

SEVENTEENTH DAY

St. Paul, Minnesota, Thursday, February 21, 2013

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

CALL OF THE SENATE

Senator Bakk 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. Stan Mader.

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

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

Anderson	Dziedzic	Jensen	Nienow	Senjem
Bakk	Eaton	Johnson	Ortman	Sheran
Benson	Eken	Kent	Osmek	Sieben
Bonoff	Franzen	Kiffmeyer	Pappas	Skoe
Brown	Gazelka	Koenen	Pederson, J.	Sparks
Carlson	Goodwin	Latz	Petersen, B.	Stumpf
Chamberlain	Hall	Limmer	Pratt	Thompson
Champion	Hann	Lourey	Rest	Tomassoni
Clausen	Hawj	Marty	Rosen	Torres Ray
Cohen	Hayden	Metzen	Ruud	Weber
Dahle	Hoffman	Miller	Saxhaug	Westrom
Dahms	Housley	Nelson	Scalze	Wiger
Dibble	Ingebrigtsen	Newman	Schmit	Wiklund

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

February 15, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Senator Pappas:

As the Senate Minority Leader, I hereby make the following appointments:

Pursuant to Minnesota Statutes 2012

127A.30: Legislative Permanent School Fund Commission - Senators Weber, Pratt and Ruud to serve at the pleasure of the appointing authority.

Sincerely,
David W. Hann
Senate Minority Leader

February 18, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Senator Pappas:

The Subcommittee on Committees met on February 18, 2013, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 2012

3.8841: Legislative Commission on Metropolitan Government - Senator Scalze to serve until January 1, 2015.

3.922: Indian Affairs Council - Senator Dahms, replacing Senator Kiffmeyer, to serve at the pleasure of the appointing authority.

3.9225: Council on Black Minnesotans - Senator Hawj to serve until January 2, 2017.

3.9226: Council on Asian-Pacific Minnesotans - Senators Hawj and Johnson to serve until January 2, 2017.

127A.81: Education Commission of the States - Senator Torres Ray to serve until January 1, 2015.

138.763: Saint Anthony Falls Heritage Board - Senators Dziejczak and Champion to serve until December 31, 2013.

161.1419: Mississippi River Parkway Commission - Senators Hoffman and Senjem to serve until the end of the 2013 legislative session.

240A.02: Minnesota Amateur Sports Commission - Senators Johnson and Senjem to serve as non-voting members at the pleasure of the appointing authority.

256B.0625: Nonemergency Medical Transportation Advisory Committee - Senators Carlson and Nienow to serve at the pleasure of the appointing authority.

290.173: Multistate Tax Compact Advisory Committee - Senators Skoe and Chamberlain to serve at the pleasure of the appointing authority.

17TH DAY]

THURSDAY, FEBRUARY 21, 2013

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299A.681: Financial Crimes Advisory Board - Senator Goodwin to serve as a non-voting member until January 2, 2017.

Sincerely,
Thomas M. Bakk
Chair, Subcommittee on Committees
State Senator, District 3

February 18, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Senator Pappas:

As the Senate Majority Leader, I hereby make the following appointment:

Pursuant to Minnesota Statutes 2012

240A.02: Minnesota Amateur Sports Commission - Senator Tomassoni to serve as a voting member until 2015.

Sincerely,
Thomas M. Bakk
Majority Leader
State Senator, District 3

February 19, 2013

The Honorable Sandra L. Pappas
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, Chapter 2, S.F. No. 58.

Sincerely,
Mark Dayton, Governor

February 19, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2013 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 2013	Date Filed 2013
	9	1	11:28 a.m. February 19	February 19
58		2	4:12 p.m. February 19	February 19

Sincerely,
Mark Ritchie
Secretary of State

February 20, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2013 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2013	Date Filed 2013
	6	3	11:52 a.m. February 20	February 20

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 87, 90 and 141.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 18, 2013

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 87: A bill for an act relating to real property; providing for affidavit of survivorship; providing for release or partial release of lien of a mortgage; claiming an interest in registered land after registration; making technical and conforming changes; amending Minnesota Statutes 2012, sections 507.092, subdivision 1; 507.403; 508.70, subdivision 1; 508.82, subdivision 1; 508A.70, subdivision 1; 508A.82, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 249.

H.F. No. 90: A bill for an act relating to crime; allowing offenses for financial exploitation of a vulnerable adult to be aggregated over a six-month period; expanding venue options for financial exploitation of a vulnerable adult; amending Minnesota Statutes 2012, section 609.2335, by adding subdivisions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 187.

H.F. No. 141: A bill for an act relating to elections; soil and water conservation districts; modifying timeline in which a copy of the resolution establishing supervision districts is filed; amending Minnesota Statutes 2012, section 103C.311, subdivision 2.

Referred to the Committee on Environment and Energy.

REPORTS OF COMMITTEES

Senator Ortman requested that the report on S.F. No. 552 be divided out.

Senator Bakk moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 552, and the reports pertaining to appointments. The motion prevailed.

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

S.F. No. 345: A bill for an act relating to crime victims; authorizing a victim's estate to request or enforce an order for restitution; amending Minnesota Statutes 2012, section 611A.04, by adding a subdivision.

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

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

S.F. No. 249: A bill for an act relating to real property; providing for affidavit of survivorship; providing for release or partial release of lien of a mortgage; claiming an interest in registered land after registration; making technical and conforming changes; amending Minnesota Statutes 2012, sections 507.092, subdivision 1; 507.403; 508.70, subdivision 1; 508.82, subdivision 1; 508A.70, subdivision 1; 508A.82, subdivision 1.

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

Page 2, lines 3 and 4, delete the new language

Page 3, line 7, delete "shall" and insert "does"

Page 3, lines 10, 11, and 13, delete "such a" and insert "the"

Page 3, line 15, after the period, insert "For purposes of this section, "entity" does not include a natural person."

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

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

S.F. No. 196: A bill for an act relating to probate; authorizing inventory and emergency order protecting specified personal property of homicide victim to preserve rights of decedent's heirs and beneficiaries; adding notice of rights and procedures to crime victims' chapter; amending Minnesota Statutes 2012, sections 524.2-803; 524.3-614; 524.3-615; 611A.02, subdivision 2.

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

Page 3, lines 10 and 12, after "complaint" insert "or indictment"

Page 5, line 1, strike "Crime Victim and Witness Advisory Council" and insert "Office of Justice Programs in the Department of Public Safety"

Page 5, after line 21, insert:

"EFFECTIVE DATE. This section is effective July 1, 2014.

Sec. 5. USE OF EXISTING SUPPLY.

A law enforcement agency, city attorney's office, or county attorney's office may exhaust existing notices before producing materials with the modifications required by section 4."

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

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

S.F. No. 187: A bill for an act relating to crime; allowing offenses for financial exploitation of a vulnerable adult to be aggregated over a six-month period; expanding venue options for financial exploitation of a vulnerable adult; amending Minnesota Statutes 2012, section 609.2335, by adding subdivisions.

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

Page 1, line 21, after "victim" insert "or one of the victims"

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

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

S.F. No. 336: A bill for an act relating to commerce; regulating electronic fund transfers; providing that article 4A of the Uniform Commercial Code does not apply to a remittance transfer that is not an electronic funds transfer under the federal Electronic Fund Transfer Act; amending Minnesota Statutes 2012, section 336.4A-108.

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

Page 1, after line 23, insert:

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

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

Senator Metzen from the Committee on Commerce, to which was referred

S.F. No. 316: A bill for an act relating to commerce; requiring estate sale conductors to post a bond to protect owners of the property to be sold; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Senator Metzen from the Committee on Commerce, to which was referred

S.F. No. 294: A bill for an act relating to commerce; regulating mortgage foreclosures; clarifying the definition of a foreclosure consultant; amending Minnesota Statutes 2012, section 325N.01.

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 2012, section 325N.01, is amended to read:

325N.01 DEFINITIONS.

The definitions in paragraphs (a) to (h) apply to sections 325N.01 to 325N.09.

(a) "Foreclosure consultant" means any person who, directly or indirectly, makes any solicitation, representation, or offer to any owner to perform for compensation or who, for compensation, performs any service which the person in any manner represents will in any manner do any of the following:

- (1) stop or postpone the foreclosure sale;
- (2) obtain any forbearance from any beneficiary or mortgagee;
- (3) assist the owner to exercise the right of reinstatement provided in section 580.30;
- (4) obtain any extension of the period within which the owner may reinstate the owner's obligation;
- (5) obtain any waiver of an acceleration clause contained in any promissory note or contract secured by a mortgage on a residence in foreclosure or contained in the mortgage;
- (6) assist the owner in foreclosure or loan default to obtain a loan or advance of funds;
- (7) avoid or ameliorate the impairment of the owner's credit resulting from the recording of a notice of default or the conduct of a foreclosure sale;
- (8) save the owner's residence from foreclosure; or
- (9) negotiate or modify the terms or conditions of an existing residential mortgage loan.

(b) A foreclosure consultant does not include any of the following:

- (1) a person licensed to practice law in this state when the person renders service in the course of the person's practice as an attorney-at-law;

(2) a person licensed as a debt management services provider under chapter 332A, when the person is acting as a debt management services provider as defined in that chapter;

(3) a person licensed as a real estate broker or salesperson under chapter 82 when the person engages in acts whose performance requires licensure under that chapter unless the person is engaged in offering services designed to, or purportedly designed to, enable the owner to retain possession of the residence in foreclosure;

(4) a person licensed as an accountant under chapter 326A when the person is acting in any capacity for which the person is licensed under those provisions;

(5) a person or the person's authorized agent acting under the express authority or written approval of the Department of Housing and Urban Development or other department or agency of the United States or this state to provide services;

(6) a person who holds or is owed an obligation secured by a lien on any residence in foreclosure when the person performs services in connection with this obligation or lien if the obligation or lien did not arise as the result of or as part of a proposed foreclosure reconveyance;

(7) any person or entity doing business under any law of this state, or of the United States relating to banks, trust companies, savings and loan associations, industrial loan and thrift companies, regulated lenders, credit unions, insurance companies, or a mortgagee which is a United States Department of Housing and Urban Development approved mortgagee and any subsidiary or affiliate of these persons or entities, and any agent or employee of these persons or entities while engaged in the business of these persons or entities;

(8) a person licensed as a residential mortgage originator or servicer pursuant to chapter 58, when acting under the authority of that license, except that the provisions of ~~section 325N.04, clause (1), sections 325N.01 to 325N.06, 325N.08, and 325N.09~~ shall apply to any person operating under a mortgage originator license who negotiates or offers to negotiate the terms or conditions of an existing residential mortgage loan;

(9) a nonprofit agency or organization that has tax-exempt status under section 501(c)(3) of the Internal Revenue Code that offers counseling or advice to an owner of a home in foreclosure or loan default if they do not contract for services with for-profit lenders or foreclosure purchasers, except that they shall comply with the provisions of section 325N.04, clause (1);

(10) a judgment creditor of the owner, to the extent that the judgment creditor's claim accrued prior to the personal service of the foreclosure notice required by section 580.03, but excluding a person who purchased the claim after such personal service; and

(11) a foreclosure purchaser as defined in section 325N.10.

(c) "Foreclosure reconveyance" means a transaction involving:

(1) the transfer of title to real property by a foreclosed homeowner during a foreclosure proceeding, either by transfer of interest from the foreclosed homeowner or by creation of a mortgage or other lien or encumbrance during the foreclosure process that allows the acquirer to obtain title to the property by redeeming the property as a junior lienholder; and

(2) the subsequent conveyance, or promise of a subsequent conveyance, of an interest back to the foreclosed homeowner by the acquirer or a person acting in participation with the acquirer that

allows the foreclosed homeowner to possess either the residence in foreclosure or any other real property, which interest includes, but is not limited to, an interest in a contract for deed, purchase agreement, option to purchase, or lease.

(d) "Person" means any individual, partnership, corporation, limited liability company, association, or other group, however organized.

(e) "Service" means and includes, but is not limited to, any of the following:

(1) debt, budget, or financial counseling of any type;

(2) receiving money for the purpose of distributing it to creditors in payment or partial payment of any obligation secured by a lien on a residence in foreclosure;

(3) contacting creditors or servicers to negotiate or offer to negotiate the terms or conditions of an existing residential mortgage loan;

(4) arranging or attempting to arrange for an extension of the period within which the owner of a residence in foreclosure may cure the owner's default and reinstate the owner's obligation pursuant to section 580.30;

(5) arranging or attempting to arrange for any delay or postponement of the time of sale of the residence in foreclosure;

(6) advising the filing of any document or assisting in any manner in the preparation of any document for filing with any bankruptcy court; or

(7) giving any advice, explanation, or instruction to an owner of a residence in foreclosure, which in any manner relates to the cure of a default in or the reinstatement of an obligation secured by a lien on the residence in foreclosure, the full satisfaction of that obligation, or the postponement or avoidance of a sale of a residence in foreclosure, pursuant to a power of sale contained in any mortgage.

(f) "Residence in foreclosure" means residential real property consisting of one to four family dwelling units, one of which the owner occupies as the owner's principal place of residence, where there is a delinquency or default on any loan payment or debt secured by or attached to the residential real property including, but not limited to, contract for deed payments.

(g) "Owner" means the record owner of the residential real property in foreclosure at the time the notice of pendency was recorded, or the summons and complaint served.

(h) "Contract" means any agreement, or any term in any agreement, between a foreclosure consultant and an owner for the rendition of any service as defined in paragraph (e).

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

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

Senator Metzen from the Committee on Commerce, to which was re-referred

S.F. No. 86: A bill for an act relating to occupations and professions; making changes to the Board of Accountancy; proposing fee increases; making changes to licensing provisions; repealing obsolete provisions; amending Minnesota Statutes 2012, sections 326A.04, subdivisions 2, 3, 4, 5,

7; 326A.10; repealing Minnesota Statutes 2012, section 326A.03, subdivisions 2, 5, 8; Minnesota Rules, parts 1105.0600; 1105.2550; 1105.2700.

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

Page 2, delete section 3

Renumber the sections in sequence

Amend the title numbers accordingly

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

Senator Dibble from the Committee on Transportation and Public Safety, to which was referred

S.F. No. 185: A bill for an act relating to transportation; establishing a transportation ombudsperson; amending Minnesota Statutes 2012, section 174.02, by adding a subdivision.

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

Page 1, after line 21, insert:

"(d) Amounts that may be spent to pay the costs of the transportation ombudsperson program must be specifically appropriated by law and may not be transferred from any other appropriation. Any excess appropriation cancels at the end of the year to the fund from which it was appropriated."

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

Senator Dibble from the Committee on Transportation and Public Safety, to which was referred

S.F. No. 344: A bill for an act relating to public safety; modifying provisions relating to Capitol complex area security; providing for a report; appropriating money; amending Minnesota Statutes 2012, section 299E.01, subdivisions 2, 3; repealing Minnesota Statutes 2012, section 299E.02.

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

Senator Dibble from the Committee on Transportation and Public Safety, to which was referred

S.F. No. 174: A bill for an act relating to transit; removing restrictions on Dan Patch commuter rail line planning and development; repealing Laws 2002, chapter 393, section 85.

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

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 335: A bill for an act relating to elections; authorizing jurisdictions to adopt ranked-choice voting; establishing procedures for adoption, implementation, and use of ranked-choice voting; amending Minnesota Statutes 2012, sections 205.13, subdivision 2; 206.83;

206.89, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 206; proposing coding for new law as Minnesota Statutes, chapter 204E.

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

Delete everything after the enacting clause and insert:

"Section 1. [204E.01] APPLICABILITY.

This chapter applies to all elections expressly authorized in statute to use ranked-choice voting. All other provisions of the Minnesota Election Law also apply, to the extent they are not inconsistent with this chapter.

Sec. 2. [204E.02] DEFINITIONS.

Subdivision 1. **Scope.** The definitions in this section apply to this chapter.

Subd. 2. **Batch elimination.** "Batch elimination" means a simultaneous defeat of multiple continuing candidates that have no mathematical chance of being elected.

Subd. 3. **Chief election official.** "Chief election official" means the principal officer in the jurisdiction charged with duties relating to elections.

Subd. 4. **Duplicate ranking.** "Duplicate ranking" means a voter has ranked the same candidate at multiple rankings for the office being counted.

Subd. 5. **Exhausted ballot.** "Exhausted ballot" means a ballot that can no longer be advanced under the procedures in section 204E.06.

Subd. 6. **Highest continuing ranking.** "Highest continuing ranking" means the ranking on a voter's ballot with the lowest numerical value for a continuing candidate.

Subd. 7. **Mathematically impossible to be elected.** "Mathematically impossible to be elected" means either:

(1) the candidate cannot be elected because the candidate's current vote total plus all votes that could possibly be transferred to the candidate in future rounds from candidates with fewer votes or an equal number of votes and surplus votes would not be enough to surpass the candidate with the next higher current vote total; or

(2) the candidate has a lower current vote total than a candidate who is described by clause (1).

Subd. 8. **Overvote.** "Overvote" means a voter has ranked more than one candidate at the same ranking.

Subd. 9. **Partially defective ballot.** "Partially defective ballot" means a ballot that is defective to the extent that the election judges are unable to determine the voter's intent with respect to the office being counted.

Subd. 10. **Ranked-choice voting.** "Ranked-choice voting" means an election method in which voters rank candidates for an office in order of their preference, with each vote counting for the highest-ranked continuing candidate on each ballot until that candidate has been elected or defeated by the method established in this chapter.

Subd. 11. **Ranked-choice voting tabulation center.** "Ranked-choice voting tabulation center" means the place selected for the automatic or manual processing and tabulation of ballots.

Subd. 12. **Ranking.** "Ranking" means the number assigned by a voter to a candidate to express the voter's preference for that candidate. Ranking number one is the highest ranking. A ranking of lower numerical value indicates a greater preference for a candidate than a ranking of higher numerical value.

Subd. 13. **Round.** "Round" means an instance of the sequence of voting tabulation steps established in section 204E.06.

Subd. 14. **Skipped ranking.** "Skipped ranking" means a voter has left a ranking blank and ranks a candidate at a subsequent ranking.

Subd. 15. **Surplus.** "Surplus" means the total number of votes cast for an elected candidate in excess of the threshold.

Subd. 16. **Surplus fraction of a vote.** "Surplus fraction of a vote" means the proportion of each vote to be transferred when a surplus is transferred. The surplus fraction is calculated by dividing the surplus by the total votes cast for the elected candidate, calculated to four decimal places, ignoring any remainder.

Subd. 17. **Threshold.** "Threshold" means the number of votes sufficient for a candidate to be elected. In any given election, the threshold equals the total votes counted in the first round after removing defective ballots, divided by the sum of one plus the number of offices to be filled and adding one to the quotient, disregarding any fractions.

Subd. 18. **Transfer value.** "Transfer value" means the fraction of a vote that a transferred ballot will contribute to the next ranked continuing candidate on that ballot. The transfer value of a vote cast for an elected candidate is calculated by multiplying the surplus fraction of each vote by its current value, calculated to four decimal places, ignoring any remainder. The transfer value of a vote cast for a defeated candidate is the same as its current value.

Subd. 19. **Transferable vote.** "Transferable vote" means a vote or a fraction of a vote for a candidate who has been either elected or defeated.

Subd. 20. **Totally defective ballot.** "Totally defective ballot" means a ballot that is defective to the extent that election judges are unable to determine the voter's intent for any office on the ballot.

Subd. 21. **Undervote.** "Undervote" means a voter did not rank any candidates for an office.

Sec. 3. **[204E.03] AUTHORIZATION TO ADOPT RANKED-CHOICE VOTING; IMPLEMENTATION.**

(a) The following political subdivisions may adopt, in the manner provided in this subdivision, ranked-choice voting as a method of voting for local offices within the political subdivision:

- (1) home rule charter or statutory cities;
- (2) counties;
- (3) towns; and
- (4) school districts.

