; amending Minnesota Statutes 2010, section 144.414, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Senator Saxhaug introduced—

S.F. No. 2377: A bill for an act relating to civil liability; including noncommercial aviation activities in recreational land use immunities; amending Minnesota Statutes 2010, section 604A.21, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Senators Rosen and Lourey introduced—

S.F. No. 2378: A bill for an act relating to human services; transferring an appropriation for Advocating Change Together; amending Laws 2011, First Special Session chapter 4, article 1, section 3, subdivision 2.

Referred to the Committee on Health and Human Services.

Senator Limmer introduced—

S.F. No. 2379: A bill for an act relating to courts; removing limitation on voter list data received by courts for jury selection; amending Minnesota Statutes 2010, section 201.091, subdivision 9.

Referred to the Committee on Judiciary and Public Safety.

Senator Chamberlain introduced—

S.F. No. 2380: A bill for an act relating to retirement; statewide and major local defined benefit retirement plans; requiring unclassified state employees retirement program coverage for overtime salary; amending Minnesota Statutes 2010, sections 352.01, subdivision 13; 352.04, subdivision 4; 352D.02, subdivision 1, by adding a subdivision; 352D.04, subdivision 2; 353.01, subdivision 10; 353.27, subdivision 4; 354.05, subdivision 35; 354.52, subdivision 4b; 354A.011, subdivision 24; 354A.12, subdivision 5; 490.121, by adding a subdivision; 490.124, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 356.

Referred to the Committee on State Government Innovation and Veterans.

Senators McGuire, Latz and Marty introduced—

S.F. No. 2381: A bill for an act relating to motor vehicles; requiring that motorcycle owners bear the economic costs of their injuries not caused by others; requiring motorcycle owners to comply with the motor vehicle insurance requirements that apply to other motor vehicles; requiring motorcycle riders to wear helmets subject to an exception; amending Minnesota Statutes 2010, sections 65B.43, subdivision 2; 65B.46, subdivisions 1, 2; 65B.48, subdivision 5; 168.013, subdivision 1b; 169.974, subdivision 4; repealing Minnesota Statutes 2010, section 65B.46, subdivision 3.

Referred to the Committee on Transportation.

Senators Sheran, Nienow, Rosen and Lourey introduced—

S.F. No. 2382: A bill for an act relating to human services; providing medical assistance coverage for services provided by registered naturopathic doctors; amending Minnesota Statutes 2010, section 256B.0625, by adding a subdivision.

Referred to the Committee on Health and Human Services.

Senators Rosen, Hayden, Lourey and Higgins introduced—

S.F. No. 2383: A bill for an act relating to human services; establishing a statewide self-advocacy

network for persons with disabilities; appropriating money.

Referred to the Committee on Health and Human Services.

Senators Nelson, Rosen, Benson, Hall and Marty introduced—

S.F. No. 2384: A bill for an act relating to health occupations; clarifying that physicians must report to the Board of Medical Practice any physician diverting controlled substances for self-administration; amending Minnesota Statutes 2010, sections 147.111, subdivision 4; 214.33, subdivision 1.

Referred to the Committee on Health and Human Services.

Senators Pappas, Higgins, McGuire, Sheran and Eaton introduced—

S.F. No. 2385: A bill for an act relating to insurance; requiring health plans to cover contraceptive methods, sterilization, and related medical services, patient education, and counseling without enrollee cost-sharing; providing certain exceptions; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce and Consumer Protection.

Senators Nelson, Senjem and Rosen introduced—

S.F. No. 2386: A bill for an act relating to workforce development; creating a pilot program for individuals with autism spectrum disorders; appropriating money.

Referred to the Committee on Jobs and Economic Growth.

Senator Brown introduced—

S.F. No. 2387: A bill for an act relating to property taxation; eliminating the Department of Revenue's role in setting property valuations for green acres and rural preserves; amending Minnesota Statutes 2010, sections 273.111, subdivision 4; 273.114, subdivision 3.

Referred to the Committee on Taxes.