(b) A jurisdiction that adopts ranked-choice voting may do so by adopting an ordinance, resolution, or in the case of a charter city by approval of voters of the city at a special or general election. If adoption by voter approval is used, the question placed on the ballot shall read "Shall (name of the jurisdiction) adopt the use of ranked-choice voting to elect local officials?" If a majority of voters voting on the question vote yes, ranked-choice voting shall be used in the jurisdiction to elect local officials. Use of the ranked-choice voting method may be repealed and it must be done by the same method provided for adoption.

(c) A home rule charter jurisdiction may adopt a ranked-choice voting system in its charter. Adoption of a ranked-choice voting system may be made by reference to this chapter in the charter. If ranked-choice voting is adopted by charter, it may only be repealed by amending the charter. Nothing in this chapter prevents a home rule charter jurisdiction from adopting another voting method in its charter.

(d) Ranked-choice voting shall only be used to elect local offices at a general or special election. A primary election must not be held for any nonpartisan offices that are elected using ranked-choice voting.

(e) A jurisdiction that adopts the use of ranked-choice voting in local elections must do so no later than 30 days before the first day for filing affidavits of candidacy for the office for which ranked-choice voting is to be used as the method of election.

(f) Repeal of ranked-choice voting must be no later than 30 days before the first day for filing affidavits of candidacy for offices for which ranked-choice voting is used as the method of election.

(g) The chief election official shall notify the secretary of state and, if applicable, the county auditor within 30 days following adoption or repeal of ranked-choice voting.

Sec. 4. **[204E.04] BALLOTS.**

Subdivision 1. **Ballot format.** (a) If there are two or more qualified candidates, a ballot must allow a voter to rank at least three candidates for each office in order of preference and must also allow the voter to add write-in candidates. In the case of a multiseat race, if there are three or more qualified candidates, a ballot must allow a voter to rank at least three candidates for each office in order of preference and must allow the voter to add write-in candidates.

(b) A ballot must:

(1) include instructions to voters that clearly indicate how to mark the ballot;

(2) include instructions to voters that clearly indicate how to rank candidates in order of the voter's preference; and

(3) indicate the number of seats to be elected for each office.

(c) A jurisdiction may use ballots compatible with alphanumeric character recognition voting equipment.

Subd. 2. **Mixed-election method ballots.** If elections are held in which ranked-choice voting is used in addition to other methods of voting, the ranked-choice voting and non-ranked-choice voting elections must be on the same ballot card if possible, with ranked-choice voting and non-ranked-choice voting portions clearly separated on the ballot card. A separate ballot card may

be used if necessary. A jurisdiction may deviate from the standard ballot order of offices to allow separation of ranked-choice voting and non-ranked-choice voting elections.

Subd. 3. **Ballot format rules.** The chief election official shall determine the ballot format after a voting mechanism has been selected, consistent with this section.

Sec. 5. [204E.05] RANKED-CHOICE VOTING TABULATION CENTER.

Subdivision 1. **Tabulation of votes; generally.** The chief election official shall designate one location to serve as the ranked-choice voting tabulation center. The center must be accessible to the public for the purpose of observing the vote tabulation. Tabulation of votes must be conducted as described in section 204E.06.

Subd. 2. **Precinct tabulation.** When the hours for voting have ended and all voting has concluded, the election judges in each precinct shall record and publicly declare the number of first choices cast for each candidate in that precinct. The election judges must then securely transfer all electronic voting data and ballots from the precinct to the ranked-choice voting tabulation center designated under this section. Upon receipt at the ranked-choice voting tabulation center, all electronic voting data and ballots shall be secured.

Subd. 3. **Notice of recess in count.** At any time following receipt of materials under subdivision 1, the chief election official may declare a recess for meals or other necessary purposes. Notice of the recess must include the date, time, and location at which the process of recording and tabulating votes will resume and the reason for the recess. Notice must be posted on the city's official bulletin board and on the door of the ranked-choice voting tabulation center.

Subd. 4. **Recording write-in votes.** At a time set by the chief election official, the judges of the election shall convene at the ranked-choice voting tabulation center to examine ballots on which voters have indicated a write-in choice, and record the names and number of votes received by each write-in candidate. In the event that votes cast for the write-in category are not eliminated as provided in section 204E.06, the results must be entered into the ranked-choice voting tabulation software, if used.

Subd. 5. **Ranked-choice vote tabulation.** After all votes have been recorded, and at a time set by the chief election official, the process of tabulating votes cast for offices to be elected using the ranked-choice method must begin. The counting must continue until preliminary results for all races are determined, subject to subdivision 3.

Sec. 6. [204E.06] TABULATION OF VOTES.

(a) Tabulation of votes at the ranked-choice voting tabulation center must proceed in rounds for each office to be counted. The threshold must be calculated and publicly declared. Each round must proceed sequentially as follows:

(1) the number of votes cast for each candidate for the current round must be counted. If the number of candidates whose vote totals equal or exceed the threshold are equal to the number of seats to be filled, those candidates who are continuing candidates are elected and the tabulation is complete. If the number of candidates whose vote totals are equal to or greater than the threshold is not equal to the number of seats to be filled, a new round begins and the tabulation must continue as provided in the remainder of this paragraph;

(2) surplus votes for any candidates whose vote totals are equal to or greater than the threshold must be calculated;

(3) after any surplus votes are calculated but not yet transferred, all candidates for whom it is mathematically impossible to be elected must be defeated by batch elimination. Votes for the defeated candidates must be transferred to each ballot's next-ranked continuing candidate, and the tabulation process reiterates beginning with clause (2). If no candidate can be defeated mathematically, the tabulation must continue as described in clause (4);

(4) the transfer value of each vote cast for an elected candidate must be transferred to the next continuing candidate on that ballot. Of the candidates whose vote totals reach or exceed the threshold, the candidate with the largest surplus is declared elected and that candidate's surplus is transferred. A tie between two or more candidates must immediately and publicly be resolved by lot by the chief election official at the tabulation center. The surplus of the candidate chosen by lot must be transferred before other transfers are made. The result of the tie resolution must be recorded and reused in the event of a recount. If no candidate has a surplus, the tabulation must continue as described in clause (5); otherwise, the tabulation process must reiterate beginning with clause (2);

(5) if there are no transferable surplus votes, the candidate with the fewest votes is defeated. Votes for the defeated candidate must be transferred to each ballot's next-ranked continuing candidate. Ties between candidates with the fewest votes must be decided by lot, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount. The tabulation process must reiterate beginning with clause (2); and

(6) the procedures in clauses (2) to (5) must be repeated until the number of candidates whose vote totals are equal to or exceed the threshold is equal to the number of seats to be filled, or until the number of continuing candidates is equal to the number of offices yet to be elected. If the number of continuing candidates is equal to the number of offices yet to be elected, the remaining continuing candidates must be declared elected. In the case of a tie between two continuing candidates, the tie must be decided by lot as provided in section 204C.34, and the candidate chosen by lot must be defeated. The result of the tie resolution must be recorded and reused in the event of a recount.

(b) When a single skipped ranking is encountered on a ballot, that ballot must count toward the next nonskipped ranking. If any ballot cannot be advanced because no further candidates are ranked on that ballot, because a voter has skipped more than one ranking, or because an undervote, overvote, or duplicate ranking is encountered, the ballot must not count toward any candidate in that round or in subsequent rounds for the office being counted.

Sec. 7. [204E.07] REPORTING RESULTS.

(a) Each precinct must print a precinct summary statement, which must include the number of first choices cast for each candidate in that precinct.

(b) The ranked-choice voting tabulation center must print a summary statement with the following information: total votes cast; number of undervotes; number of totally defective and spoiled ballots; threshold calculation; total first-choice rankings for all candidates; round-by-round tabulation results, including simultaneous batch eliminations, surplus transfers, and defeated candidate transfers; and exhausted ballots at each round.

(c) The summary statement must be certified as true and accurate and include the signatures of those who are making the certification.

(d) The election abstract must include the information required in the ranked-choice voting tabulation center summary statement, with the addition of the number of registered voters by precinct, the number of same-day voter registrations, and the number of absentee voters.

Sec. 8. [204E.08] RECOUNTS.

(a) A candidate defeated in the final round of tabulation may request a recount as provided in section 204C.36.

(b) A candidate defeated in the final round of tabulation when the vote difference is greater than that provided in section 204C.36 may request a recount at the candidate's own expense. A candidate defeated in an earlier round of tabulation may request a recount at the candidate's own expense. The candidate is responsible for all expenses associated with the recount, regardless of the vote difference between the candidates in the round in which the requesting candidate was defeated. The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. Expenses must be determined as provided in section 204C.36, subdivision 4.

(c) Rules adopted by the secretary of state under section 204C.36 for recounts apply to recounts conducted under this section, as far as practicable.

Sec. 9. [204E.09] POSTELECTION REVIEW OF RANKED-CHOICE VOTING SYSTEMS.

(a) Unless otherwise specified in this section, the requirements of section 206.89 apply to the postelection review of ranked-choice voting systems, as far as practicable.

(b) A postelection review of ranked-choice voting systems is required only where tabulation software is used to determine the winner of an election. A postelection review is not required for a race that will be subject to a recount pursuant to section 204E.08.

(c) When a postelection review is required under this section, the chief election official must set the date, time, and place for the postelection review at least 30 days before the election.

(d) When a postelection review is required under this section, the review must include select precincts in at least one single-seat ranked-choice voting election and at least one multiple-seat ranked-choice voting election, if such an election occurred. The review must be conducted for elections decided most closely in the final round, by percentage.

Sec. 10. [204E.10] TESTING OF RANKED-CHOICE VOTING SYSTEMS.

Testing of ranked-choice voting systems shall be tested pursuant to section 206.83.

Sec. 11. [204E.11] RULES.

The secretary of state may adopt rules necessary to implement the requirements and procedures established by this chapter.

Sec. 12. Minnesota Statutes 2012, section 205.13, subdivision 2, is amended to read:

Subd. 2. **Notice of filing dates.** At least two weeks before the first day to file affidavits of candidacy, the municipal clerk shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the clerk's office and the closing time for filing on the last day for filing. The clerk shall post a similar notice at least ten days before the first day to file affidavits of candidacy.

The notice must indicate the method of election to be used for the offices on the ballot. The notice must separately list any office for which affidavits of candidacy may be filed to fill the unexpired portion of a term when a special election is being held to fill a vacancy as provided in section 412.02, subdivision 2a.

Sec. 13. [206.802] ELECTRONIC VOTING SYSTEMS; PURCHASING.

Any new voting equipment purchased for use in Minnesota for the purpose of replacing a voting system must have the ability to:

- (1) capture and store ballot data;
- (2) keep data anonymous;
- (3) accept ranked or cumulative voting data under a variety of tabulation rules;
- (4) be programmable to follow all other specifications of the ranked-choice voting system as provided in chapter 204E;
- (5) provide a minimum of three rankings for ranked-choice voting elections;
- (6) notify voters of the following errors: overvotes, skipped rankings, and duplicate rankings in a ranked-choice voting election; and
- (7) be programmable to print a zero tape indicating all rankings for all candidates in a ranked-choice voting election.

EFFECTIVE DATE. This section is effective upon certification by the secretary of state that equipment meeting the standards required by this section has been certified for use in Minnesota pursuant to section 206.57."

Delete the title and insert:

"A bill for an act relating to elections; authorizing jurisdictions to adopt ranked-choice voting; establishing procedures for adoption, implementation, and use of ranked-choice voting; amending Minnesota Statutes 2012, section 205.13, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 206; proposing coding for new law as Minnesota Statutes, chapter 204E."

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

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 158: A bill for an act relating to state government; requiring commissioner of administration to place a bust of Nellie Stone Johnson in the State Capitol Building; appropriating money.

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

Page 1, line 6, before "The" insert "Notwithstanding Minnesota Statutes, section 138.68,"

Page 1, line 7, after the period, insert "The Department of Administration, in consultation with the Minnesota Historical Society and the Capitol Area Architectural and Planning Board, shall apply existing guidelines for design and placement of works of art in the State Capitol Building."

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

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

S.F. No. 111: A bill for an act relating to health; creating a grant program for spinal cord injury and traumatic brain injury research; establishing the spinal cord and traumatic brain injury advisory committee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Page 1, line 16, delete "committee" and insert "council"

Page 2, delete section 3 and insert:

"Sec. 3. [144.667] SPINAL CORD AND TRAUMATIC BRAIN INJURY ADVISORY COUNCIL.

Subdivision 1. **Membership.** The commissioner shall appoint an 11-member advisory council consisting of:

- (1) one member representing the University of Minnesota Medical School;
- (2) one member representing the Mayo Medical School;
- (3) one member representing the Courage Center;
- (4) one member who is a neurosurgeon;
- (5) one member who has a spinal cord injury;
- (6) one member who is a family member of a person with a spinal cord injury;
- (7) one member who has a traumatic brain injury;
- (8) one member who is a family member of a person with a traumatic brain injury;
- (9) one member who is a physician specializing in the treatment of spinal cord injury;
- (10) one member who is a physician specializing in the treatment of traumatic brain injury; and
- (11) one member who is a rehabilitative specialist.

Subd. 2. **Organization.** The advisory council shall be organized and administered under section 15.059, except that section 15.059, subdivision 2, shall not apply. Except as provided in subdivision 4, the commissioner shall appoint council members to two-year terms and appoint one member as chair. Notwithstanding section 15.059, subdivision 5, the advisory council does not expire.

Subd. 3. **First appointments and first meeting.** The commissioner shall appoint the first members of the council by September 1, 2013. The chair shall convene the first meeting by November 1, 2013.

Subd. 4. **Terms of initial council members.** The commissioner shall designate four of the initial council members to serve a one-year term. The other five initial members shall serve a two-year term.

Subd. 5. **Conflict of interest.** Council members must disclose in a written statement any financial interest in any organization that the council recommends to receive a grant. The written statement must accompany the grant recommendations and must explain the nature of the conflict. The council is not subject to policies developed by the commissioner of administration under section 16B.98.

Subd. 6. **Duties.** The advisory council shall:

- (1) develop criteria for evaluating and awarding the research grants under section 144.666;
- (2) review research proposals and make recommendations by January 15 of each year to the commissioner for purposes of awarding grants under section 144.666; and
- (3) perform other duties as authorized by the commissioner."

Page 2, line 29, delete "\$4,000,000" and insert "\$....." in both places and delete "is" and insert "are"

Amend the title as follows:

Page 1, line 4, delete "committee" and insert "council"

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

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 212: A bill for an act relating to local governments; repealing the deadline for special service districts; repealing the deadline for housing improvement districts; repealing Minnesota Statutes 2012, sections 428A.101; 428A.21.

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

Amend the title as follows:

Page 1, line 3, delete "districts" and insert "areas"

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

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 321: A bill for an act relating to health; amending the duties and reporting dates for an existing task force on prematurity; amending Laws 2011, First Special Session chapter 9, article 2, section 27.

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

Page 2, line 26, after "chairs" insert "and ranking majority members"

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

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 267: A bill for an act relating to human services; modifying MFIP child care assistance; amending Minnesota Statutes 2012, section 119B.05, subdivision 1.

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

Page 1, line 23, delete "12" and insert "20"

Page 2, line 1, delete everything after "illness"

Page 2, line 2, delete everything before the semicolon

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

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 115: A bill for an act relating to human services; modifying child care assistance absent days; amending Minnesota Statutes 2012, section 119B.13, subdivision 7.

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

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 460: A bill for an act relating to human services; modifying provisions related to children and family services; changing data practices provisions; changing provisions related to contractual agreements with tribes, child care programs, community action agencies, the Minnesota family investment program, and reporting maltreatment; amending Minnesota Statutes 2012, sections 13.46, subdivision 2; 119B.02, subdivision 2; 119B.09, subdivisions 6, 13; 256E.30, by adding a subdivision; 256J.09, subdivision 3; 256J.20, subdivision 3; 256J.21, subdivision 2; 256J.24, subdivision 3; 256J.30, subdivisions 4, 12; 256J.32, subdivisions 6, 8; 256J.38, subdivision 6; 256J.49, subdivision 13; 256J.521, subdivisions 1, 2; 256J.53, subdivisions 2, 5; 256J.575, subdivision 7; 256J.621; 256J.626, subdivisions 7, 8; 256J.67; 256J.68, subdivisions 1, 2, 4, 7, 8; 256J.751, subdivision 2; 256K.26, subdivision 4; 626.556, subdivisions 2, 7, 11c; 626.5561, subdivision 1.

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

Page 7, after line 11, insert:

"Sec. 5. Minnesota Statutes 2012, section 256D.05, is amended by adding a subdivision to read:

Subd. 9. **Personal statement.** If a county agency determines that an applicant is ineligible due to not meeting eligibility requirements of chapter 256D, a county agency may accept a signed personal statement from the applicant in lieu of documentation verifying ineligibility.

Sec. 6. Minnesota Statutes 2012, section 256D.405, subdivision 1, is amended to read:

Subdivision 1. **Verification.** (a) The county agency shall request, and applicants and recipients shall provide and verify, all information necessary to determine initial and continuing eligibility and assistance payment amounts. If necessary, the county agency shall assist the applicant or recipient in obtaining verifications. If the applicant or recipient refuses or fails without good cause to provide the information or verification, the county agency shall deny or terminate assistance.

(b) If a county agency determines that an applicant is ineligible due to not meeting eligibility requirements of chapter 256D, a county agency may accept a signed personal statement from the applicant in lieu of documentation verifying ineligibility."

Page 7, after line 17, insert:

"Sec. 8. Minnesota Statutes 2012, section 256I.04, subdivision 1a, is amended to read:

Subd. 1a. **County approval.** (a) A county agency may not approve a group residential housing payment for an individual in any setting with a rate in excess of the MSA equivalent rate for more than 30 days in a calendar year unless the county agency has developed or approved a plan for the individual which specifies that:

(1) the individual has an illness or incapacity which prevents the person from living independently in the community; and

(2) the individual's illness or incapacity requires the services which are available in the group residence.

The plan must be signed or countersigned by any of the following employees of the county of financial responsibility: the director of human services or a designee of the director; a social worker; or a case aide.

(b) If a county agency determines that an applicant is ineligible due to not meeting eligibility requirements under this section, a county agency may accept a signed personal statement from the applicant in lieu of documentation verifying ineligibility."

Page 16, delete line 7 and insert "in lieu of documentation verifying ineligibility."

Page 18, line 13, strike everything after the period

Page 18, strike lines 14 and 15

Page 18, line 16, strike everything before "Participants"

Page 21, delete section 20

Page 24, after line 2, insert:

"Sec. 24. Minnesota Statutes 2012, section 256J.626, subdivision 5, is amended to read:

Subd. 5. **Innovation projects.** Beginning January 1, 2005, no more than \$3,000,000 of the funds annually appropriated to the commissioner for use in the consolidated fund shall be available to the

commissioner ~~for projects testing~~ to reward high performing counties and tribes, support promising practices, and test innovative approaches to improving outcomes for MFIP participants, family stabilization services participants, and persons at risk of receiving MFIP as detailed in subdivision 3. ~~Projects shall~~ Project funds may be targeted to geographic areas with poor outcomes as specified in section 256J.751, subdivision 5, or to subgroups within the MFIP case load who are experiencing poor outcomes.

Sec. 25. Minnesota Statutes 2012, section 256J.626, subdivision 6, is amended to read:

Subd. 6. **Base allocation to counties and tribes; definitions.** (a) For purposes of this section, the following terms have the meanings given.