Senators DeKruif, Newman and Thompson introduced—

S.F. No. 2388: A bill for an act relating to public safety; amending the definitions of drug paraphernalia and methamphetamine paraphernalia; amending Minnesota Statutes 2010, sections 152.01, subdivision 18; 152.137, subdivision 1.

Referred to the Committee on Judiciary and Public Safety.

Senator Cohen introduced—

S.F. No. 2389: A bill for an act proposing an amendment to the Minnesota Constitution, article IX, section 1; requiring a two-thirds vote of each house of the legislature to submit a constitutional amendment to the people.

Referred to the Committee on State Government Innovation and Veterans.

Senators Chamberlain, Michel, Lillie, Tomassoni and Metzen introduced—

S.F. No. 2390: A bill for an act relating to economic development; establishing a technology corporate franchise tax certificate transfer program; amending Minnesota Statutes 2010, sections 290.01, subdivision 29; 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs and Economic Growth.

Senators Rosen, Senjem and Bakk introduced—

S.F. No. 2391: A bill for an act relating to stadiums; providing for a new National Football League Stadium in Minnesota; establishing a Minnesota Stadium Authority; abolishing the Metropolitan Sports Facilities Commission; providing for use of certain local tax revenue; authorizing electronic pull-tabs and bingo; authorizing the sale and issuance of state appropriation bonds; appropriating money; amending Minnesota Statutes 2010, sections 3.971, subdivision 6; 3.9741, by adding a subdivision; 13.55, subdivision 1; 297A.71, by adding subdivisions; 297A.75, as amended; 349.12, subdivisions 3b, 3c, 5, 6a, 12a, 18, 25b, 25c, 25d, 29, 31, 32, by adding subdivisions; 349.13; 349.151, subdivisions 4b, 4c, by adding a subdivision; 349.161, subdivisions 1, 5; 349.162, subdivision 5; 349.163, subdivisions 1, 5, 6; 349.1635, subdivisions 2, 3, by adding a subdivision; 349.17, subdivisions 6, 7, 8, by adding a subdivision; 349.1721; 349.18, subdivision 1; 349.19, subdivisions 2, 3, 5, 10; 349.211, subdivision 1a; 352.01, subdivision 2a; 473.121, subdivision 5a; 473.164; 473.565, subdivision 1; Minnesota Statutes 2011 Supplement, sections 10A.01, subdivision 35; 340A.404, subdivision 1; Laws 1986, chapter 396, sections 4, as amended; 5, as amended; proposing coding for new law in Minnesota Statutes, chapters 16A; 297A; proposing coding for new law as Minnesota Statutes, chapter 473J; repealing Minnesota Statutes 2010, sections 473.551; 473.552; 473.553, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; 473.556, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17; 473.561; 473.564, subdivisions 2, 3; 473.572; 473.581; 473.592, subdivision 1; 473.595; 473.598; 473.599; 473.76.

Referred to the Committee on Local Government and Elections.

Senator Gerlach introduced—

S.F. No. 2392: A bill for an act relating to liquor; clarifying the citation of Minnesota Statutes, chapter 340A; amending Minnesota Statutes 2010, section 340A.901.

Referred to the Committee on Commerce and Consumer Protection.

Senator Langseth introduced—

S.F. No. 2393: A bill for an act relating to counties; providing a process for making the office of county auditor-treasurer appointive in Clay County.

Referred to the Committee on Local Government and Elections.

Senator Howe introduced—

S.F. No. 2394: A bill for an act relating to transportation; traffic regulations; amending brake requirements for towed implements of husbandry; amending Minnesota Statutes 2010, section 169.801, subdivision 10.

Referred to the Committee on Transportation.

Senators Howe, Chamberlain, Lillie and Senjem introduced—

S.F. No. 2395: A bill for an act relating to state government; allowing operations on an ongoing basis for the commissioner of public safety with respect to regulatory and enforcement activities under the Liquor Act; proposing coding for new law in Minnesota Statutes, chapter 340A.

Referred to the Committee on Judiciary and Public Safety.