(1) "2002 historic spending base" means the commissioner's determination of the sum of the reimbursement related to fiscal year 2002 of county or tribal agency expenditures for the base programs listed in clause (6), items (i) through (iv), and earnings related to calendar year 2002 in the base program listed in clause (6), item (v), and the amount of spending in fiscal year 2002 in the base program listed in clause (6), item (vi), issued to or on behalf of persons residing in the county or tribal service delivery area.

(2) "Adjusted caseload factor" means a factor weighted:

(i) 47 percent on the MFIP cases in each county at four points in time in the most recent 12-month period for which data is available multiplied by the county's caseload difficulty factor; and

(ii) 53 percent on the count of adults on MFIP in each county and tribe at four points in time in the most recent 12-month period for which data is available multiplied by the county or tribe's caseload difficulty factor.

(3) "Caseload difficulty factor" means a factor determined by the commissioner for each county and tribe based upon the self-support index described in section 256J.751, subdivision 2, clause (6).

(4) "Initial allocation" means the amount potentially available to each county or tribe based on the formula in paragraphs (b) through (d).

(5) "Final allocation" means the amount available to each county or tribe based on the formula in paragraphs (b) through (d), after adjustment by subdivision 7.

(6) "Base programs" means the:

(i) MFIP employment and training services under Minnesota Statutes 2002, section 256J.62, subdivision 1, in effect June 30, 2002;

(ii) bilingual employment and training services to refugees under Minnesota Statutes 2002, section 256J.62, subdivision 6, in effect June 30, 2002;

(iii) work literacy language programs under Minnesota Statutes 2002, section 256J.62, subdivision 7, in effect June 30, 2002;

(iv) supported work program authorized in Laws 2001, First Special Session chapter 9, article 17, section 2, in effect June 30, 2002;

(v) administrative aid program under section 256J.76 in effect December 31, 2002; and

(vi) emergency assistance program under Minnesota Statutes 2002, section 256J.48, in effect June 30, 2002.

(b) The commissioner shall:

(1) beginning July 1, 2003, determine the initial allocation of funds available under this section according to clause (2);

(2) allocate all of the funds available for the period beginning July 1, 2003, and ending December 31, 2004, to each county or tribe in proportion to the county's or tribe's share of the statewide 2002 historic spending base;

(3) determine for calendar year 2005 the initial allocation of funds to be made available under this section in proportion to the county or tribe's initial allocation for the period of July 1, 2003, to December 31, 2004;

(4) determine for calendar year 2006 the initial allocation of funds to be made available under this section based 90 percent on the proportion of the county or tribe's share of the statewide 2002 historic spending base and ten percent on the proportion of the county or tribe's share of the adjusted caseload factor;

(5) determine for calendar year 2007 the initial allocation of funds to be made available under this section based 70 percent on the proportion of the county or tribe's share of the statewide 2002 historic spending base and 30 percent on the proportion of the county or tribe's share of the adjusted caseload factor; and

(6) determine for calendar year 2008 and subsequent years the initial allocation of funds to be made available under this section based 50 percent on the proportion of the county or tribe's share of the statewide 2002 historic spending base and 50 percent on the proportion of the county or tribe's share of the adjusted caseload factor.

(c) With the commencement of a new or expanded tribal TANF program, or for tribes administering TANF as authorized under Laws 2011, First Special Session chapter 9, article 9, section 18, or an agreement under section 256.01, subdivision 2, paragraph (g), in which some or all of the responsibilities of particular counties under this section are transferred to a tribe, the commissioner shall:

(1) in the case where all responsibilities under this section are transferred to a tribe or tribal program, determine the percentage of the county's current caseload that is transferring to a tribal program and adjust the affected county's allocation and tribe's allocations accordingly; and

(2) in the case where a portion of the responsibilities under this section are transferred to a tribe or tribal program, the commissioner shall consult with the affected county or counties to determine an appropriate adjustment to the allocation.

(d) Effective January 1, 2005, counties and tribes will have their final allocations adjusted based on the performance provisions of subdivision 7."

Page 30, after line 24, insert:

"Sec. 36. Minnesota Statutes 2012, section 260C.503, subdivision 2, is amended to read:

Subd. 2. **Termination of parental rights.** (a) The responsible social services agency must ask the county attorney to immediately file a termination of parental rights petition when:

(1) the child has been subjected to egregious harm as defined in section 260C.007, subdivision 14;

(2) the child is determined to be the sibling of a child who was subjected to egregious harm;

(3) the child is an abandoned infant as defined in section 260C.301, subdivision 3, paragraph (b), clause (2);

(4) the child's parent has lost parental rights to another child through an order involuntarily terminating the parent's rights;

(5) the parent has committed sexual abuse as defined in section 626.556, subdivision 2, against the child or another child of the parent; or

~~(6) the parent has committed an offense that requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a) or (b); or~~

~~(7)~~ (6) another child of the parent is the subject of an order involuntarily transferring permanent legal and physical custody of the child to a relative under this chapter or a similar law of another jurisdiction;

The county attorney shall file a termination of parental rights petition unless the conditions of paragraph (d) are met.

(b) When the termination of parental rights petition is filed under this subdivision, the responsible social services agency shall identify, recruit, and approve an adoptive family for the child. If a termination of parental rights petition has been filed by another party, the responsible social services agency shall be joined as a party to the petition.

(c) If criminal charges have been filed against a parent arising out of the conduct alleged to constitute egregious harm, the county attorney shall determine which matter should proceed to trial first, consistent with the best interests of the child and subject to the defendant's right to a speedy trial.

(d) The requirement of paragraph (a) does not apply if the responsible social services agency and the county attorney determine and file with the court:

(1) a petition for transfer of permanent legal and physical custody to a relative under sections 260C.505 and 260C.515, subdivision 3, including a determination that adoption is not in the child's best interests and that transfer of permanent legal and physical custody is in the child's best interests; or

(2) a petition under section 260C.141 alleging the child, and where appropriate, the child's siblings, to be in need of protection or services accompanied by a case plan prepared by the responsible social services agency documenting a compelling reason why filing a termination of parental rights petition would not be in the best interests of the child.

Sec. 37. Minnesota Statutes 2012, section 260C.615, is amended to read:

260C.615 DUTIES OF COMMISSIONER.

Subdivision 1. **Duties Exclusive right to consent.** (a) For any child who is under the guardianship of the commissioner, the commissioner has the exclusive ~~rights~~ right to consent to:

(1) the medical care plan for the treatment of a child who is at imminent risk of death or who has a chronic disease that, in a physician's judgment, will result in the child's death in the near future including a physician's order not to resuscitate or intubate the child; ~~and:~~

(i) a responsible social services agency requesting the commissioner's consent for a physician's order not to resuscitate or intubate or for an order for other end-of-life care must submit the request according to procedures established by the commissioner;

(ii) the commissioner may require consultation regarding the child's medical care with an ethics expert prior to responding to the request;

(iii) an ethics expert is a staff member who provides consultation on ethics issues or coordinates ethics reviews, and is employed by or associated with a hospital designated by the commissioner; and

(iv) no individual or entity, including a hospital, providing ethics consultation to the commissioner under this subdivision incurs any civil or criminal liability for advice or opinions given regarding the care of the child, if the individual or entity acts in good faith and in accordance with applicable medical standards of care; and

(2) the child donating a part of the child's body to another person while the child is living; the decision to donate a body part under this clause shall take into consideration the child's wishes and the child's culture.

Subd. 1a. **Other duties.** (b) In addition to the exclusive rights under ~~paragraph (a)~~ subdivision 1, for children under guardianship of the commissioner, the commissioner has a duty to:

(1) process any complete and accurate request for home study and placement through the Interstate Compact on the Placement of Children under section 260.851;

(2) process any complete and accurate application for adoption assistance forwarded by the responsible social services agency according to chapter 259A;

(3) complete the execution of an adoption placement agreement forwarded to the commissioner by the responsible social services agency and return it to the agency in a timely fashion; and

(4) maintain records as required in chapter 259.

Subd. 2. **Duties not reserved.** All duties, obligations, and consents not specifically reserved to the commissioner in this section are delegated to the responsible social services agency.

Sec. 38. [260D.12] TRIAL HOME VISITS; VOLUNTARY FOSTER CARE FOR TREATMENT.

When a child is in foster care for treatment under this chapter, the child's parent and the responsible social services agency may agree that the child is returned to the care of the parent on a trial home visit. The purpose of the trial home visit is to provide sufficient planning for supports

and services to the child and family to meet the child's needs following treatment so that the child can return to and remain in the parent's home. During the period of the trial home visit, the agency has placement and care responsibility for the child. The trial home visit shall not exceed six months and may be terminated by either the parent or the agency within ten days' written notice."

Page 32, line 6, strike "Sexual abuse includes"

Page 32, strike lines 7, 8, 9, and 10

Page 37, line 9, delete "voluntary"

Renumber the sections in sequence

Amend the title accordingly

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

Senator Bakk from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03,

S.F. No. 453: A bill for an act relating to education; providing funding for early childhood and family, prekindergarten through grade 12, and adult education, including general education, education excellence, special programs, facilities and technology, nutrition, accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, and state agencies; appropriating money; amending Minnesota Statutes 2012, sections 120A.20, subdivision 1; 123A.73, subdivisions 3, 4, 5; 123B.42, subdivision 3; 123B.54; 123B.57, subdivision 4; 123B.59, subdivision 6; 123B.591, subdivisions 2, 3; 123B.75, subdivision 5; 123B.92, subdivisions 1, 9; 124D.02, subdivision 1; 124D.10, subdivisions 15, 17; 124D.11, subdivisions 1, 2, 4, 5; 124D.119; 124D.128, subdivision 2; 124D.4531, subdivision 1; 124D.59, subdivision 2; 124D.65, subdivision 5; 124D.86; 124D.98; 125A.11, subdivision 1; 125A.76, subdivisions 1, 4a, 8, by adding subdivisions; 125A.78, subdivision 2; 125A.79, subdivisions 1, 5, 8; 125B.26, subdivision 4; 126C.05, subdivisions 1, 5, 6; 126C.10, subdivisions 1, 2, 2c, 3, 7, 8, 13, 13a, 17, 18, 24, 27, 29, 31, 32, 35, by adding subdivisions; 126C.12, subdivision 1; 126C.13, subdivisions 4, 5; 126C.15, subdivision 2; 126C.17; 126C.20; 126C.40, subdivisions 1, 6; 126C.44; 127A.441; 127A.45, subdivisions 2, 13; 127A.47, subdivisions 7, 8; 127A.51; Laws 2011, First Special Session chapter 11, article 2, section 51; proposing coding for new law in Minnesota Statutes, chapters 121A; 123A; 124D; repealing Minnesota Statutes 2012, sections 120B.08; 120B.09; 124D.454, subdivisions 3, 10, 11; 124D.86, subdivision 6; 124D.98, subdivision 2; 125A.76, subdivisions 2, 4, 5, 7; 125A.79, subdivisions 6, 7; 126C.10, subdivisions 2a, 2b, 25, 26, 28, 31a, 31b, 31c; 126C.17, subdivision 13; 127A.50, subdivisions 1, 5.

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

Senator Torres Ray from the Committee on Education, to which was referred

S.F. No. 262: A bill for an act relating to education; allowing school districts to use safe schools levy proceeds for collaborating with mental health professionals; appropriating money; amending Minnesota Statutes 2012, section 126C.44.

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

Page 1, line 10, strike "\$30" and insert "\$45"

Page 2, line 11, strike "\$10" and insert "\$15"

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

Senator Torres Ray from the Committee on Education, to which was referred

S.F. No. 547: A bill for an act relating to education; clarifying testing requirements related to teacher licensure; amending Minnesota Statutes 2012, sections 122A.09, subdivision 4; 122A.18, subdivision 2; 122A.23, subdivision 2.

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

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

S.F. No. 1: A bill for an act relating to commerce; establishing the Minnesota Insurance Marketplace; prescribing its powers and duties; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2012, sections 13.7191, by adding a subdivision; 13D.08, by adding a subdivision; 16A.725, subdivision 3, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 62V; repealing Minnesota Statutes 2012, section 256.9658, subdivision 1.

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 2012, section 13.7191, is amended by adding a subdivision to read:

Subd. 14a. **Minnesota Insurance Marketplace.** Classification and sharing of data of the Minnesota Insurance Marketplace is governed by section 62V.06.

Sec. 2. Minnesota Statutes 2012, section 13D.08, is amended by adding a subdivision to read:

Subd. 5a. **Minnesota Insurance Marketplace.** Meetings of the Minnesota Insurance Marketplace are governed by section 62V.03, subdivision 2.

Sec. 3. Minnesota Statutes 2012, section 16A.725, is amended by adding a subdivision to read:

Subd. 2a. **Certified Minnesota Insurance Marketplace operating costs.** (a) By April 30 of each year, beginning April 30, 2015, the board of directors of the Minnesota Insurance Marketplace shall certify to the commissioner of management and budget the estimated costs necessary to fund the operations of the Minnesota Insurance Marketplace, under chapter 62V for the next fiscal year.

(b) By June 1, 2013, the board of directors of the Minnesota Insurance Marketplace shall certify to the commissioner of management and budget the estimated costs necessary to fund the operations of the Minnesota Insurance Marketplace under chapter 62V for the next biennium that are not covered by federal funds.

Sec. 4. Minnesota Statutes 2012, section 16A.725, subdivision 3, is amended to read:

Subd. 3. **Fund reimbursements.** (a) Each fiscal year, beginning fiscal year 2016, the commissioner of management and budget shall first transfer from the health impact fund to the

Minnesota Insurance Marketplace account in the special revenue fund, the amount of certified expenditures under subdivision 2a, paragraph (a), or the balance of the fund, whichever is less.

(b) For the 2014-2015 biennium, the commissioner of management and budget shall first transfer from the health impact fund to the Minnesota Insurance Marketplace account in the special revenue fund, the amount of certified expenditures under subdivision 2a, paragraph (b), or the balance of the fund, whichever is less. These funds may be used in either year of the biennium.

Each fiscal year, (c) If any balance remains in the health impact fund after the transfer in paragraph (a) or (b), the commissioner of management and budget shall first transfer from the health impact fund to the general fund an amount sufficient to offset the general fund cost of the certified expenditures under subdivision 2 or the balance of the fund, whichever is less.

(b) (d) If any balance remains in the health impact fund after the transfer transfers in paragraph paragraphs (a) to (c), the commissioner of management and budget shall transfer to the health care access fund the amount sufficient to offset the health care access fund cost of the certified expenditures in subdivision 2, or the balance of the fund, whichever is less.

Sec. 5. [62V.01] TITLE.

This chapter may be cited as the "Minnesota Insurance Marketplace Act."

Sec. 6. [62V.02] DEFINITIONS.

Subdivision 1. **Scope.** For the purposes of this chapter, the following terms have the meanings given.

Subd. 2. **Board.** "Board" means the Board of Directors of the Minnesota Insurance Marketplace specified in section 62V.04.

Subd. 3. **Dental plan.** "Dental plan" has the meaning defined in section 62Q.76, subdivision 3.

Subd. 4. **Health plan.** "Health plan" means a policy, contract, certificate, or agreement defined in section 62A.011, subdivision 3.

Subd. 5. **Health carrier.** "Health carrier" has the meaning defined in section 62A.011.

Subd. 6. **Individual market.** "Individual market" means the market for health insurance coverage offered to individuals.

Subd. 7. **Insurance producer.** "Insurance producer" has the meaning defined in section 60K.31.

Subd. 8. **Minnesota Insurance Marketplace.** "Minnesota Insurance Marketplace" means the Minnesota Insurance Marketplace created as a state health benefit exchange as described in section 1311 of the federal Patient Protection and Affordable Care Act (Public Law 111-148), and further defined through amendments to the act and regulations issued under the act.

Subd. 9. **Navigator.** "Navigator" has the meaning described in section 1311(i) of the federal Patient Protection and Affordable Care Act (Public Law 111-148), and further defined through amendments to the act and regulations issued under the act.

Subd. 10. **Public health care program.** "Public health care program" means any public health care program administered by the commissioner of human services.

Subd. 11. **Qualified health plan.** "Qualified health plan" means a health plan that meets the definition in section 1301(a) of the Affordable Care Act (Public Law 111-148), and has been certified by the board in accordance with section 62V.05, subdivision 5, to be offered through the Minnesota Insurance Marketplace.

Subd. 12. **Small group market.** "Small group market" means the market for health insurance coverage offered to small employers as defined in section 62L.02, subdivision 26.

Sec. 7. **[62V.03] MINNESOTA INSURANCE MARKETPLACE; ESTABLISHMENT.**

Subdivision 1. **Creation.** The Minnesota Insurance Marketplace is created as a board under section 15.012, paragraph (a), to:

(1) promote innovation, competition, quality, value, market participation, affordability, meaningful choices, health improvement, care management, reduction of health disparities, and portability of health plans;

(2) facilitate and simplify the comparison, choice, enrollment, and purchase of health plans for individuals purchasing in the individual market through the Minnesota Insurance Marketplace and for employees and employers purchasing in the small group market through the Minnesota Insurance Marketplace;

(3) assist small employers with access to small business health insurance tax credits and to assist individuals with access to public health care programs, premium assistance tax credits and cost-sharing reductions, and certificates of exemption from individual responsibility requirements; and

(4) facilitate the integration and transition of individuals between public health care programs and health plans in the individual market.

Subd. 2. **Application of other law.** (a) The Minnesota Insurance Marketplace is subject to review by the legislative auditor under section 3.971.

(b) Board members of the Minnesota Insurance Marketplace are subject to section 10A.07. Board members and the personnel of the Minnesota Insurance Marketplace are subject to section 10A.071.

(c) All meetings of the board shall comply with the open meeting law in chapter 13D, except that:

(1) meetings regarding personnel negotiations may be closed at the discretion of the board;

(2) meetings regarding contract negotiations may be closed at the discretion of the board; and

(3) meetings or portions of meetings where not public data, as defined in section 13.02, subdivision 8a, or trade secret information, as defined in section 13.37, subdivision 1, are discussed must be closed to the public.

(d) The Minnesota Insurance Marketplace and provisions specified under this chapter are exempt from chapter 14, including section 14.386, except as specified in section 62V.05.

(e) The board and the Web site are exempt from chapter 60K.

(f) Section 3.3005 applies to any federal funds received by the Minnesota Insurance Marketplace.

(g) The Minnesota Insurance Marketplace is exempt from the following sections in chapter 16E: 16E.01, subdivision 3, paragraph (b); 16E.03, subdivisions 3 and 4; 16E.04, subdivision 1, subdivision 2, paragraph (e), and subdivision 3, paragraph (b); 16E.0465; 16E.055; 16E.145; 16E.15; 16E.16; 16E.17; 16E.18; and 16E.22.

Sec. 8. **[62V.04] GOVERNANCE.**

Subdivision 1. **Board.** The Minnesota Insurance Marketplace is governed by a board of directors with seven members.

Subd. 2. **Appointment.** (a) Board membership of the Minnesota Insurance Marketplace consists of the following:

(1) three members appointed by the governor and confirmed by the senate, with one member representing the interests of individual consumers eligible for individual market coverage, one member representing individual consumers eligible for public health care program coverage, and one member representing small employers. Members are appointed to serve a four-year term following the initial staggered-term lot determination;

(2) three members appointed by the governor and confirmed by the senate, who have demonstrated expertise, leadership, and innovation in the following areas: one member representing the areas of health administration, health care finance, health plan purchasing, and health care delivery systems; one member representing the areas of public health, health disparities, public health care programs, and the uninsured; and one member representing health policy issues related to the small group and individual markets. Members are appointed to serve a four-year term following the initial staggered term lot determination; and

(3) the commissioner of human services or a designee.

(b) The governor shall make appointments to the board that are consistent with federal law and regulations regarding its composition and structure.

(c) Section 15.0597 shall apply to all appointments, except for the commissioner and initial appointments.

(d) Initial appointments shall be made within 30 days of enactment.

Subd. 3. **Terms.** (a) Board members may serve no more than two consecutive terms, except for the commissioner or the commissioner's designee, who shall serve until replaced by the governor.

(b) A board member may resign at any time by giving written notice to the board.

(c) The appointed members under subdivision 2, paragraph (a), clauses (1) and (2), shall have an initial term of two, three, or four years, determined by lot by the secretary of state.

Subd. 4. **Conflicts of interest.** Within one year prior to or at any time during their appointed term, board members appointed under subdivision 2, paragraph (a), clauses (1) and (2), shall not be employed by, be a member of the board of directors of, or otherwise be a representative of a health carrier, health care provider, navigator, insurance producer, or other entity in the business of selling items or services of significant value to or through the Minnesota Insurance Marketplace.

Subd. 5. **Acting chair; first meeting; supervision.** (a) The governor shall designate as acting chair one of the appointees described in subdivision 2.

(b) The board shall hold its first meeting within 60 days of enactment.

(c) The board shall elect a chair to replace the acting chair at the first meeting.

Subd. 6. **Chair.** The board shall have a chair, elected by a majority of members. The chair shall serve for one year.

Subd. 7. **Officers.** The members of the board shall elect officers by a majority of members. The officers shall serve for one year.

Subd. 8. **Vacancies.** If a vacancy occurs on the board, the governor shall appoint a new member within 90 days to serve the remainder of the unexpired term.

Subd. 9. **Removal.** A board member may be removed by the board only for cause, following notice, hearing, and a two-thirds vote of the board. A conflict of interest as defined in subdivision 4 shall be cause for removal from the board.

Subd. 10. **Meetings.** The board shall meet at least quarterly.

Subd. 11. **Quorum.** A majority of the members of the board constitutes a quorum, and the affirmative vote of a majority of members of the board is necessary and sufficient for action taken by the board.

Subd. 12. **Compensation.** (a) The board members shall be paid a salary not to exceed the salary limits established under section 15A.0815, subdivision 4. The salary for board members shall be set in accordance with this subdivision and section 15A.0815, subdivision 5. This paragraph expires December 31, 2015.

(b) Beginning January 1, 2016, the board members may be compensated in accordance with section 15.0575.

Subd. 13. **Advisory committees.** (a) The board shall establish and maintain advisory committees to provide insurance producers, health care providers, the health care industry, consumers, and other stakeholders with the opportunity to share their perspectives regarding the operation of the Minnesota Insurance Marketplace as required under section 1311(d)(6) of the Affordable Care Act (Public Law 111-148). The board shall regularly consult with the advisory committees. The advisory committees established under this paragraph shall not expire.

(b) The board may establish additional advisory committees, as necessary, to gather and provide information to the board in order to facilitate the operation of the Minnesota Insurance Marketplace. The advisory committees established under this paragraph shall not expire, except by action of the board.

(c) Section 15.0597 shall not apply to any advisory committee established by the board under this subdivision.

Sec. 9. **[62V.05] RESPONSIBILITIES AND POWERS OF THE MINNESOTA INSURANCE MARKETPLACE.**

Subdivision 1. **General.** (a) The board shall operate the Minnesota Insurance Marketplace according to this chapter and applicable state and federal law.

(b) The board has the power to:

(1) employ personnel and delegate administrative, operational, and other responsibilities to the director and other personnel as deemed appropriate by the board. The director and managerial staff of the Minnesota Insurance Marketplace shall serve in the unclassified service and shall be governed by a compensation plan prepared by the board, submitted to the commissioner of management and budget for review and comment within 14 days of its receipt, and approved by the Legislative Coordinating Commission and the legislature under section 3.855, subdivision 3, except that section 15A.0815, subdivision 5, paragraph (e), shall not apply;

(2) establish the budget of the Minnesota Insurance Marketplace;

(3) seek and accept money, grants, loans, donations, materials, services, or advertising revenue from government agencies, philanthropic organizations, and public and private sources to fund the operation of the Minnesota Insurance Marketplace;

(4) contract for the receipt and provision of goods and services;

(5) enter into information-sharing agreements with federal and state agencies and other entities as authorized under section 62V.06; and

(6) take any other actions reasonably required to implement and administer its responsibilities.

(c) Within 180 days of enactment, the board shall establish bylaws, policies, and procedures governing the operations of the Minnesota Insurance Marketplace in accordance with this chapter.

Subd. 2. **Operations funding.** Funding for the operations of the Minnesota Insurance Marketplace shall cover any compensation provided to navigators participating in the navigator program.

Subd. 3. **Insurance producers.** (a) Within 30 days of enactment, the commissioner of management and budget, in consultation with the commissioner of commerce, shall establish certification requirements that must be met by insurance producers in order to assist individuals and small employers with purchasing coverage through the Minnesota Insurance Marketplace. The requirements established under this paragraph shall remain in effect until the implementation of the requirements established under paragraph (b) or January 1, 2015, whichever is later. Prior to January 1, 2015, the commissioner of management and budget may amend the requirements, if necessary, due to a change in federal rules.

(b) The board, in consultation with the commissioner of commerce, may establish certification requirements for insurance producers assisting individuals and small employers with purchasing coverage through the Minnesota Insurance Marketplace. Certification shall be issued by the Minnesota Insurance Marketplace.

(c) Certification requirements shall not exceed the requirements established under Code of Federal Regulations, title 45, part 155.220. Certification shall include training on health plans available through the Minnesota Insurance Marketplace, available tax credits and cost-sharing arrangements, compliance with privacy and security standards, eligibility verification processes, online enrollment tools, and basic information on available public health care programs. Training required for certification under this subdivision shall qualify for continuing education requirements for insurance producers required under chapter 60K, and must comply with course approval requirements under chapter 45.

(d) Any compensation, including, but not limited to, commissions, service fees, and brokerage fees paid to an insurance producer for selling, soliciting, or negotiating coverage offered through the Minnesota Insurance Marketplace shall be paid by the health carrier and must be the same for health plans offered or sold inside the Minnesota Insurance Marketplace as for health plans offered or sold outside the Minnesota Insurance Marketplace.

(e) Any insurance producer compensation structure established by a health carrier for the small group market must include compensation for defined contribution plans that involve multiple health carriers. The compensation offered must be commensurate with other small group market defined health plans.

(f) Any insurance producer assisting an individual or small employer with purchasing coverage through the Minnesota Insurance Marketplace must disclose, orally and in writing, to the individual or small employer at the time of the first solicitation with the prospective purchaser the following:

(1) the health carriers and qualified health plans offered through the Minnesota Insurance Marketplace that the producer is authorized to sell, and that the producer may not be authorized to sell all the qualified health plans offered through the Minnesota Insurance Marketplace;

(2) the producer may be receiving compensation from a health carrier for enrolling the individual or small employer into a particular health plan; and

(3) information on all qualified health plans offered through the Minnesota Insurance Marketplace is available through the Minnesota Insurance Marketplace Web site.

For purposes of this paragraph, "solicitation" means any contact by a producer, or any person acting on behalf of a producer made for the purpose of selling or attempting to sell coverage through the Minnesota Insurance Marketplace. If the first solicitation is made by telephone, the disclosures required under this paragraph need not be made in writing.

(g) Beginning January 15, 2015, each health carrier that offers or sells qualified health plans through the Minnesota Insurance Marketplace shall report in writing to the board and the commissioner of commerce the compensation and other incentives it offers or provides to insurance producers with regard to each type of health plan the health carrier offers or sells both inside and outside of the Minnesota Insurance Marketplace. Each health carrier shall submit a report annually and upon any change to the compensation or other incentives offered or provided to insurance producers.

(h) Nothing in this subdivision shall be construed to limit the licensure requirements or regulatory functions of the commissioner of commerce under chapter 60K.

Subd. 4. Navigator; in-person assisters; call center. (a) The board shall establish policies and procedures for the ongoing operation of a navigator program, in-person assister program, call center, and customer service provisions for the Minnesota Insurance Marketplace to be implemented beginning January 1, 2015.

(b) Until the implementation of the policies and procedures described in paragraph (a), the following shall be in effect:

(1) the navigator program shall be met by section 256.962;

(2) entities eligible to be navigators may serve as in-person assisters;

(3) the commissioner of management and budget shall establish requirements and compensation for the navigator program and the in-person assister program within 30 days of enactment. Compensation for navigators and in-person assisters must take into account any other compensation received by the navigator or in-person assister for conducting the same or similar services; and

(4) call center operations shall utilize existing state resources and personnel, including referrals to counties for medical assistance.

(c) The commissioner of management and budget shall establish a toll-free number for the Minnesota Insurance Marketplace and may hire and contract for additional resources as deemed necessary.

(d) The navigator program and in-person assister program must meet the requirements of section 1311(i) of the Affordable Care Act (Public Law 111-148). In establishing training standards for the navigators and in-person assisters, the board must ensure that all entities and individuals carrying out navigator and in-person assister functions have training in the needs of underserved and vulnerable populations; eligibility and enrollment rules and procedures; the range of available public health care programs and qualified health plan options offered through the Minnesota Insurance Marketplace; and privacy and security standards. For calendar year 2014, the commissioner of human services shall ensure that the navigator program under section 256.962 provides application assistance for both qualified health plans offered through the Minnesota Insurance Marketplace and public health care programs.

(e) The board must ensure that any information provided by navigators, in-person assisters, the call center, or other customer assistance portals be accessible to persons with disabilities and that information provided on public health care programs include information on other coverage options available to persons with disabilities.

Subd. 5. Health carrier and health plan requirements; participation. (a) Beginning January 1, 2015, the board may establish minimum certification requirements for health carriers and health plans to be offered through the Minnesota Insurance Marketplace that satisfy the federal requirements under section 1311(c)(1) of the Affordable Care Act (Public Law 111-148).

(b) Paragraph (a) does not apply if by June 1, 2013, the legislature enacts regulatory requirements that:

(1) apply uniformly to all health carriers and health plans in the individual market;

(2) apply uniformly to all health carriers and health plans in the small group market; and

(3) satisfy minimum federal certification requirements under section 1311(c)(1) of the Affordable Care Act (Public Law 111-148).

(c) In accordance with section 1311(e) of the Affordable Care Act (Public Law 111-148), the board shall establish certification procedures for selection of qualified health plans to be offered through the Minnesota Insurance Marketplace. The board shall certify a health plan as a qualified health plan, if:

(1) the health plan meets the minimum certification requirements established in paragraph (a) or the market regulatory requirements described in paragraph (b); and

(2) the board determines that making the health plan available through the Minnesota Insurance Marketplace is in the interests of qualified individuals and qualified employers using the Minnesota Insurance Marketplace.

(d) In determining the interests of qualified individuals and employers under paragraph (c), clause (2), the board may consider affordability; quality and value of the health plans; promotion of initiatives to reduce health disparities; long-term cost containment; market stability; and meaningful choice and access. The board may not exclude a health plan for any reason specified under section 1311(e)(1)(B) of the Affordable Care Act (Public Law 111-148).

(e) For qualified health plans offered through the Minnesota Insurance Marketplace, effective January 1, 2014, the board shall determine whether a health plan satisfies paragraph (c), clause (2), by considering a combination of the following criteria:

(1) reasonableness of expected costs supporting the health plan's premiums and cost-sharing structure;

(2) quality and sufficiency of the health plan's provider networks;

(3) quality improvement activities;

(4) quality initiatives related to cultural and linguistic competency;

(5) promotion of initiatives for improving health, disease prevention, and wellness; and

(6) providing a manageable number of choices to consumers that present clear product differentiation.

(f) For qualified health plans offered through the Minnesota Insurance Marketplace, on or after January 1, 2015, the board shall establish the criteria for satisfying paragraph (c), clause (2), by February 1 of each year, beginning February 1, 2014. The criteria must include the measures to be used by the board to determine whether the criteria have been met. The board may use the rulemaking process described in subdivision 9 for selection criteria.

(g) For qualified health plans offered through the Minnesota Insurance Marketplace beginning January 1, 2015, health carriers must use the most current addendum for Indian health care providers approved by Centers for Medicare and Medicaid Services and the tribes as part of their contracts with Indian health care providers.

Subd. 6. Appeals process; eligibility determinations. (a) The board shall establish a process for appeal of individual or employer eligibility determinations or redeterminations of the Minnesota Insurance Marketplace. The process must provide for a reasonable opportunity to be heard and timely resolution of the appeal, consistent with the requirements of federal law and regulations.

(b) The Minnesota Insurance Marketplace may establish service-level agreements with state agencies to conduct hearings for appeals. Notwithstanding section 471.59, subdivision 1, a state agency is authorized to enter into service-level agreements for this purpose with the Minnesota Insurance Marketplace.

(c) For proceedings under this subdivision and subdivision 7, the Minnesota Insurance Marketplace may be represented by an attorney who is an employee of the Minnesota Insurance Marketplace.

(d) This subdivision does not apply to appeals of determinations where a state agency hearing is available under section 256.045.

Subd. 7. **Contested case proceeding; health carrier determinations.** A health carrier that is aggrieved by a decision of the board regarding its compliance with certification requirements or participation in the Minnesota Insurance Marketplace under subdivision 5 is entitled to a contested case proceeding under chapter 14. The report or order of the administrative law judge constitutes the final decision in the case, subject to judicial review under sections 14.63 to 14.69.

Subd. 8. **Agreements; consultation.** (a) The board shall:

(1) establish and maintain an agreement with the chief information officer of the Office of Enterprise Technology for information technology services that ensures coordination with public health care programs. The board may establish and maintain agreements with the chief information officer of the Office of Enterprise Technology for other information technology services, including an agreement that would permit the Minnesota Insurance Marketplace to administer eligibility for additional health care and public assistance programs under the authority of the commissioner of human services;

(2) establish and maintain an agreement with the commissioner of human services for cost allocation and services regarding eligibility determinations and enrollment for public health care programs that use a modified adjusted gross income standard to determine program eligibility. The board may establish and maintain an agreement with the commissioner of human services for other services; and

(3) establish and maintain an agreement with the commissioners of commerce and health for services regarding enforcement of Minnesota Insurance Marketplace certification requirements for health plans and dental plans offered through the Minnesota Insurance Marketplace. The board may establish and maintain agreements with the commissioners of commerce and health for other services.

(b) The board shall consult with the commissioners of commerce and health regarding the operations of the Minnesota Insurance Marketplace.

(c) The board shall consult with Indian tribes and organizations regarding the operation of the Minnesota Insurance Marketplace.

(d) Beginning March 15, 2014, and each March 15 thereafter, the board shall submit a report to the chairs and ranking minority members of the committees in the senate and house of representatives with primary jurisdiction over commerce, health, and human services on all the agreements entered into with the chief information officer of the Office of Enterprise Technology, or the commissioners of human services, health, or commerce in accordance with this subdivision. The report shall include the agency in which the agreement is with; the time period of the agreement; the purpose of the agreement; and a summary of the terms of the agreement. A copy of the agreement must be submitted to the extent practicable.

Subd. 9. **Rulemaking in first year.** (a) Effective upon enactment until January 1, 2014, the Minnesota Insurance Marketplace may adopt rules to implement any provisions of this chapter following the process in this subdivision.

(b) The Minnesota Insurance Marketplace shall publish proposed rules in the State Register.

(c) Interested parties have 21 days after publication to comment on the proposed rules. After the Minnesota Insurance Marketplace has considered all comments, the Minnesota Insurance Marketplace shall publish notice in the State Register that the rules have been adopted and the rules shall take effect on publication.

(d) If the adopted rules are the same as the proposed rules, the notice shall state that the rules have been adopted as proposed and shall cite the prior publication. If the adopted rules differ from the proposed rules, the portions of the adopted rules that differ from the proposed rules shall be included in the notice of adoption, together with a citation to the prior State Register that contained the notice of the proposed rules.

(e) The Minnesota Insurance Marketplace shall seek comments from the Department of Administration, Information Policy Analysis Division, before adopting any final rules involving the sharing, use, or disclosure of not public data.

(f) By January 15, 2014, the board shall submit a report to the chairs and ranking minority members of the committees in the senate and the house of representatives with primary jurisdiction over commerce and health, that lists and describes all rules promulgated under this subdivision.

(g) If the rulemaking process described in this subdivision is not used, the board must comply with the standard rulemaking process in chapter 14.

Subd. 10. **Rulemaking after the first year.** Beginning January 1, 2014, the board may adopt rules to implement any provisions in this chapter using the expedited rulemaking process in section 14.389. If the expedited rulemaking process is not used, the board must comply with the standard rulemaking process in chapter 14.

Subd. 11. **Dental plans.** (a) The provisions of this section that apply to health plans shall apply to dental plans offered as stand-alone dental plans through the Minnesota Insurance Marketplace, to the extent practicable.

(b) A stand-alone dental plan offered through the Minnesota Insurance Marketplace must meet all certification requirements under section 1311(c)(1) of the Affordable Care Act (Public Law 111-148) that are applicable to health plans, except for certification requirements that cannot be met because the dental plan only covers dental benefits.

Subd. 12. **Limitations; risk-bearing.** (a) The board shall not bear insurance risk or enter into any agreement with health care providers to pay claims.

(b) Nothing in this subdivision shall prevent the Minnesota Insurance Marketplace from providing insurance for its employees.

Sec. 10. **[62V.06] DATA.**

(a) The definitions in section 13.02 apply to this section.

(b) Government data of the Minnesota Insurance Marketplace on individuals, employees of employers, and employers using the Minnesota Insurance Marketplace are private data on individuals or nonpublic data. The Minnesota Insurance Marketplace may share not public data with state and federal agencies and other entities if the board determines that the exchange of the data is necessary to carry out the functions of the Minnesota Insurance Marketplace. State agencies shall share not public data with the Minnesota Insurance Marketplace if the board

determines that the exchange of the data is reasonably necessary to carry out the functions of the Minnesota Insurance Marketplace. Data-sharing agreements must include adequate protections with respect to the confidentiality and integrity of the data to be shared and comply with applicable law. Notwithstanding the provisions governing summary data in sections 13.02, subdivision 19, and 13.05, subdivision 7, the Minnesota Insurance Marketplace may derive summary data from nonpublic data under this section.

Sec. 11. [62V.07] FUNDS.

The Minnesota Insurance Marketplace account is created in the special revenue fund of the state treasury. All funds received by the Minnesota Insurance Marketplace shall be deposited in the account. Funds in the account are appropriated to the Minnesota Insurance Marketplace for the operation of the Minnesota Insurance Marketplace.

Sec. 12. [62V.08] REPORT.

The Minnesota Insurance Marketplace shall submit a report to the legislature by January 15, 2015, and each January 15 thereafter, on: (1) the performance of Minnesota Insurance Marketplace operations; (2) meeting the Minnesota Insurance Marketplace responsibilities; and (3) an accounting of the Minnesota Insurance Marketplace budget activities.

Sec. 13. [62V.09] EXPIRATION AND SUNSET EXCLUSION.

Notwithstanding section 15.059, the board and its advisory committees shall not expire, except as specified in section 62V.04, subdivision 13. The board and its advisory committees are not subject to review or sunseting under chapter 3D.

Sec. 14. [62V.10] LEGISLATIVE OVERSIGHT COMMITTEE.

Subdivision 1. **Legislative oversight.** (a) The Legislative Oversight Committee is established to provide oversight to the implementation of this chapter and the operation of the Minnesota Insurance Marketplace.

(b) The committee shall review the operations of the Minnesota Insurance Marketplace at least annually and shall recommend necessary changes in policy, implementation, and statutes to the board and to the legislature.