Senators Michel, Sheran, Nelson and Senjem introduced—

S.F. No. 2396: A bill for an act relating to higher education; appropriating money for the University of Minnesota and Mayo Foundation Partnership.

Referred to the Committee on Jobs and Economic Growth.

Senators Rest, Sheran, Eaton and Sieben introduced—

S.F. No. 2397: A bill for an act relating to commerce; protecting the health of children; prohibiting formaldehyde in products for children; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce and Consumer Protection.

Senators Stumpf and Bakk introduced—

S.F. No. 2398: A bill for an act relating to taxation; sales; providing refunds for certain purchases by Canadian residents; amending Minnesota Statutes 2010, section 289A.50, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Olson and Higgins introduced—

S.F. No. 2399: A bill for an act relating to state lands; authorizing conveyance of certain tax-forfeited lands bordering public waters.

Referred to the Committee on Environment and Natural Resources.

Senator Kruse introduced—

S.F. No. 2400: A bill for an act relating to Hennepin County; modifying requirements for financial statements and audits; amending Minnesota Statutes 2010, section 383B.119, subdivisions

1, 3.

Referred to the Committee on Local Government and Elections.

Senator Kruse introduced—

S.F. No. 2401: A bill for an act relating to local government; authorizing certain counties to publish the proceedings of the county board on the county's Web site; amending Minnesota Statutes 2010, section 375.12.

Referred to the Committee on Local Government and Elections.

Senators Nienow, Hoffman, Hall and Miller introduced—

S.F. No. 2402: A bill for an act relating to legislative procedure; prohibiting final passage of a bill or conference committee report on the day it is received by a body, with certain exceptions; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Senator Limmer introduced—

S.F. No. 2403: A bill for an act relating to data practices; providing for expedited requests; requiring certain subcontracts be filed with a government entity; making other miscellaneous changes; amending Minnesota Statutes 2010, sections 13.03, subdivision 3; 13.05, by adding a subdivision; 13.072, subdivisions 1, 2; 13.43, subdivision 1; 16C.05, subdivision 2; 471.345, by adding a subdivision; repealing Minnesota Statutes 2010, sections 13.7931, subdivision 6; 84.0874.

Referred to the Committee on Judiciary and Public Safety.

MOTIONS AND RESOLUTIONS

Senator Benson moved that the names of Senators Robling and Daley be added as co-authors to S.F. No. 1749. The motion prevailed.

Senator Tomassoni moved that the name of Senator Gazelka be added as a co-author to S.F. No. 2124. The motion prevailed.

Senator Harrington moved that the name of Senator McGuire be added as a co-author to S.F. No. 2220. The motion prevailed.

Senator Rosen moved that the name of Senator Michel be added as a co-author to S.F. No. 2248. The motion prevailed.

Senator Ortman moved that the name of Senator Daley be added as a co-author to S.F. No. 2253. The motion prevailed.

Senator Carlson moved that the names of Senators Gazelka, Kruse and Skoe be added as co-authors to S.F. No. 2264. The motion prevailed.

Senator Hayden moved that the name of Senator Higgins be added as a co-author to S.F. No. 2269. The motion prevailed.

Senator Eaton moved that the name of Senator Rest be added as a co-author to S.F. No. 2285. The motion prevailed.

Senator Dahms moved that the name of Senator Gimse be added as a co-author to S.F. No. 2297. The motion prevailed.

Senator Jungbauer moved that the name of Senator Rest be added as a co-author to S.F. No. 2318. The motion prevailed.

Senator Newman moved that the name of Senator Reinert be added as a co-author to S.F. No. 2319. The motion prevailed.

Senator Dibble moved that the name of Senator Rest be added as a co-author to S.F. No. 2331. The motion prevailed.

Senator Benson moved that S.F. No. 1283 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

Senator Gazelka moved that S.F. No. 1835 be withdrawn from the Committee on Finance, given a second reading, and placed on General Orders.

Senator Hayden moved that S.F. No. 1835 be withdrawn from the Committee on Finance and re-referred to the Committee on Health and Human Services.