(c) The Minnesota Insurance Marketplace shall present to the committee the annual report required in section 62V.08, as well as the reports on rules required in section 62V.05, subdivision 9, the appeals process under section 62V.05, subdivision 6, and the actions taken regarding the treatment of multiemployer plans.

Subd. 2. **Membership; meetings; compensation.** (a) The Legislative Oversight Committee shall consist of five members of the senate, three members appointed by the majority leader of the senate, and two members appointed by the minority leader of the senate; and five members of the house of representatives, three members appointed by the speaker of the house, and two members appointed by the minority leader of the house of representatives.

(b) Appointed legislative members serve at the pleasure of the appointing authority and shall continue to serve until their successors are appointed.

(c) The first meeting of the committee shall be convened by the chair of the Legislative Coordinating Commission. Members shall elect a chair at the first meeting. The chair must convene at least one meeting annually, and may convene other meetings as deemed necessary.

(d) The members shall serve without compensation.

Subd. 3. **Review of costs.** The board shall submit for review the estimated costs necessary to fund the operations of the Minnesota Insurance Marketplace as certified under section 16A.725, subdivision 2a, to the committee at the same time as the certification is provided to the commissioner of management and budget.

Sec. 15. TRANSITION OF AUTHORITY.

(a) Upon the effective date of this act, the commissioner of management and budget shall exercise all authorities and responsibilities under Minnesota Statutes, sections 62V.03 and 62V.05 until the board has satisfied the requirements of Minnesota Statutes, section 62V.05, subdivision 1, paragraph (c). In exercising these authorities and responsibilities of the board, the commissioner of management and budget shall be subject to or exempted from the same statutory provisions as the board, as identified in Minnesota Statutes, section 62V.03, subdivision 2.

(b) Upon the establishment of bylaws, policies, and procedures governing the operations of the Minnesota Insurance Marketplace by the board as required under Minnesota Statutes, section 62V.05, subdivision 1, paragraph (c), all personnel, assets, contracts, obligations, and funds managed by the commissioner of management and budget for the design and development of the Minnesota Insurance Marketplace shall be transferred to the board. Existing personnel managed by the commissioner of management and budget for the design and development of the Minnesota Insurance Marketplace shall staff the board upon enactment.

Sec. 16. MINNESOTA COMPREHENSIVE HEALTH ASSOCIATION TERMINATION.

The commissioner of commerce, in consultation with the board of directors of the Minnesota Comprehensive Health Association, has the authority to develop and implement the phase-out and eventual termination of coverage provided by the Minnesota Comprehensive Health Association under Minnesota Statutes, chapter 62E. The phase-out of coverage shall begin no sooner than January 1, 2014, or upon the effective date of the operation of the Minnesota Insurance Marketplace and the ability to purchase qualified health plans through the Minnesota Insurance Marketplace, whichever is later, and shall, to the extent practicable, ensure the least amount of disruption to the enrollees' health care coverage. The member assessments established under Minnesota Statutes, section 62E.11, shall take into consideration any phase-out of coverage implemented under this section.

Sec. 17. REPORT ON APPEALS PROCESS.

By February 1, 2014, and February 1, 2015, the board of directors of the Minnesota Insurance Marketplace shall submit a report to the chairs and ranking minority members of the committees in the senate and house of representatives with primary jurisdiction over commerce, health, and civil law on the appeals process for eligibility determinations established under Minnesota Statutes, section 62V.05, subdivision 6.

Sec. 18. CONTINGENT TREATMENT OF MULTIEMPLOYER PLANS.

On or after the date that final federal regulations are adopted regarding the treatment of multiemployer plans, the Minnesota Insurance Marketplace shall take such actions as are necessary, in consultation with the commissioner of commerce and in accordance with final federal regulations, to: (1) ensure that all multiemployer plans are notified of the final federal rules; (2) conform all policies and procedures of the Minnesota Insurance Marketplace with applicable federal rules related to multiemployer plans; and (3) permit multiemployer plans to be integrated in the Minnesota Insurance Marketplace to the maximum extent permitted by federal rules. The Minnesota Insurance Marketplace shall submit written notification to the legislature regarding its compliance with this section.

Sec. 19. **REPEALER.**

Minnesota Statutes 2012, section 256.9658, subdivision 1, is repealed.

Sec. 20. **EFFECTIVE DATE.**

Sections 1 to 18 are effective the day following final enactment. Any actions taken by any state agencies in furtherance of the design, development, and implementation of the Minnesota Insurance Marketplace prior to the effective date shall be considered actions taken by the Minnesota Insurance Marketplace and shall be governed by the provisions of this chapter and state law. Health plan and dental plan coverage through the Minnesota Insurance Marketplace is effective January 1, 2014."

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

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

S.F. No. 327: A bill for an act relating to civil law; modifying the statutory short form power of attorney; authorizing certain judicial relief; amending Minnesota Statutes 2012, sections 523.20; 523.23, subdivision 1; 523.24, subdivisions 8, 14; proposing coding for new law in Minnesota Statutes, chapter 523.

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 2012, section 523.20, is amended to read:

523.20 LIABILITY OF PARTIES REFUSING AUTHORITY OF ATTORNEY-IN-FACT TO ACT ON PRINCIPAL'S BEHALF.

Any party refusing to accept the authority of an attorney-in-fact to exercise a power granted by a power of attorney which (1) is executed in conformity with section 523.23 or a form prepared under section 523.231; (2) contains an acknowledgement that the attorney-in-fact has read and understood the notice required under section 523.23, subdivision 1b, and a specimen signature of the attorney-in-fact authorized to act; (3) with regard to the execution or delivery of any recordable instrument relating to real property, is accompanied by affidavits that satisfy the provisions of section 523.17; (4) with regard to any other transaction, is signed by the attorney-in-fact in a manner conforming to section 523.18; and (5) when applicable, is accompanied by an affidavit and any other document required by section 523.16, is liable to the principal and to the principal's heirs, assigns, and representative of the estate of the principal in the same manner as the party would be liable had the party refused to accept the authority of the principal to act on the principal's

own behalf unless: (1) the party has actual notice of the revocation of the power of attorney prior to the exercise of the power; (2) the duration of the power of attorney specified in the power of attorney itself has expired; or (3) the party has actual knowledge of the death of the principal or, if the power of attorney is not a durable power of attorney, actual notice of a judicial determination that the principal is legally incompetent. This provision does not negate any liability which a party would have to the principal or to the attorney-in-fact under any other form of power of attorney under the common law or otherwise.

Sec. 2. Minnesota Statutes 2012, section 523.23, subdivision 1, is amended to read:

Subdivision 1. **Form.** The following form may be used to create a power of attorney, and, when used, it must be construed in accordance with sections 523.23 and 523.24. If this form is used to create a power of attorney, the notices contained in subdivisions 1a and 1b must be incorporated by reference and included as part of the form:

STATUTORY SHORT FORM POWER OF ATTORNEY
MINNESOTA STATUTES, SECTION 523.23

~~IMPORTANT NOTICE: The powers granted by this document are broad and sweeping. They are defined in Minnesota Statutes, section 523.24. If you have any questions about these powers, obtain competent advice. This power of attorney may be revoked by you if you wish to do so. This power of attorney is automatically terminated if it is to your spouse and proceedings are commenced for dissolution, legal separation, or annulment of your marriage. This power of attorney authorizes, but does not require, the attorney-in-fact to act for you.~~

Before completing and signing this form, the principal must read and initial the IMPORTANT NOTICE TO PRINCIPAL. Before acting on behalf of the principal, the attorney(s)-in-fact must sign this form acknowledging having read and understood the IMPORTANT NOTICE TO ATTORNEY(S)-IN-FACT.

PRINCIPAL (Name and Address of Person Granting the Power)

.....
.....
.....

ATTORNEY(S)-IN-FACT

(Name and Address)

.....
.....
.....
.....
.....

SUCCESSOR ATTORNEY(S)-IN-FACT

(Optional) To act if any named attorney-in-fact dies, resigns, or is otherwise unable to serve.

(Name and Address)

First Successor

.....

.....

Second Successor

.....

.....

NOTICE: If more than one attorney-in-fact is designated, make a check or "x" on the line in front of one of the following statements:

... Each attorney-in-fact	EXPIRATION DATE (Optional)
may independently exercise ,
the powers granted.	Use Specific Month Day Year Only
... All attorneys-in-fact	
must jointly exercise the	
powers granted.	

I, (the above-named Principal) hereby appoint the above named Attorney(s)-in-Fact to act as my attorney(s)-in-fact:

FIRST: To act for me in any way that I could act with respect to the following matters, as each of them is defined in Minnesota Statutes, section 523.24:

(To grant to the attorney-in-fact any of the following powers, make a check or "x" on the line in front of each power being granted. You may, but need not, cross out each power not granted. Failure to make a check or "x" on the line in front of the power will have the effect of deleting the power unless the line in front of the power of (N) is checked or x-ed.)

.... (A) real property transactions;

I choose to limit this power to real property in County, Minnesota, described as follows:

(Use legal description. Do not use street address.)

.....

.....

.....

.....

(If more space is needed, continue on the back or on an attachment.)

- (B) tangible personal property transactions;
- (C) bond, share, and commodity transactions;
- (D) banking transactions;
- (E) business operating transactions;
- (F) insurance transactions;
- (G) beneficiary transactions;
- (H) gift transactions;
- (I) fiduciary transactions;

- (J) claims and litigation;
- (K) family maintenance;
- (L) benefits from military service;
- (M) records, reports, and statements;
- (N) all of the powers listed in (A) through (M) above and all other financial matters.

SECOND: (You must indicate below whether or not this power of attorney will be effective if you become incapacitated or incompetent. Make a check or "x" on the line in front of the statement that expresses your intent.)

- This power of attorney shall continue to be effective if I become incapacitated or incompetent.
- This power of attorney shall not be effective if I become incapacitated or incompetent.

~~THIRD: (You must indicate below whether or not this power of attorney authorizes the attorney-in-fact to transfer your property to the attorney-in-fact. Make a check or "x" on the line in front of the statement that expresses your intent.)~~

- ~~. . . . This power of attorney authorizes the attorney-in-fact to transfer my property to the attorney-in-fact.~~
- ~~. . . . This power of attorney does not authorize the attorney-in-fact to transfer my property to the attorney-in-fact.~~

THIRD: My attorney-in-fact MAY NOT make gifts to the attorney-in-fact, or to anyone the attorney-in-fact is legally obligated to support, UNLESS I have initialed below and written in the name(s) of the attorney(s)-in-fact. Minnesota Statutes, section 523.24, subdivision 8, clause (2), limits the annual gift(s) made to my attorney-in-fact, or to anyone the attorney-in-fact has a legal obligation to support, to an amount not to exceed, in the aggregate, the applicable federal annual gift exclusion.

(CAUTION: Granting this power may make it easier for your attorney-in-fact to make improper or illegal transactions.)

- I authorize ... (write in name), as my attorney-in-fact, to make gifts to the attorney-in-fact (or to anyone the attorney-in-fact has a legal obligation to support).
- I authorize ... (write in name), as my attorney-in-fact, to make gifts to the attorney-in-fact (or to anyone the attorney-in-fact has a legal obligation to support).

FOURTH: (You may indicate below whether or not the attorney-in-fact is required to make an accounting. Make a check or "x" on the line in front of the statement that expresses your intent.)

- My attorney-in-fact need not render an accounting unless I request it or the accounting is otherwise required by Minnesota Statutes, section 523.21.
 - My attorney-in-fact must render
- (Monthly, Quarterly, Annual)

accountings to me or

(Name and Address)

during my lifetime, and a final accounting to the personal representative of my estate, if any is appointed, after my death.

In Witness Whereof I have hereunto signed my name this day of,

.....

(Signature of Principal)

(Acknowledgment of Principal)

STATE OF MINNESOTA)

) ss.

COUNTY OF)

The foregoing instrument was acknowledged before me this day of,

by

(Insert Name of Principal)

.....

(Signature of Notary Public or other Official)

Acknowledgement of notice to attorney(s)-in-fact and specimen signature of attorney(s)-in-fact.

By signing below, I acknowledge I have read and understand the IMPORTANT NOTICE TO ATTORNEY(S)-IN-FACT required by Minnesota Statutes, section 523.23, subdivision 1b, and understand and accept the scope of any limitations to the powers and duties delegated to me by this instrument.

(Notarization not required)

.....

.....

This instrument was drafted by:

Specimen Signature of Attorney(s)-in-Fact

(Notarization not required)

.....

.....

.....

.....

.....

.....

.....

.....

Sec. 3. Minnesota Statutes 2012, section 523.23, is amended by adding a subdivision to read:

Subd. 1a. **Notice to principal.** The following verbatim notice must be included as part of this statutory short form power of attorney:

STATUTORY SHORT FORM POWER OF ATTORNEY
MINNESOTA STATUTES, SECTION 523.23
IMPORTANT NOTICE TO THE PRINCIPAL

(This notice is incorporated by reference and is included as a part of this statutory short form power of attorney.)

READ THIS NOTICE CAREFULLY. The power of attorney form that you will be signing is a legal document. It is governed by Minnesota Statutes, chapter 523. If there is anything about this form that you do not understand, you should seek legal advice.

PURPOSE: The purpose of the power of attorney is for you, the principal, to give broad and sweeping powers to your attorney(s)-in-fact, who is the person or authorized corporation you designate to handle your financial affairs. Any action taken by your attorney(s)-in-fact pursuant to the powers you designate to them in the power of attorney form binds you, your heirs and assigns, and the representative of your estate in the same manner as though you took the action yourself.

POWERS GIVEN: You will be granting the attorney(s)-in-fact power to enter into transactions relating to any of your real or personal property, even without your consent or any advance notice to you. The powers granted to the attorney(s)-in-fact are broad and not supervised. This power of attorney does not grant any of the powers designated by a health care directive which are governed by Minnesota Statutes, chapter 145C.

DUTIES OF YOUR ATTORNEY(S)-IN-FACT: Your attorney(s)-in-fact must keep complete records of all transactions entered into on your behalf. You may request that your attorney(s)-in-fact provide you or someone else that you designate a periodic accounting, which is a written statement that gives reasonable notice of all transactions entered into on your behalf. Your attorney(s)-in-fact must also render an accounting if the attorney-in-fact reimburses himself or herself for any expenditure they made on behalf of you.

An attorney-in-fact is personally liable to any person, including you, who is injured by an action taken by the attorney-in-fact in bad faith under the power of attorney or by the attorney(s)-in-fact's failure to account when the attorney-in-fact has a duty to account under this section. The attorney-in-fact must act with your interest utmost in mind.

TERMINATION: If you choose, your attorney(s)-in-fact may exercise these powers throughout your lifetime, both before and after you become incapacitated. However, a court can take away the powers of your attorney(s)-in-fact because of improper acts. You may also revoke this power of attorney if you wish. This power of attorney is automatically terminated if the power is granted to your spouse and proceedings are commenced for dissolution, legal separation, or annulment of your marriage.

This power of attorney authorizes, but does not require, the attorney(s)-in-fact to act for you. You are not required to sign this power of attorney, but it will not take effect without your signature. You should not sign this power of attorney if you do not understand everything in it, and what your attorney(s)-in-fact will be able to do if you do sign it.

Please place your initials on the following line indicating you have read this IMPORTANT NOTICE TO THE PRINCIPAL:

Sec. 4. Minnesota Statutes 2012, section 523.23, is amended by adding a subdivision to read:

Subd. 1b. **Notice to attorney(s)-in-fact.** The following verbatim notice must be included as a part of this statutory short form power of attorney:

STATUTORY SHORT FORM POWER OF ATTORNEY
MINNESOTA STATUTES, SECTION 523.23
IMPORTANT NOTICE TO THE ATTORNEY(S)-IN-FACT

(This notice is incorporated by reference and is included as part of the statutory short form power of attorney.)

You have been nominated by the principal to act as attorney-in-fact. You are under no duty to exercise the authority granted by the power of attorney. However, when you do exercise any power conferred by the power of attorney, you must:

- (1) act with the interests of the principal utmost in mind;
- (2) exercise the power in the same manner as an ordinarily prudent person of discretion and intelligence would exercise in the management of the person's own affairs;
- (3) render accountings as directed by the principal or whenever you reimburse yourself for expenditures made on behalf of the principal;
- (4) act in good faith for the best interest of the principal, using due care, competence, and diligence;
- (5) cease acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney, such as revocation by the principal of the power of attorney, the death of the principal, or the commencement of proceedings for a dissolution, separation, or annulment of your marriage to the principal;
- (6) disclose your identity as an attorney-in-fact whenever you act for the principal by signing in substantially the following manner:
Signature by a person as "attorney-in-fact for (name of the principal)" or "(name of the principal) by (name of the attorney-in-fact) the principal's attorney-in-fact";
- (7) acknowledge you have read and understood this IMPORTANT NOTICE TO THE ATTORNEY(S)-IN-FACT by signing the power of attorney form.

You are personally liable to any person, including the principal, who is injured by an action taken by you in bad faith under the power of attorney or by your failure to account when the duty to account has arisen.

The meaning of the powers granted to you is contained in Minnesota Statutes, chapter 523. If there is anything about this document or your duties that you do not understand, you should seek legal advice from an attorney.

Sec. 5. Minnesota Statutes 2012, section 523.24, subdivision 8, is amended to read:

Subd. 8. **Gift transactions.** In the statutory short form power of attorney, the language conferring general authority with respect to gift transactions, means that the principal authorizes the attorney-in-fact:

(1) to make gifts to organizations, whether charitable or otherwise, to which the principal has made gifts, and to satisfy pledges made to organizations by the principal;

(2) to make gifts on behalf of the principal to the principal's spouse, children, and other descendants or the spouse of any child or other descendant, and, if authorized by the principal in part Third, to the attorney-in-fact, either outright or in trust, for purposes which the attorney-in-fact deems to be in the best interest of the principal, specifically including minimization of income, estate, inheritance, or gift taxes, provided that, notwithstanding that the principal in part Third may have authorized the attorney-in-fact to transfer the principal's property to the attorney-in-fact, no attorney-in-fact nor anyone the attorney-in-fact has a legal obligation to support may be the recipient of any gifts in any one calendar year which, in the aggregate, exceed ~~\$10,000 in value~~ the then applicable federal annual gift exclusion amount to each recipient;

(3) to prepare, execute, consent to on behalf of the principal, and file any return, report, declaration, or other document required by the laws of the United States, any state or subdivision of a state, or any foreign government, which the attorney-in-fact deems to be desirable or necessary with respect to any gift made under the authority of this subdivision;

(4) to execute, acknowledge, seal, and deliver any deed, assignment, agreement, authorization, check, or other instrument which the attorney-in-fact deems useful for the accomplishment of any of the purposes enumerated in this subdivision;

(5) to prosecute, defend, submit to arbitration, settle, and propose or accept a compromise with respect to any claim existing in favor of or against the principal based on or involving any gift transaction or to intervene in any related action or proceeding;

(6) to hire, discharge, and compensate any attorney, accountant, expert witness, or other assistant when the attorney-in-fact deems that action to be desirable for the proper execution by the attorney-in-fact of any of the powers described in this subdivision, and for the keeping of needed records; and

(7) in general, and in addition to but not in contravention of all the specific acts listed in this subdivision, to do any other acts which the attorney-in-fact deems desirable or necessary to complete any gift on behalf of the principal.

All powers described in this subdivision are exercisable equally with respect to a gift of any property in which the principal is interested at the giving of the power of attorney or becomes interested after that time, and whether located in the state of Minnesota or elsewhere.