The question was taken on the adoption of the Hayden motion.

The roll was called, and there were yeas 27 and nays 39, as follows:

Those who voted in the affirmative were:

Bakk	Goodwin	Lourey	Saxhaug	Tomassoni
Bonoff	Hayden	Marty	Sheran	Torres Ray
Cohen	Higgins	McGuire	Sieben	Wiger
Dibble	Kelash	Metzen	Skoe	
Dziedzic	Langseth	Pappas	Sparks	
Eaton	Latz	Rest	Stumpf	

Those who voted in the negative were:

Benson	Gazelka	Ingebrigtsen	Miller	Reinert
Brown	Gerlach	Jungbauer	Nelson	Robling
Carlson	Gimse	Koch	Newman	Rosen
Chamberlain	Hall	Kruse	Nienow	Senjem
Dahms	Hann	Lillie	Olson	Thompson
Daley	Harrington	Limmer	Ortman	Vanderveer
DeKruif	Hoffman	Magnus	Parry	Wolf
Fischbach	Howe	Michel	Pederson	

The motion did not prevail.

The question recurred on the adoption of the Gazelka motion. The motion prevailed.

S.F. No. 1835 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Lillie moved that S.F. No. 1478 be withdrawn from the Committee on State Government, Innovation and Veterans and re-referred to the Committee on Finance.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 37 and nays 29, as follows:

Those who voted in the affirmative were:

Benson	Gazelka	Jungbauer	Nelson	Rosen
Brown	Gerlach	Koch	Newman	Senjem
Carlson	Gimse	Kruse	Nienow	Thompson
Chamberlain	Hall	Lillie	Olson	Vanderveer
Dahms	Hann	Limmer	Ortman	Wolf
Daley	Hoffman	Magnus	Parry	
DeKruif	Howe	Michel	Pederson	
Fischbach	Ingebrigtsen	Miller	Robling	

Those who voted in the negative were:

Bakk	Goodwin	Latz	Reinert	Sparks
Bonoff	Harrington	Lourey	Rest	Stumpf
Cohen	Hayden	Marty	Saxhaug	Tomassoni
Dibble	Higgins	McGuire	Sheran	Torres Ray
Dziedzic	Kelash	Metzen	Sieben	Wiger
Eaton	Langseth	Pappas	Skoe	

The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Nienow moved that S.F. No. 1699 be withdrawn from the Committee on State Government, Innovation and Veterans and re-referred to the Committee on Health and Human Services. The motion prevailed.

Senator Bakk moved that H.F. No. 56 be withdrawn from the Committee on Judiciary and Public Safety, given a second reading, and placed on General Orders.

The question was taken on the adoption of the motion.

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

Those who voted in the affirmative were:

Bakk	Dziedzic	Higgins	Limmer	Olson
Benson	Eaton	Hoffman	Lourey	Ortman
Bonoff	Fischbach	Howe	Magnus	Pappas
Brown	Gazelka	Ingebrigtsen	Marty	Parry
Carlson	Gerlach	Jungbauer	McGuire	Pederson
Chamberlain	Gimse	Kelash	Metzen	Reinert
Cohen	Goodwin	Koch	Michel	Rest
Dahms	Hall	Kruse	Miller	Robling
Daley	Hann	Langseth	Nelson	Rosen
DeKruif	Harrington	Latz	Newman	Saxhaug
Dibble	Hayden	Lillie	Nienow	Senjem

Sheran
Sieben
Skoe

Sparks
Stumpf
Thompson

Tomassoni
Torres Ray
Vandever

Wiger
Wolf

The motion prevailed.

H.F. No. 56 was read the second time.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Hayden introduced –

Senate Resolution No. 133: A Senate resolution recognizing V. J. Smith on his inauguration as President of the National Men Against Destruction, Defending Against Drugs and Social-Disorder (MAD DADS).

Referred to the Committee on Rules and Administration.

RECESS

Senator Senjem moved that the Senate do now recess until 8:30 p.m. The motion prevailed.