Sec. 6. Minnesota Statutes 2012, section 523.24, subdivision 14, is amended to read:

Subd. 14. **All other financial matters.** In a statutory short form power of attorney, the language conferring general authority with respect to all other matters, means that the principal authorizes the attorney-in-fact to act as an alter ego of the principal with respect to any and all possible matters ~~and affairs affecting property owned by~~ affecting the financial affairs of the principal which are not enumerated in subdivisions 1 to 13, and which the principal can do through an agent.

Sec. 7. **[523.26] JUDICIAL RELIEF.**

The principal or any interested person, as defined in section 524.5-102, subdivision 7, may petition the court for a protective order directing the attorney-in-fact to provide an accounting, on a schedule directed by the court, or for any other relief as provided in sections 524.5-401 to 524.5-502. The principal or a person named by the principal in the power of attorney to receive accountings is entitled to recover reasonable attorney fees and costs if the court finds that the attorney-in-fact failed to render an accounting to the principal or any person named by the principal in the power of attorney form to receive accountings after the principal had requested an accounting.

Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 6 are effective August 1, 2013, and apply to powers of attorney executed on or after January 1, 2014. Section 7 is effective August 1, 2013, and applies to powers of attorney executed before, on, or after the effective date."

Amend the title numbers accordingly

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

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

S.F. No. 319: A bill for an act relating to military affairs; allowing active duty service members to take a peace officer reciprocity examination; amending Minnesota Statutes 2012, section 626.8517.

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

Page 2, line 5, delete "eligible to take" and insert "who passed"

Page 2, line 6, before "licensed" insert "eligible to be"

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

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

S.F. No. 350: A bill for an act relating to community property; adopting the Uniform Community Property Rights at Death Act; proposing coding for new law as Minnesota Statutes, chapter 519A.

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

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

S.F. No. 238: A bill for an act relating to notaries public; increasing maximum fees permitted to be charged by notaries public; amending Minnesota Statutes 2012, section 357.17.

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

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

S.F. No. 131: A bill for an act relating to taxation; individual income; modifying the small business investment tax credit; amending Minnesota Statutes 2012, section 116J.8737, subdivisions 1, 2, 5, 8.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs, Agriculture and Rural Development. Report adopted.

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

S.F. No. 164: A bill for an act relating to elections; modifying provisions related to voter registration; modifying certain election administration procedures for individuals who have been convicted of a felony; appropriating money; amending Minnesota Statutes 2012, sections 201.054, subdivision 2, by adding a subdivision; 201.157; 201.275; 203B.06, subdivision 3; 204C.14; 241.065, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 244.

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

Page 1, after line 8, insert:

"Section 1. Minnesota Statutes 2012, section 13.851, subdivision 10, is amended to read:

Subd. 10. **Felony sentence offender data; voter registration.** The use and classification of felony sentence offender data made available to the secretary of state is governed by section 201.157."

Page 2, line 15, before "As" insert "(a)"

Page 2, line 25, before "The" insert "(b)"

Page 4, delete lines 4 and 5 and insert:

"Subd. 3. **Data.** Data on offenders submitted to the secretary of state under this section are private data on individuals as defined in section 13.02, subdivision 12, and may be used or disseminated only for purposes authorized by this section."

Page 4, line 17, delete everything after "the"

Page 4, line 18, delete everything before the period and insert "second edition of the National Prosecution Standards published by the National District Attorneys Association"

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 392: A bill for an act relating to civil actions; modifying the limitations of actions for damages based on services or construction to improve real property; amending Minnesota Statutes 2012, section 541.051.

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

Page 2, line 1, delete "shall such a cause of" and insert "may an"

Page 2, line 33, delete "but" and insert "provided that"

Page 2, after line 35, insert:

"EFFECTIVE DATE. This section is effective August 1, 2013, and applies to actions commenced on or after that date."

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

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

S.F. No. 433: A bill for an act relating to government data; permitting medical examiners and coroners to use license and identification card photographs under certain circumstances; amending Minnesota Statutes 2012, section 171.07, subdivision 1a.

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

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

S.F. No. 33: A bill for an act relating to judgments; regulating assigned consumer debt default judgments; proposing coding for new law in Minnesota Statutes, chapter 548.

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 2012, section 491A.02, subdivision 9, is amended to read:

Subd. 9. **Judgment debtor disclosure.** Notwithstanding any contrary provision in rule 518 of the Conciliation Court Rules, unless the parties have otherwise agreed, if a conciliation court judgment or a judgment of district court on removal from conciliation court has been docketed in district court, the judgment creditor's attorney as an officer of the court may or the district court in the county in which the judgment originated shall, upon request of the judgment creditor, order the judgment debtor to mail to the judgment creditor information as to the nature, amount, identity, and locations of all the debtor's assets, liabilities, and personal earning. The information must be provided on a form prescribed by the Supreme Court, and the information shall be sufficiently detailed to enable the judgment creditor to obtain satisfaction of the judgment by way of execution on nonexempt assets and earnings of the judgment debtor. The order must contain a notice that failure to complete the form and mail it to the judgment creditor within ten days after service of the order may result in a citation for civil contempt of court. ~~Cash bail posted as a result of being cited for civil contempt of court order under this section may be ordered payable to the creditor to satisfy the judgment, either partially or fully~~ Notwithstanding section 588.02, civil contempt under this subdivision is punishable only by fine and not imprisonment.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 2. **[541.053] LIMITATION OF ACTIONS BASED ON CONSUMER DEBT.**

Notwithstanding section 541.05, subdivision 1, clause (1), actions upon an obligation arising out of a consumer debt primarily for personal, family, or household purposes must be commenced within six years. After its expiration, the statute of limitations is not revived by the collection of a payment on an account, a discharge in a bankruptcy proceeding, or an oral or written reaffirmation of the debt.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 3. **[548.101] ASSIGNED CONSUMER DEBT DEFAULT JUDGMENTS.**

A party entitled to a judgment by default in an action upon an assigned obligation arising out of any consumer debt that is primarily for personal, family, or household purposes and in default at the time of assignment shall apply to the court and submit, in addition to the application for judgment:

(1) a copy of the written contract between the debtor and original creditor or, if there was no written contract, other admissible evidence establishing the terms of the contract between the debtor and the original creditor, including the moving party's entitlement to the amounts described in clause (3);

(2) admissible evidence establishing that the defendant owes the debt;

(3) admissible evidence establishing that the amount claimed to be owed is accurate, including an itemization of the balance owed at the time the debt was first assigned to another party by the original creditor and a breakdown of post-assignment fees, interest, and interest rates;

(4) documentation establishing a valid and complete chain of assignment of the debt from the original creditor to the moving party, including documentation or a bill of sale evidencing the assignment with proof that the particular debt at issue was included in the assignment referenced in the documentation or bill of sale;

(5) proof that a summons and complaint were properly served on the debtor and that the debtor did not serve a timely answer; and

(6) proof that the debtor was provided notice of the default judgment motion and hearing.

EFFECTIVE DATE. This section is effective August 1, 2013, and applies to motions for default judgment filed on or after August 1, 2013.

Sec. 4. Minnesota Statutes 2012, section 550.011, is amended to read:

550.011 JUDGMENT DEBTOR DISCLOSURE.

Unless the parties have otherwise agreed, if a judgment has been docketed in district court for at least 30 days, and the judgment is not satisfied, the judgment creditor's attorney as an officer of the court may or the district court in the county in which the judgment originated shall, upon request of the judgment creditor, order the judgment debtor to mail by certified mail to the judgment creditor information as to the nature, amount, identity, and locations of all the debtor's assets, liabilities, and personal earnings. The information must be provided on a form prescribed by the Supreme Court, and the information shall be sufficiently detailed to enable the judgment creditor to obtain satisfaction of the judgment by way of execution on nonexempt assets and earnings of the judgment debtor. The order must contain a notice that failure to complete the form and mail it to the judgment creditor within ten days after service of the order may result in a citation for civil contempt of court. ~~Cash bail posted as a result of being cited for civil contempt of court order under this section may be ordered payable to the creditor to satisfy the judgment, either partially or fully.~~ Notwithstanding section 588.02, civil contempt under this section is punishable only by fine and not imprisonment.

EFFECTIVE DATE. This section is effective August 1, 2013."

Delete the title and insert:

"A bill for an act relating to judgments; providing a limitation period for actions arising out of consumer debt; prohibiting imprisonment for contempt in consumer debt cases; regulating assigned consumer debt default judgments; amending Minnesota Statutes 2012, sections 491A.02, subdivision 9; 550.011; proposing coding for new law in Minnesota Statutes, chapters 541; 548."

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

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

H.F. No. 66 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
66	113				

and that the above Senate File be indefinitely postponed.

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

Senator Sparks from the Committee on Jobs, Agriculture and Rural Development, to which was referred

S.F. No. 367: A bill for an act relating to public safety; 911 telephone service; providing for collection of 911 fees from prepaid wireless telecommunications services and prepaid wireless E911 services; amending Minnesota Statutes 2012, sections 237.52, subdivision 3, by adding a subdivision; 270B.01, subdivision 8; 270B.12, subdivision 4; 403.02, subdivision 21, by adding subdivisions; 403.06, subdivision 1a; 403.11, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 403.

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

Page 2, line 29, delete the second "Wireless telecommunications" and insert "Wireless telecommunications service"

Page 2, line 30, delete "service"

Page 3, line 17, delete "the most recent forecast"

Page 3, delete line 18

Page 3, line 19, delete "including" and delete "projection" and insert "accounting" and delete "and"

Page 3, line 20, delete everything before the period

Page 9, line 4, delete "2014" and insert "2015"

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

Senator Marty from the Committee on Environment and Energy, to which was referred the following appointment:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES
William Faber

Reports the same back with the recommendation that the appointment be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Bonoff from the Committee on Higher Education and Workforce Development, to which were referred the following appointments:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Mary Ives
Michael Ranum

Reports the same back with the recommendation that the appointments be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Bakk from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03,

S.F. No. 552: A bill for an act relating to taxation; providing for tax law modernization and reform; establishing a property tax rebate; reducing state business property tax; establishing a fourth tier income tax; lowering the sales tax rate and broadening the tax base; lowering the corporate franchise tax rate and simplifying the tax by eliminating certain tax preferences; providing for local government aid and county program aid; appropriating money; amending Minnesota Statutes 2012, sections 256.9658, subdivision 3; 270C.03, subdivision 1; 270C.33, subdivision 6; 275.025, subdivisions 1, 4; 289A.08, subdivision 3; 289A.56, subdivision 4; 289A.60, by adding a subdivision; 290.01, subdivisions 7, 19b, 19c, 19d; 290.06, subdivisions 1, 2c, 2d, 22, by adding a subdivision; 290.0921, subdivision 3; 290.095, subdivision 2; 290.17, subdivisions 1, 4; 290.191, subdivision 5; 290.21, subdivision 4; 290A.03, subdivision 13; 297A.61, subdivisions 3, 4, 10, 17a, 25, 27, 31, 38, 45, by adding subdivisions; 297A.62, subdivisions 1, 1a; 297A.64, subdivision 1; 297A.65; 297A.66, by adding a subdivision; 297A.67, subdivisions 7, 8; 297A.68, subdivisions 2, 5; 297A.70, subdivisions 5, 13, 14; 297A.75, subdivisions 1, 2, 3; 297A.815, subdivision 3; 297F.05, subdivisions 1, 3, 4; 297F.25, subdivision 1; 298.01, subdivision 3b; 477A.011, subdivisions 34, 36, by adding subdivisions; 477A.013, subdivisions 8, 9; 477A.03, subdivisions 2a, 2b; proposing coding for new law in Minnesota Statutes, chapters 270C; 297A; repealing Minnesota Statutes 2012, sections 289A.40, subdivision 6; 290.01, subdivision 6b; 290.0921, subdivision 7; 297A.68, subdivisions 9, 10, 11, 22, 35; 297A.70, subdivisions 10, 11, 12; 297A.96; 477A.011, subdivisions 2a, 27, 29, 31, 32, 33, 39, 40, 41, 42; 477A.0124, subdivision 1; 477A.013, subdivisions 11, 12; 477A.0133; 477A.0134; Minnesota Rules, part 8130.0500, subpart 2.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

Senator Bakk moved the adoption of the Committee Report on S.F. No. 552.

CALL OF THE SENATE

Senator Thompson imposed a call of the Senate for the balance of the proceedings on the Bakk motion. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 38 and nays 26, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Jensen	Pappas	Sparks
Bonoff	Eaton	Johnson	Rest	Stumpf
Carlson	Eken	Kent	Saxhaug	Tomassoni
Champion	Franzen	Koenen	Scalze	Torres Ray
Clausen	Goodwin	Latz	Schmit	Wiger
Cohen	Hawj	Lourey	Sheran	Wiklund
Dahle	Hayden	Marty	Sieben	
Dibble	Hoffman	Metzen	Skoe	

Those who voted in the negative were:

Anderson	Hall	Miller	Pederson, J.	Weber
Benson	Hann	Nelson	Petersen, B.	Westrom
Brown	Housley	Newman	Pratt	
Chamberlain	Ingebrigtsen	Nienow	Ruud	
Dahms	Kiffmeyer	Ortman	Senjem	
Gazelka	Limmer	Osmek	Thompson	

The motion prevailed. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 345, 249, 196, 187, 336, 294, 185, 174, 321, 547, 327, 319, 350, 238, 392, 433 and 33 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 66 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Rest; Stumpf; Housley; Petersen, B. and Hayden introduced—

S.F. No. 585: A bill for an act relating to elections; enacting the Agreement Among the States to Elect the President by National Popular Vote; proposing coding for new law in Minnesota Statutes, chapter 208.

Referred to the Committee on Rules and Administration.

Senators Dahle, Goodwin, Pappas and Carlson introduced—

S.F. No. 586: A bill for an act relating to debt management and debt settlement; clarifying exemption for attorneys at law; modifying regulation of debt settlement services; amending

Minnesota Statutes 2012, sections 332A.02, subdivision 8, by adding a subdivision; 332B.02, subdivision 13, by adding a subdivision; 332B.06, subdivisions 1, 4; 332B.09.

Referred to the Committee on Commerce.

Senators Dahms, Pappas, Metzen, Ortman and Koenen introduced—

S.F. No. 587: A bill for an act relating to taxation; liquor; modifying the definition of a qualified brewer; amending Minnesota Statutes 2012, section 297G.04, subdivision 2.

Referred to the Committee on Commerce.

Senators Sheran and Eaton introduced—

S.F. No. 588: A bill for an act relating to health occupations; establishing a criminal background check process for individuals licensed by the health-related licensing boards and the commissioner of health; appropriating money; amending Minnesota Statutes 2012, section 13.411, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 214.

Referred to the Committee on Health, Human Services and Housing.

Senators Housley, Anderson, Metzen, Dziedzic and Senjem introduced—

S.F. No. 589: A bill for an act relating to veterans; property taxes; extending the market value exclusion for surviving spouses of deceased service members and permanently disabled veterans; amending Minnesota Statutes 2012, section 273.13, subdivision 34.

Referred to the Committee on Taxes.

Senators Carlson, Dibble, Hawj, Marty and Pappas introduced—

S.F. No. 590: A bill for an act relating to transportation; mass transit; establishing skyway access requirements for the Central Station on the Central Corridor light rail transit line.

Referred to the Committee on Transportation and Public Safety.

Senator Hayden introduced—

S.F. No. 591: A bill for an act relating to tenant's rights; creating a notice to quit or pay prior to filing an eviction action; amending Minnesota Statutes 2012, sections 504B.285, subdivision 1; 504B.291, by adding a subdivision; 504B.321, by adding a subdivision.

Referred to the Committee on Judiciary.

Senator Newman introduced—

S.F. No. 592: A bill for an act relating to the city of Glencoe; extending tax increment financing district.

Referred to the Committee on Taxes.

Senators Pratt, Ortman, Limmer and Dahle introduced—

S.F. No. 593: A bill for an act relating to capital investment; appropriating money for a perimeter security fence at the Minnesota Correctional Facility-Shakopee; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Dahle introduced—

S.F. No. 594: A bill for an act relating to retirement; Public Employees Retirement Association general employees retirement plan; authorizing a purchase of prior service credit for certain Northfield employees.

Referred to the Committee on State and Local Government.

Senators Tomassoni, Bakk, Saxhaug and Wiger introduced—

S.F. No. 595: A bill for an act relating to education finance; modifying the general education revenue formula; increasing revenue for some school districts; amending Minnesota Statutes 2012, section 126C.10, subdivision 2c.

Referred to the Committee on Finance.

Senator Nienow introduced—

S.F. No. 596: A bill for an act relating to employment; prohibiting employers from requiring social network passwords as a condition of employment; amending Minnesota Statutes 2012, section 181.53.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Saxhaug, Tomassoni and Ingebrigtsen introduced—

S.F. No. 597: A bill for an act relating to outdoor heritage; appropriating money for the Minnesota forests for the future program.

Referred to the Committee on Finance.

Senators Sheran, Rosen, Lourey, Nelson and Hayden introduced—

S.F. No. 598: A bill for an act relating to health; establishing a system to deal with acute strokes; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health, Human Services and Housing.

Senators Eken, Rosen, Hoffman, Brown and Clausen introduced—

S.F. No. 599: A bill for an act relating to human services; modifying reimbursement rates for ICF/DD and home and community-based services providers; appropriating money; amending Minnesota Statutes 2012, section 256B.5012, by adding a subdivision.

Referred to the Committee on Finance.

Senator Eken introduced—

S.F. No. 600: A bill for an act relating to counties; providing a process for making the county auditor-treasurer and recorder appointive in Clay County.

Referred to the Committee on State and Local Government.

Senators Dziedzic, Tomassoni, Sparks and Stumpf introduced—

S.F. No. 601: A bill for an act relating to capital investment; establishing the school energy conservation revolving loan program; permitting school districts to repay energy conservation loans from levies made without voter approval; authorizing the sale and issuance of state general obligation bonds; appropriating money; amending Minnesota Statutes 2012, section 126C.40, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 216C.

Referred to the Committee on Finance.

Senators Dziedzic, Bakk and Latz introduced—

S.F. No. 602: A bill for an act relating to employment; modifying prompt payment of wages requirements; modifying penalties; amending Minnesota Statutes 2012, sections 181.13; 181.14.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Ortman, Senjem, Nelson and Benson introduced—

S.F. No. 603: A bill for an act relating to taxes; income; franchise; conforming to changes in the Internal Revenue Code; extending the working family credit phaseout for married filers; amending Minnesota Statutes 2012, sections 289A.02, subdivision 7; 290.01, subdivisions 19, 19a, 19b, 19c, 31, by adding a subdivision; 290.0671, subdivision 1; 290A.03, subdivision 15; 291.005, subdivision 1.

Referred to the Committee on Taxes.

Senators Ortman, Chamberlain, Benson and Gazelka introduced—

S.F. No. 604: A bill for an act relating to taxation; income and corporate franchise; modifying the computation of the research credit; amending Minnesota Statutes 2012, section 290.068, subdivision 1.

Referred to the Committee on Taxes.

Senators Eken, Eaton, Rosen and Hayden introduced—

S.F. No. 605: A bill for an act relating to human services; modifying reduction of rates for congregate living for individuals with lower needs; amending Laws 2011, First Special Session chapter 9, article 10, section 3, subdivision 3, as amended.

Referred to the Committee on Health, Human Services and Housing.

Senator Johnson introduced—

S.F. No. 606: A bill for an act relating to local government; providing for additional financing of parks, trails, and recreational facilities for local units of government by special fees; proposing coding for new law in Minnesota Statutes, chapter 448.

Referred to the Committee on State and Local Government.

Senators Carlson; Pederson, J.; Dibble; Senjem and Rest introduced—

S.F. No. 607: A bill for an act relating to municipalities; authorizing municipalities to establish street improvement districts and apportion street improvement fees within districts; requiring adoption of street improvement plan; authorizing collection of fees; proposing coding for new law in Minnesota Statutes, chapter 435.

Referred to the Committee on State and Local Government.

Senator Rest introduced—

S.F. No. 608: A bill for an act relating to public safety; traffic regulations; school buses; making technical corrections to certain safety requirements; amending Minnesota Statutes 2012, sections 169.011, subdivision 71; 169.443, subdivision 9; 169.447, subdivision 2; 169.454, subdivision 12.

Referred to the Committee on Transportation and Public Safety.

Senators Jensen, Saxhaug, Tomassoni, Sparks and Bakk introduced—

S.F. No. 609: A bill for an act relating to education finance; authorizing revenue to offset payments or pupil weight reductions related to student participation in postsecondary enrollment options; amending Minnesota Statutes 2012, section 124D.09, by adding subdivisions.

Referred to the Committee on Finance.

Senators Hoffman and Johnson introduced—

S.F. No. 610: A bill for an act relating to tax increment financing; extending the four-year rule for certain districts; amending Minnesota Statutes 2012, section 469.176, subdivision 6.

Referred to the Committee on Taxes.

Senators Chamberlain, Ingebrigtsen and Housley introduced—

S.F. No. 611: A bill for an act relating to education; clarifying expectations for complying with Minnesota's policy prohibiting intimidation and bullying; amending Minnesota Statutes 2012, section 121A.0695.

Referred to the Committee on Education.

Senators Hoffman, Sheran, Rosen, Pappas and Hayden introduced—

S.F. No. 612: A bill for an act relating to human services; modifying provisional discharge for the Minnesota sex offender program; modifying victim notification of discharge or release of person in the Minnesota sex offender program; amending Minnesota Statutes 2012, sections 253B.18, subdivision 5a; 253B.185, subdivisions 10, 12, 13, 14, 14a; 253B.19, subdivision 3; 611A.06, subdivisions 1, 2.

Referred to the Committee on Judiciary.

Senators Scalze, Tomassoni, Saxhaug, Westrom and Ingebrigtsen introduced—

S.F. No. 613: A bill for an act relating to the Public Facilities Authority; reorganizing certain grant programs; providing for small community wastewater treatment grants; amending Minnesota Statutes 2012, sections 446A.073, subdivisions 1, 3, 4; 446A.075, subdivisions 1a, 2, 5; repealing Minnesota Statutes 2012, sections 446A.051, subdivision 2; 446A.074.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Nienow and Sieben introduced—

S.F. No. 614: A bill for an act relating to public safety; creating increased penalties for wildlife arson that damages multiple dwellings, acreage, or crops; adding restitution provisions; amending Minnesota Statutes 2012, section 609.5641, subdivisions 1, 3, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Pederson, J. and Stumpf introduced—

S.F. No. 615: A bill for an act relating to capital investment; appropriating money for acquiring right-of-way, design, and construction of an extension of the Beaver Island Trail from River Bluffs Regional Park in St. Cloud to Opportunity Business Park in St. Cloud; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Pederson, J. and Stumpf introduced—

S.F. No. 616: A bill for an act relating to capital investment; appropriating money for regional trail design and development of the Beaver Island Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Tomassoni, Saxhaug, Bakk, Marty and Wiger introduced—

S.F. No. 617: A bill for an act relating to education finance; appropriating money for a pilot project related to energy conservation programs in some school districts.

Referred to the Committee on Finance.

Senator Kiffmeyer introduced—

S.F. No. 618: A bill for an act relating to education finance; adjusting equity revenue for Independent School District No. 728, Elk River, by the metro equity region factor for students residing in the region.

Referred to the Committee on Finance.

Senators Franzen, Tomassoni, Pratt, Jensen and Schmit introduced—

S.F. No. 619: A bill for an act relating to unemployment insurance; reducing employer tax rates.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senator Ingebrigtsen introduced—

S.F. No. 620: A bill for an act relating to game and fish; removing spearing restrictions from certain lakes; repealing Minnesota Rules, part 6264.0400, subpart 8.

Referred to the Committee on Environment and Energy.

Senators Ingebrigtsen and Westrom introduced—

S.F. No. 621: A bill for an act relating to sales and use taxation; amending Minnesota Statutes 2012, sections 297A.70, subdivision 7; 297A.75, subdivisions 1, 2.

Referred to the Committee on Taxes.

Senator Ingebrigtsen introduced—

S.F. No. 622: A bill for an act relating to capital improvements; appropriating money for local road improvement in Pine Lake Township; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Ingebrigtsen introduced—

S.F. No. 623: A bill for an act relating to liquor; allowing a microdistillery to make limited off-sales; amending Minnesota Statutes 2012, section 340A.301, subdivision 6c.

Referred to the Committee on Commerce.

Senator Ingebrigtsen introduced—

S.F. No. 624: A bill for an act relating to liquor; allowing a microdistillery to offer samples; amending Minnesota Statutes 2012, section 340A.301, subdivision 6c.

Referred to the Committee on Commerce.

Senator Ingebrigtsen introduced—

S.F. No. 625: A bill for an act relating to liquor; authorizing a microdistillery to sell its own products at on-sale; amending Minnesota Statutes 2012, section 340A.301, by adding a subdivision.

Referred to the Committee on Commerce.

Senator Carlson introduced—

S.F. No. 626: A bill for an act relating to commerce; making various technical and housekeeping changes related to staff adjusters, canceled licenses, and transfer fees; providing producer training requirements for flood insurance products; eliminating the membership camping license requirement; repealing an obsolete collection agency rule; correcting cross-references; making adjustments to various dollar amounts as required by state law; providing for a method to periodically update Minnesota Statutes to reflect the current dollar amounts as adjusted; amending Minnesota Statutes 2012, sections 47.59, subdivisions 3, 6; 56.12; 56.125, subdivision 2; 56.131, subdivisions 2, 6; 72B.10; 82.62, subdivision 7; 82.63, subdivision 8; 82A.06, subdivision 2; 82A.13, subdivision 1; 82A.18, subdivision 2; 82C.16, subdivision 1; 325G.22, subdivision 1; 510.02, subdivision 1; 550.37, subdivisions 4, 4a, 6, 10, 12a, 23, 24; proposing coding for new law in Minnesota Statutes, chapter 60K; repealing Minnesota Statutes 2012, sections 82A.16; 82A.17; Minnesota Rules, part 2870.1500.

Referred to the Committee on Commerce.

Senator Saxhaug introduced—

S.F. No. 627: A bill for an act relating to game and fish; requiring ground blinds to display blaze orange during the firearms deer season; amending Minnesota Statutes 2012, section 97B.071.

Referred to the Committee on Environment and Energy.

Senators Saxhaug and Skoe introduced—

S.F. No. 628: A bill for an act relating to veterans; establishing a veterans home in Beltrami County; proposing coding for new law in Minnesota Statutes, chapter 198.

Referred to the Committee on State and Local Government.

Senators Bakk and Saxhaug introduced—

S.F. No. 629: A bill for an act relating to counties; providing a process for making the county auditor-treasurer and recorder appointive in Lake County.

Referred to the Committee on State and Local Government.

Senators Eaton and Sieben introduced—

S.F. No. 630: A bill for an act relating to child care; modifying a child care licensure requirement; amending Minnesota Statutes 2012, section 245A.1435.

Referred to the Committee on Health, Human Services and Housing.

Senators Hoffman, Sieben, Eaton and Hawj introduced—

S.F. No. 631: A bill for an act relating to elections; changing certain recount requirements and procedures; amending Minnesota Statutes 2012, sections 204C.35, subdivision 1, by adding a subdivision; 204C.36, subdivision 1.

Referred to the Committee on Rules and Administration.

Senators Benson and Sheran introduced—

S.F. No. 632: A bill for an act relating to health; extending expiration of an advisory board; classifying data collected under the early hearing detection and intervention program; amending Minnesota Statutes 2012, section 144.966, subdivision 2, by adding a subdivision.

Referred to the Committee on Health, Human Services and Housing.

Senators Hawj, Pappas, Bakk and Cohen introduced—

S.F. No. 633: A bill for an act relating to the city of St. Paul; providing for funding of a minor league ball park and other economic activities in the city; amending Laws 1993, chapter 375, article 9, section 46, subdivisions 2, as amended, 5, as amended.

Referred to the Committee on Taxes.

Senator Pederson, J. introduced—

S.F. No. 634: A bill for an act relating to human services; modifying funding for detoxification services; amending Minnesota Statutes 2012, section 256G.06.

Referred to the Committee on Health, Human Services and Housing.

Senator Petersen, B. introduced—

S.F. No. 635: A bill for an act proposing an amendment to the Minnesota Constitution, article I; providing that the right of citizens to keep, bear, and use arms for certain purposes is fundamental and shall not be infringed.

Referred to the Committee on Judiciary.

Senator Gazelka introduced—

S.F. No. 636: A resolution memorializing the President and Congress to establish the Charles A. Lindbergh National Monument in Little Falls, Minnesota.

Referred to the Committee on State and Local Government.

Senators Hawj, Pappas, Marty and Cohen introduced—

S.F. No. 637: A bill for an act relating to St. Paul; extending the time for certain bonding authority; amending Laws 1971, chapter 773, section 1, subdivision 2, as amended.

Referred to the Committee on Taxes.

Senators Hoffman and Eaton introduced—

S.F. No. 638: A bill for an act relating to state government; specifying certain data on individuals with disabilities as private data; amending Minnesota Statutes 2012, section 13.64, subdivision 2.

Referred to the Committee on Judiciary.

Senators Eaton, Sieben, Dzedzic and Metzen introduced—

S.F. No. 639: A bill for an act relating to environment; providing for product stewardship programs; requiring a report; amending Minnesota Statutes 2012, section 13.7411, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 115A.

Referred to the Committee on Environment and Energy.

Senators Hoffman, Tomassoni, Schmit and Eaton introduced—

S.F. No. 640: A bill for an act relating to economic development; creating a trade policy advisory group; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Sparks and Bonoff introduced—

S.F. No. 641: A bill for an act relating to labor and employment; making federal conformity changes to certain employment law provisions; amending Minnesota Statutes 2012, sections 177.23, subdivision 7; 177.24, subdivision 1; 177.25, subdivisions 1, 5; 181.941, subdivision 1; 181.943.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Dibble, Rosen, Benson, Hawj and Marty introduced—

S.F. No. 642: A bill for an act relating to energy; conservation; permitting waste heat recovered and used as thermal energy and biomass-generated thermal energy to be counted towards energy savings goals; amending Minnesota Statutes 2012, section 216B.241, subdivision 1, by adding subdivisions.

Referred to the Committee on Environment and Energy.

Senators Dzedzic, Limmer, Tomassoni and Latz introduced—

S.F. No. 643: A bill for an act relating to corrections; allowing Department of Corrections to access data to track employment of offenders sentenced to probation for the purpose of case planning; amending Minnesota Statutes 2012, section 268.19, subdivision 1.

Referred to the Committee on Judiciary.

Senators Tomassoni and Saxhaug introduced—

S.F. No. 644: A bill for an act relating to employment; appropriating money for employment support services for persons with mental illness; amending Minnesota Statutes 2012, sections 245.4712, subdivision 1; 268A.13; 268A.14, subdivision 1.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Cohen, Eken and Hayden introduced—

S.F. No. 645: A bill for an act relating to political contributions; to ensure equal protection by requiring certain political contributions and expenditures be from funds subject to individual income tax; amending Minnesota Statutes 2012, section 211B.15, by adding a subdivision.

Referred to the Committee on Rules and Administration.

Senators Ortman, Nelson, Miller, Latz and Sheran introduced—

S.F. No. 646: A bill for an act relating to public safety; requiring timely transmittal of civil commitment, law enforcement, and court data to certain state and federal searchable databases; requiring a report; amending Minnesota Statutes 2012, sections 241.301; 253B.24; 299C.10, subdivisions 1, 3; 299C.11, subdivision 1; 299C.14; 299C.17; 299C.40, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 299C.

Referred to the Committee on Judiciary.

Senators Ortman, Ingebrigtsen, Bonoff, Nelson and Goodwin introduced—

S.F. No. 647: A bill for an act relating to civil commitment; limiting the time period that a person may be held in jail or state correctional facility pending or after civil commitment; amending Minnesota Statutes 2012, section 253B.045, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 2012, section 253B.045, subdivision 1a.

Referred to the Committee on Judiciary.

Senators Hoffman and Petersen, B. introduced—

S.F. No. 648: A bill for an act relating to transportation; capital investment; appropriating money for additional lanes on a segment of U.S. Highway 10; authorizing sale and issuance of trunk highway bonds.

Referred to the Committee on Finance.

Senator Nelson introduced—

S.F. No. 649: A bill for an act relating to veterans; appropriating money to administer the Gold Star Program; appropriating money for compensating honor guards.

Referred to the Committee on Finance.

Senator Goodwin introduced–

S.F. No. 650: A bill for an act relating to commerce; renaming the division of insurance fraud; regulating subpoenas issued by the commissioner; modifying certain continuing education requirements; requiring and regulating an annual statement of actuarial opinions of reserves and supporting documentation of property and casualty companies; regulating certain stop loss coverage; modifying risk-based capital requirements for certain insurers; regulating real estate appraiser licenses; modifying service requests in connection with Public Utility Commission matters; repealing certain unnecessary laws; amending Minnesota Statutes 2012, sections 45.0135; 45.027, subdivision 2; 45.307; 45.43; 60A.235, subdivision 3, by adding a subdivision; 60A.62, subdivision 1; 82B.08, by adding a subdivision; 82B.094; 82B.095, subdivision 2; 82B.10, subdivision 1; 82B.13, subdivisions 1, 4, 5, 8, by adding a subdivision; 216.17, subdivisions 2, 4; 216B.18; 299C.40, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 60A; repealing Minnesota Statutes 2012, sections 82B.095, subdivision 1; 115C.09, subdivision 3k; Laws 2000, chapter 488, article 3, section 37.

Referred to the Committee on Commerce.

Senators Hawj, Stumpf, Saxhaug, Miller and Rest introduced–

S.F. No. 651: A bill for an act relating to capital investment; appropriating money for a Minnesota Hmong-Lao veterans commemorative memorial; authorizing the sale and issuance of state bonds.

Referred to the Committee on State and Local Government.

Senator Metzen introduced–

S.F. No. 652: A bill for an act relating to commerce; ending the transfer of money from the automobile theft prevention account to the general fund; restoring use of the fund to its original purpose; amending Minnesota Statutes 2012, sections 65B.84, subdivision 1; 168A.40, subdivision 4.

Referred to the Committee on Commerce.

Senators Hawj, Dziejic, Cohen, Pappas and Marty introduced–

S.F. No. 653: A bill for an act relating to taxation; property; reattaching land constituting an intermediate airport to the city and school district where the property is located; amending Minnesota Statutes 2012, sections 473.625; 473F.02, subdivision 2.

Referred to the Committee on Taxes.

Senator Wiklund introduced–

S.F. No. 654: A bill for an act relating to human services; modifying provisions related to health care and medical assistance; amending Minnesota Statutes 2012, sections 62J.495, subdivision 15; 256.01, subdivision 34; 256.962, subdivision 8; 256B.0625, subdivisions 8, 8a, 8b, 25.

Referred to the Committee on Health, Human Services and Housing.

Senator Wiklund introduced—

S.F. No. 655: A bill for an act relating to human services; updating outdated terminology; amending Minnesota Statutes 2012, sections 15.44; 124D.57; 127A.45, subdivision 12; 144.651, subdivision 4; 145.88; 146A.11, subdivision 1; 148.512, subdivisions 12, 13; 150A.13, subdivision 6; 174.255, subdivision 1; 202A.13; 202A.155; 202A.156; 237.036; 237.16, subdivision 9; 240A.04; 240A.06, subdivisions 1, 2; 256.01, subdivision 2; 256C.24, subdivision 3; 256C.29; 299C.06; 326B.106, subdivisions 9, 11; 473.608, subdivision 22; 589.35, subdivision 1; 595.02, subdivision 1; 609.06, subdivision 1; 609.749, subdivision 2; 626.8455, subdivision 1.

Referred to the Committee on Health, Human Services and Housing.

Senators Schmit, Sparks and Bonoff introduced—

S.F. No. 656: A bill for an act relating to labor and industry; making housekeeping changes related to construction codes and licensing, and combative sports; amending Minnesota Statutes 2012, sections 116J.70, subdivision 2a; 326B.081, subdivision 3; 326B.082, subdivision 11; 326B.093, subdivision 4; 326B.101; 326B.103, subdivision 11; 326B.121, subdivision 1; 326B.31, by adding a subdivision; 326B.43, subdivision 2; 326B.89, subdivision 1; 341.21, subdivision 3a; 341.221; 341.27; 341.29; 341.30, subdivision 4; 341.32, subdivision 2; repealing Minnesota Statutes 2012, section 326B.978, subdivision 4.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senator Johnson introduced—

S.F. No. 657: A bill for an act relating to game and fish; limiting those allowed to kill a dog pursuing big game; amending Minnesota Statutes 2012, section 97B.011.

Referred to the Committee on Environment and Energy.

Senators Dziejdzic and Pederson, J. introduced—

S.F. No. 658: A bill for an act relating to labor and industry; allowing the commissioner of labor and industry to issue compliance orders for violations of misrepresentations of employment relationships; amending Minnesota Statutes 2012, section 177.27, subdivision 4.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Eken, Stumpf and Bonoff introduced—

S.F. No. 659: A bill for an act relating to education; making an exception to the school start date for school districts that suffer natural disasters; amending Minnesota Statutes 2012, section 120A.40.

Referred to the Committee on Education.

Senators Eken, Bonoff, Wiklund and Koenen introduced—

S.F. No. 660: A bill for an act relating to higher education; regulating the state grant amount of part-time students; amending Minnesota Statutes 2012, section 136A.101, subdivision 5a.

Referred to the Committee on Finance.

Senators Rest and Sieben introduced—

S.F. No. 661: A bill for an act relating to campaign finance; providing for additional disclosure; making various changes to campaign finance and public disclosure law; providing penalties; amending Minnesota Statutes 2012, sections 10A.01, subdivisions 10, 11, 27, 28, by adding subdivisions; 10A.02, subdivisions 9, 10, 11, 12, by adding a subdivision; 10A.025, subdivisions 2, 3; 10A.105, subdivision 1; 10A.12, subdivisions 1, 1a, 2; 10A.121, subdivision 1; 10A.14, subdivision 1, by adding a subdivision; 10A.15, subdivisions 1, 2, 3; 10A.20, subdivisions 1, 2, 3, 5, 6, 7, by adding a subdivision; 10A.25, subdivisions 2, 2a, 3, 3a; 10A.257, subdivision 1; 10A.27, subdivisions 1, 10, 11, 13, 14, 15; 10A.323; 13.607, subdivisions 3, 5a; 211B.32, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 2012, sections 10A.24; 10A.241; 10A.242; 10A.25, subdivision 6.

Referred to the Committee on Rules and Administration.