The hour of 8:30 p.m. having arrived, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 26, Senator Senjem, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 1780, 1551 and 1844.

SPECIAL ORDER

S.F. No. 1780: A bill for an act relating to higher education; clarifying the authority of the

Minnesota State Colleges and Universities system to continue operations during a budget impasse; appropriating money; amending Minnesota Statutes 2010, section 136F.71, subdivision 3, 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 44 and nays 20, as follows:

Those who voted in the affirmative were:

Benson	Gazelka	Jungbauer	Nelson	Robling
Bonoff	Gerlach	Koch	Newman	Rosen
Brown	Gimse	Kruse	Nienow	Saxhaug
Carlson	Hall	Lillie	Olson	Senjem
Chamberlain	Hann	Limmer	Ortman	Thompson
Dahms	Harrington	Lourey	Parry	Vandever
Daley	Hoffman	Magnus	Pederson	Wiger
DeKruif	Howe	Michel	Reinert	Wolf
Fischbach	Ingebrigtsen	Miller	Rest	

Those who voted in the negative were:

Bakk	Eaton	Kelash	Metzen	Skoe
Cohen	Goodwin	Langseth	Pappas	Stumpf
Dibble	Hayden	Latz	Sheran	Tomassoni
Dziedzic	Higgins	McGuire	Sieben	Torres Ray

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1551: A bill for an act relating to electrical inspections; providing for continued electrical inspections when biennial appropriations have not been enacted; appropriating money; amending Minnesota Statutes 2010, section 326B.04, 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 37 and nays 28, as follows:

Those who voted in the affirmative were:

Benson	Gazelka	Jungbauer	Nelson	Rosen
Brown	Gerlach	Koch	Newman	Senjem
Carlson	Gimse	Kruse	Nienow	Thompson
Chamberlain	Hall	Lillie	Olson	Vandever
Dahms	Hann	Limmer	Ortman	Wolf
Daley	Hoffman	Magnus	Parry	
DeKruif	Howe	Michel	Pederson	
Fischbach	Ingebrigtsen	Miller	Robling	

Those who voted in the negative were:

Bakk	Cohen	Dziedzic	Goodwin	Hayden
Bonoff	Dibble	Eaton	Harrington	Higgins

Kelash
Langseth
Latz
Lourey

Marty
McGuire
Metzen
Pappas

Reinert
Rest
Saxhaug
Sheran

Sieben
Skoe
Stumpf
Tomassoni

Torres Ray
Wiger

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1844: A bill for an act relating to natural resources; providing for continued operation of the Minnesota Zoological Garden when biennial appropriations have not been enacted; appropriating money; amending Minnesota Statutes 2010, section 85A.04, 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 38 and nays 27, as follows:

Those who voted in the affirmative were:

Benson
Brown
Carlson
Chamberlain
Dahms
Daley
DeKruif
Fischbach

Gazelka
Gerlach
Gimse
Hall
Hann
Hoffman
Howe
Ingebrigtsen

Jungbauer
Koch
Kruse
Lillie
Limmer
Magnus
Michel
Miller

Nelson
Newman
Nienow
Olson
Ortman
Parry
Pederson
Robling

Rosen
Senjem
Thompson
Vandeveer
Wiger
Wolf

Those who voted in the negative were:

Bakk
Bonoff
Cohen
Dibble
Dziedzic
Eaton

Goodwin
Harrington
Hayden
Higgins
Kelash
Langseth

Latz
Lourey
Marty
McGuire
Metzen
Pappas

Reinert
Rest
Saxhaug
Sheran
Sieben
Skoe

Stumpf
Tomassoni
Torres Ray

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Senator Hall was excused from the Session of today from 12:00 to 12:35 p.m. Senator Sparks was excused from the Session of today at 8:30 p.m. Senator Marty was excused from the Session of today from 8:30 to 9:10 p.m.

84TH DAY]

MONDAY, MARCH 12, 2012

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ADJOURNMENT

Senator Senjem moved that the Senate do now adjourn until 12:00 noon, Tuesday, March 13, 2012. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