Senator Lourey introduced—

S.F. No. 662: A bill for an act relating to health plan regulation; regulating policy and contract coverages; conforming state law to federal requirements; establishing health plan market rules; amending Minnesota Statutes 2012, sections 13.7191, subdivision 12; 43A.23, subdivision 1; 43A.317, subdivision 6; 60A.08, subdivision 15; 62A.011, subdivision 3, by adding subdivisions; 62A.02, by adding a subdivision; 62A.03, subdivision 1; 62A.04, subdivision 2; 62A.047; 62A.049; 62A.136; 62A.149, subdivision 1; 62A.17, subdivisions 2, 6; 62A.21, subdivision 2b; 62A.28, subdivision 2; 62A.302; 62A.615; 62A.65, subdivisions 3, 5, 6, 7; 62C.14, subdivision 5; 62C.142, subdivision 2; 62D.02, by adding a subdivision; 62D.07, subdivision 3; 62D.095; 62D.12, by adding a subdivision; 62D.181, subdivision 7; 62D.30, subdivision 8; 62E.02, by adding a subdivision; 62E.04, subdivision 4; 62E.06, subdivision 1; 62E.09; 62E.10, subdivision 7; 62H.04; 62L.02, subdivisions 11, 14a, 26, by adding a subdivision; 62L.03, subdivisions 1, 3, 4, 6; 62L.045, subdivisions 2, 4; 62L.05, subdivision 10; 62L.06; 62L.08; 62L.12, subdivision 2; 62M.05, subdivision 3a; 62M.06, subdivision 1; 62Q.01, by adding subdivisions; 62Q.021; 62Q.17, subdivision 6; 62Q.18, by adding a subdivision; 62Q.19, by adding a subdivision; 62Q.23; 62Q.43, subdivision 2; 62Q.47; 62Q.52; 62Q.55; 62Q.68, subdivision 1; 62Q.69, subdivision 3; 62Q.70, subdivisions 1, 2; 62Q.71; 62Q.73; 62Q.75, subdivision 1; 62Q.80, subdivision 2; 72A.20, subdivision 35; 471.61, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapters 62A; 62Q; 72A; proposing coding for new law as Minnesota Statutes, chapter 62K; repealing Minnesota Statutes 2012, sections 62A.65, subdivision 6; 62E.02, subdivision 7; 62E.16; 62E.20; 62L.02, subdivisions 4, 18, 19, 23; 62L.05, subdivisions 1, 2, 3, 4, 4a, 5, 6, 7, 11, 12, 13; 62L.081; 62L.10; 62Q.37, subdivision 5.

Referred to the Committee on Commerce.

Senators Johnson and Pappas introduced—

S.F. No. 663: A bill for an act relating to state government; making changes to resource recovery provisions; amending Minnesota Statutes 2012, section 115A.15, subdivisions 2, 9, 10.

Referred to the Committee on State and Local Government.

Senators Carlson; Dibble; Pederson, J. and Senjem introduced—

S.F. No. 664: A bill for an act relating to transportation; amending local option taxes for transportation; broadening authority for county wheelage tax; making technical changes; amending Minnesota Statutes 2012, section 163.051.

Referred to the Committee on Transportation and Public Safety.

Senators Eaton, Sheran, Rest, Pappas and Hayden introduced—

S.F. No. 665: A bill for an act relating to home and community-based long-term care services; creating the Quality Self-Directed Services Workforce Council; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on State and Local Government.

Senators Eaton, Hann, Bonoff, Senjem and Pappas introduced—

S.F. No. 666: A bill for an act relating to natural resources; reinstating the five-year moratorium on wolf hunting; amending Minnesota Statutes 2012, section 97B.645, subdivision 9.

Referred to the Committee on Environment and Energy.

Senators Marty, Hayden and Torres Ray introduced—

S.F. No. 667: A bill for an act relating to welfare reform; enabling low-income workers to meet basic needs; reducing welfare costs to taxpayers; providing child care assistance to low-income workers; increasing working family tax credit; increasing minimum wage; reestablishing the Minnesota emergency employment development program; appropriating money; amending Minnesota Statutes 2012, sections 119B.02, subdivisions 1, 2; 119B.03, subdivisions 3, 9, 10; 119B.035, subdivisions 1, 2, 4, 5; 119B.05, subdivision 5; 119B.08, subdivision 3; 119B.09, subdivisions 4a, 7; 119B.10; 119B.11, subdivision 1; 119B.12, subdivision 2; 119B.13, subdivision 1; 119B.15; 119B.24; 177.24, subdivision 1; 290.0671, subdivision 1; repealing Minnesota Statutes 2012, sections 119B.011, subdivisions 20, 20a; 119B.03, subdivisions 1, 2, 4, 5, 6, 6a, 6b, 8; 119B.05, subdivision 1; 119B.07; 119B.09, subdivision 3; 119B.11, subdivision 4; 290.0671, subdivision 7.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Goodwin and Pederson, J. introduced—

S.F. No. 668: A bill for an act relating to public safety; clarifying when conditional release terms of certain offenders begin; amending Minnesota Statutes 2012, sections 243.166, subdivision 5a;

609.2231, subdivision 3a; 609.3455, subdivisions 6, 7; 617.246, subdivision 7; 617.247, subdivision 9.

Referred to the Committee on Judiciary.

Senators Rest, Eaton, Ortman and Pederson, J. introduced—

S.F. No. 669: A bill for an act relating to tax increment financing; extending temporary authority; amending Minnesota Statutes 2012, section 469.176, subdivisions 4c, 4m.

Referred to the Committee on Taxes.

Senators Rest, Eaton and Pederson, J. introduced—

S.F. No. 670: A bill for an act relating to tax increment financing; extending the five-year rule to ten years; amending Minnesota Statutes 2012, section 469.1763, subdivisions 3, 4.

Referred to the Committee on Taxes.

Senators Latz and Dibble introduced—

S.F. No. 671: A bill for an act relating to public safety; providing that funds received for out-of-state offenders incarcerated in Minnesota are appropriated to the Department of Corrections; modifying certificates of compliance for public contracts; appropriating money for public safety, judiciary, corrections, and human rights; amending Minnesota Statutes 2012, sections 161.20, subdivision 3; 243.51, subdivisions 1, 3; 363A.36, subdivisions 1, 2; repealing Minnesota Statutes 2012, section 243.51, subdivision 5.

Pursuant to Joint Rule 2.03, referred to the Committee on Rules and Administration.

Senator Koenen introduced—

S.F. No. 672: A bill for an act relating to counties; providing a process for making the offices of county auditor-treasurer and recorder appointive in Kandiyohi County.

Referred to the Committee on State and Local Government.

Senators Wiger, Marty, Kent, Johnson and Torres Ray introduced—

S.F. No. 673: A bill for an act relating to education finance; clarifying the transfer of the Harambee community school from the East Metro Integration District to the Roseville school district.

Referred to the Committee on Finance.

Senators Fischbach; Pederson, J. and Westrom introduced—

S.F. No. 674: A bill for an act relating to energy; regulating the routing of high-voltage transmission lines; amending Minnesota Statutes 2012, sections 216E.03, subdivision 7; 216E.12, by adding a subdivision.

Referred to the Committee on Environment and Energy.

Senators Johnson and Pappas introduced—

S.F. No. 675: A bill for an act relating to state government; streamlining reporting of state government; amending Minnesota Statutes 2012, sections 4A.01, subdivision 3; 16E.07, subdivision 3.

Referred to the Committee on State and Local Government.

Senators Stumpf, Eken, Sparks, Metzen and Miller introduced—

S.F. No. 676: A bill for an act relating to capital improvements; appropriating money for flood hazard mitigation grants; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Sieben introduced—

S.F. No. 677: A bill for an act relating to elections; requiring training for polling place challengers; imposing additional requirements on polling place challengers; amending Minnesota Statutes 2012, section 204C.07, subdivisions 1, 2, 4, by adding a subdivision.

Referred to the Committee on Rules and Administration.

Senator Ingebrigtsen introduced—

S.F. No. 678: A bill for an act relating to commerce; licensing maintenance plumbers in certain cases; modifying fees; amending Minnesota Statutes 2012, sections 326B.42, by adding a subdivision; 326B.435, subdivision 2; 326B.46, subdivisions 1, 1a; 326B.47, subdivision 1, by adding a subdivision; 326B.49, subdivision 1.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Metzen, Dahle, Dahms, Cohen and Jensen introduced—

S.F. No. 679: A bill for an act relating to transportation; motor vehicles; amending regulation of motor vehicle manufacturers and distributors; amending Minnesota Statutes 2012, sections 80E.13; 168.27, by adding a subdivision.

Referred to the Committee on Commerce.

Senators Eaton, Rest, Dibble and Dzedzic introduced—

S.F. No. 680: A bill for an act relating to energy; establishing a solar value rate utilities may pay to owners of solar photovoltaic systems; establishing a solar energy standard for certain utilities; making certain solar photovoltaic systems eligible to receive a renewable energy production incentive payment; establishing an account; requiring studies; appropriating money; amending Minnesota Statutes 2012, sections 216B.03; 216B.16, by adding a subdivision; 216B.1691, by

adding a subdivision; 216B.23, subdivision 1a; 216B.241, subdivision 5c; 216B.2411, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 216B; 216C.

Referred to the Committee on Environment and Energy.

Senators Dzedzic, Rest, Clausen and Eken introduced—

S.F. No. 681: A bill for an act relating to data practices; classifying crime prevention program security data; amending Minnesota Statutes 2012, section 13.37, subdivision 1.

Referred to the Committee on Judiciary.

Senators Franzen, Champion, Miller, Dibble and Senjem introduced—

S.F. No. 682: A bill for an act relating to public safety; modifying use of funds for youth intervention programs; appropriating money; amending Minnesota Statutes 2012, section 299A.73, subdivision 3.

Referred to the Committee on Finance.

Senators Rest and Benson introduced—

S.F. No. 683: A bill for an act relating to private detectives; exempting certified public accounting services from licensure requirements; amending Minnesota Statutes 2012, section 326.3341.

Referred to the Committee on Judiciary.

Senators Nelson, Dahms and Metzen introduced—

S.F. No. 684: A bill for an act relating to job creation; providing for permit management and coordination; requiring centralized electronic accessibility to permit applications and documentation; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Ortman, Rosen, Nelson and Eaton introduced—

S.F. No. 685: A bill for an act relating to civil commitment; requiring simultaneous competency, mental illness or defect, and civil commitment examinations for defendants; facilitating civil commitment hearings for defendants; amending Minnesota Statutes 2012, section 253B.07, subdivision 2a.

Referred to the Committee on Judiciary.

Senator Ruud introduced—

S.F. No. 686: A bill for an act relating to state lands; providing for public and private sale of certain tax-forfeited lands in Crow Wing County.

Referred to the Committee on Environment and Energy.

Senators Franzen; Pederson, J.; Goodwin; Scalze and Miller introduced—

S.F. No. 687: A bill for an act relating to capital investment; appropriating money for the safe routes to school program; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Senjem introduced—

S.F. No. 688: A bill for an act relating to transportation; bridges; limiting bridge engineering, design, and construction costs in smaller cities; amending Minnesota Statutes 2012, section 174.50, subdivision 6b.

Referred to the Committee on Transportation and Public Safety.

Senator Senjem introduced—

S.F. No. 689: A bill for an act relating to education; allowing sponsored agriculture education community experts; amending Minnesota Statutes 2012, section 122A.25, by adding a subdivision.

Referred to the Committee on Education.

Senator Senjem introduced—

S.F. No. 690: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; allowing agricultural land, nonhomesteaded, noncommercial real property owners, and small business property owners to vote on bonding and property tax questions where the property is located; providing implementing language; proposing coding for new law in Minnesota Statutes, chapter 204B.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senator Senjem introduced—

S.F. No. 691: A bill for an act relating to energy; hydroelectric energy; establishing a revolving loan fund to facilitate the dredging of lakes to improve water flow for hydroelectric projects; requiring a report; appropriating money; amending Minnesota Statutes 2012, section 116C.779, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 216C.

Referred to the Committee on Finance.

Senator Senjem introduced—

S.F. No. 692: A bill for an act relating to transportation; highways; requiring placement of sign on marked Trunk Highway 52.

Referred to the Committee on Transportation and Public Safety.

Senators Dzedzic, Latz, Goodwin, Westrom and Cohen introduced—

S.F. No. 693: A bill for an act relating to civil actions; providing for the survival or continuation of an action after the death or disability of a party; proposing coding for new law in Minnesota Statutes, chapter 540; repealing Minnesota Statutes 2012, section 573.01.

Referred to the Committee on Judiciary.

Senator Dibble introduced—

S.F. No. 694: A bill for an act relating to transportation; establishing the governor's budget for transportation; appropriating money for transportation, Metropolitan Council, and public safety activities; providing for fund transfers and tort claims; establishing a transportation economic development account and related regulations; clarifying expenses not considered trunk highway purposes; modifying the grade crossing safety account; providing authority to issue revenue bonds; establishing a metropolitan area sales and use tax for transit; extending an effective date; making exemptions; amending Minnesota Statutes 2012, sections 161.20, subdivision 3; 219.1651; 473.39, by adding a subdivision; Laws 2009, chapter 9, section 1; proposing coding for new law in Minnesota Statutes, chapters 116J; 473.

Pursuant to Joint Rule 2.03, referred to the Committee on Rules and Administration.

Senator Dibble introduced—

S.F. No. 695: A bill for an act relating to energy; regulating conservation improvement investments for low-income programs; amending Minnesota Statutes 2012, section 216B.241, subdivision 7.

Referred to the Committee on Environment and Energy.

Senator Goodwin introduced—

S.F. No. 696: A bill for an act relating to retirement; Minnesota State Retirement System plans; clarifying language; removing obsolete language; revising outdated requirements; revising contribution rate revision procedures; revising disability standards and disability benefit administration procedures; merging the elected state officers retirement plan into the legislators retirement plan; revising pension commission standards provision; revising pension plan financial report contents provision; amending Minnesota Statutes 2012, sections 3.85, subdivision 10; 3A.011; 3A.03, subdivision 3; 3A.07; 3A.115; 3A.13; 3A.15; 352.01, subdivision 17b; 352.03, subdivision 8; 352.045, by adding subdivisions; 352.113, subdivisions 4, 6, 8, by adding subdivisions; 352.22, subdivision 3; 352.955, subdivisions 1, 3; 352B.011, subdivision 13; 352B.10, by adding a subdivision; 352D.04, subdivision 2; 356.20, subdivision 4; 356.214, subdivision 1; 356.215, subdivision 8; 356.30, subdivision 3; 356.401, subdivision 3; 356.415, subdivisions 1a, 2; proposing coding for new law in Minnesota Statutes, chapter 3A; repealing Minnesota Statutes 2012, sections 3A.02, subdivision 3; 352.045, subdivisions 3, 4; 352.955, subdivision 2; 352C.001; 352C.091, subdivision 1; 352C.10.

Referred to the Committee on State and Local Government.

Senator Hayden introduced—

S.F. No. 697: A bill for an act relating to human services; modifying a child care assistance financial eligibility provision; modifying commissioner's duties; amending Minnesota Statutes 2012, sections 119B.09, subdivision 9a; 256.01, by adding a subdivision.

Referred to the Committee on Health, Human Services and Housing.

Senators Saxhaug and Ingebrigtsen introduced—

S.F. No. 698: A bill for an act relating to natural resources; providing exemption for water-related service provider training; amending Minnesota Statutes 2012, section 84D.108, subdivision 2.

Referred to the Committee on Environment and Energy.

Senators Pappas, Torres Ray and Sheran introduced—

S.F. No. 699: A bill for an act relating to human services; requiring medical assistance to cover doula services; amending Minnesota Statutes 2012, section 256B.0625, by adding a subdivision.

Referred to the Committee on Health, Human Services and Housing.

MOTIONS AND RESOLUTIONS

Senator Rest moved that the name of Senator Hawj be added as a co-author to S.F. No. 70. The motion prevailed.

Senator Anderson moved that the name of Senator Nelson be added as a co-author to S.F. No. 208. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 329. The motion prevailed.

Senator Saxhaug moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 387. The motion prevailed.

Senator Koenen moved that the name of Senator Reinert be added as a co-author to S.F. No. 394. The motion prevailed.

Senator Dahle moved that the name of Senator Wiklund be added as a co-author to S.F. No. 406. The motion prevailed.

Senator Nienow moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 485. The motion prevailed.

Senator Jensen moved that the name of Senator Hoffman be added as a co-author to S.F. No. 494. The motion prevailed.

Senator Jensen moved that the name of Senator Hoffman be added as a co-author to S.F. No. 495. The motion prevailed.

Senator Ingebrigtsen moved that his name be stricken as a co-author to S.F. No. 503. The motion prevailed.

Senator Brown moved that the name of Senator Osmek be added as a co-author to S.F. No. 514. The motion prevailed.

Senator Scalze moved that the name of Senator Wiger be added as a co-author to S.F. No. 515. The motion prevailed.

Senator Dziejdzic moved that the name of Senator Wiger be added as a co-author to S.F. No. 525. The motion prevailed.

Senator Dziejdzic moved that the name of Senator Wiger be added as a co-author to S.F. No. 526. The motion prevailed.

Senator Sieben moved that the name of Senator Wiger be added as a co-author to S.F. No. 543. The motion prevailed.

Senator Miller moved that the names of Senators Bonoff and Petersen, B. be added as co-authors to S.F. No. 548. The motion prevailed.

Senator Metzen moved that his name be stricken as a co-author to S.F. No. 554. The motion prevailed.

Senator Metzen moved that his name be stricken as a co-author to S.F. No. 555. The motion prevailed.

Senator Dibble moved that the name of Senator Clausen be added as a co-author to S.F. No. 565. The motion prevailed.

Senator Champion moved that S.F. No. 205 be withdrawn from the Committee on Judiciary and returned to its author. The motion prevailed.

Senator Ortman moved that S.F. No. 646 be withdrawn from the Committee on Judiciary and returned to its author. The motion prevailed.

Senator Ingebrigtsen moved that S.F. No. 69 be withdrawn from the Committee on Judiciary and returned to its author. The motion prevailed.

Pursuant to Rule 5.1, Senator Nienow, chief author, moved that S.F. No. 339 be withdrawn from the Committee on Judiciary, given a second reading, and placed on General Orders.

CALL OF THE SENATE

Senator Nienow imposed a call of the Senate for the balance of the proceedings on S.F. No. 339. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson

Benson

Brown

Chamberlain

Dahms

Gazelka	Kiffmeyer	Nienow	Pratt	Westrom
Hall	Limmer	Ortman	Ruud	
Hann	Miller	Osmek	Senjem	
Housley	Nelson	Pederson, J.	Thompson	
Ingebrigtsen	Newman	Petersen, B.	Weber	

Those who voted in the negative were:

Bakk	Dziedzic	Jensen	Pappas	Sparks
Bonoff	Eaton	Johnson	Rest	Stumpf
Carlson	Eken	Kent	Saxhaug	Tomassoni
Champion	Franzen	Koenen	Scalze	Torres Ray
Clausen	Goodwin	Latz	Schmit	Wiger
Cohen	Hawj	Lourey	Sheran	Wiklund
Dahle	Hayden	Marty	Sieben	
Dibble	Hoffman	Metzen	Skoe	

The motion did not prevail.

Senator Bonoff moved that S.F. No. 352 be withdrawn from the Committee on Finance and re-referred to the Committee on Jobs, Agriculture and Rural Development. The motion prevailed.

Senator Nelson introduced –

Senate Resolution No. 35: A Senate resolution honoring Xiuqi Cao of Century Senior High School for receiving a Prudential Spirit of Community Award.

Referred to the Committee on Rules and Administration.

Senator Nelson introduced –

Senate Resolution No. 36: A Senate resolution congratulating Paulo Guimaraes for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Senjem introduced –

Senate Resolution No. 37: A Senate resolution honoring the 50th anniversary of the Frank B. Kellogg Middle School in Rochester, Minnesota.

Referred to the Committee on Rules and Administration.

Senators Hawj and Pappas introduced –

Senate Resolution No. 38: A Senate resolution honoring Charles Vu.

Referred to the Committee on Rules and Administration.

MEMBERS EXCUSED

Senators Fischbach and Reinert were excused from the Session of today. Senator Rosen was excused from the Session of today at 11:20 a.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Monday, February 25, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

