

FORTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, May 2, 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, Pastor Greg Pagh.

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 541: A bill for an act relating to liquor; regulating alcohol sales and distribution; authorizing various licenses; amending Minnesota Statutes 2012, sections 340A.301, subdivisions

6b, 6c, 7, 7a, by adding a subdivision; 340A.4042; 340A.418; Laws 1999, chapter 202, section 13; Laws 2012, chapter 235, section 8.

Senate File No. 541 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 1, 2013

CONCURRENCE AND REPASSAGE

Senator Metzen moved that the Senate concur in the amendments by the House to S.F. No. 541 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 541 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 57 and nays 4, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Hall	Limmer	Rest
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So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 887: A bill for an act relating to health; classifying criminal history record data on Minnesota Responds Medical Reserve Corps volunteers; requiring certain interviews for investigation of vulnerable adult complaints against HMO; enacting the Minnesota Radon Awareness Act; requiring radon education disclosure for residential real property; changing provisions for tuberculosis standards; changing adverse health events reporting requirements; modifying a poison control provision; providing liability coverage for certain volunteer medical

personnel and permitting agreements to conduct criminal background studies; changing provisions for body art establishments and body art technicians; defining occupational therapy practitioners; changing provisions for occupational therapy; amending prescribing authority for legend drugs; providing penalties; amending Minnesota Statutes 2012, sections 13.381, by adding a subdivision; 62Q.106; 144.1501, subdivision 4; 144.50, by adding a subdivision; 144.55, subdivision 3; 144.56, by adding a subdivision; 144.7065, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 144A.04, by adding a subdivision; 144A.45, by adding a subdivision; 144A.53, subdivision 2; 144A.752, by adding a subdivision; 144D.08; 145.93, subdivision 3; 145A.04, by adding a subdivision; 145A.06, subdivision 7; 146B.02, subdivisions 2, 8; 146B.03, by adding a subdivision; 146B.07, subdivision 5; 148.6402, by adding a subdivision; 148.6440; 151.37, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 144; 145A; 513; repealing Minnesota Statutes 2012, sections 144.1487; 144.1488; 144.1489; 144.1490; 144.1491; 146B.03, subdivision 10; 148.7808, subdivision 2; 148.7813; 325F.814; 609.2246.

Senate File No. 887 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 1, 2013

CONCURRENCE AND REPASSAGE

Senator Marty moved that the Senate concur in the amendments by the House to S.F. No. 887 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 887 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 45 and nays 17, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Jensen	Nienow	Sieben
Bonoff	Eken	Johnson	Reinert	Skoe
Carlson	Fischbach	Kent	Rest	Sparks
Champion	Franzen	Koenen	Rosen	Stumpf
Clausen	Goodwin	Lourey	Saxhaug	Tomassoni
Cohen	Hawj	Marty	Scalze	Torres Ray
Dahle	Hayden	Metzen	Schmit	Weber
Dibble	Hoffman	Miller	Senjem	Wiger
Dziedzic	Housley	Nelson	Sheran	Wiklund

Those who voted in the negative were:

Anderson	Gazelka	Kiffmeyer	Pederson, J.	Westrom
Benson	Hall	Limmer	Pratt	
Chamberlain	Hann	Newman	Ruud	
Dahms	Ingebrigtsen	Osmek	Thompson	

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

MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 947, 1120, 681 and 1113.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 1, 2013

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 947: A bill for an act relating to human services; distinguishing and clarifying law regarding civil commitment of sexually dangerous persons and persons with sexual psychopathic personalities from other civil commitments; amending Minnesota Statutes 2012, sections 253B.02, subdivisions 18a, 24; 253B.03, subdivision 1a; 253B.045, subdivision 1a; 253B.092, subdivision 1; 253B.17, subdivision 1; 253B.185; 253B.19, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 253D.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 490, now on General Orders.

H.F. No. 1120: A bill for an act relating to state government; requiring service on all parties for judicial review of contested case; amending Minnesota Statutes 2012, section 14.63.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 516, now on General Orders.

H.F. No. 681: A bill for an act relating to civil actions; changing the limitation period for civil actions involving sexual abuse; amending Minnesota Statutes 2012, section 541.073.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 534, now on General Orders.

H.F. No. 1113: A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying provisions for Legislative-Citizen Commission on Minnesota Resources; modifying requirements for land acquisition with trust fund money; amending Minnesota Statutes 2012, sections 116P.05, subdivisions 1, 2; 116P.09, subdivision 2; 116P.15; 116P.16; 116P.17; proposing coding for new law in Minnesota Statutes, chapter 116P.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 987, now on General Orders.

REPORTS OF COMMITTEES

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

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

S.F. No. 1272: A bill for an act relating to public health; establishing a healthy housing grant program; appropriating money for healthy housing grants and lead poisoning prevention activities; 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 3, line 5, delete "\$400,000" and insert "\$100,000" and delete "\$400,000" and insert "\$100,000"

Page 3, line 9, delete "\$800,000" and insert "\$300,000" and delete "\$800,000" and insert "\$300,000"

Page 3, line 13, delete "\$450,000" and insert "\$100,000" and delete "\$450,000" and insert "\$100,000"

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

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

S.F. No. 271: A bill for an act relating to transportation; modifying application procedures and requirements for driver's license; amending Minnesota Statutes 2012, section 171.06, subdivision 3; repealing Minnesota Rules, part 7410.0410, subparts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 14.

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 171.01, is amended by adding a subdivision to read:

Subd. 31c. **Driving privilege license.** "Driving privilege license" means a class D license, instruction permit, or provisional license to operate a motor vehicle issued or issuable under the laws of this state by the commissioner of public safety to a person who is unable to demonstrate legal presence in this country. A driving privilege license may be used only for driving and not as identification or proof of legal presence or citizenship. A driving privilege license must not be used or accepted for voter registration purposes under section 201.061. All provisions in this chapter relating to drivers' licenses, instruction permits, and provisional licenses, including cancellation, suspension, revocation, reinstatement, examination, restriction, expiration, renewal, and unlawful acts and violations, apply to a driving privilege license.

Sec. 2. Minnesota Statutes 2012, section 171.01, subdivision 37, is amended to read:

Subd. 37. **License.** "License" means any operator's license or any other license or permit to operate a motor vehicle issued or issuable under the laws of this state by the commissioner of public safety including:

- (1) any temporary license, driving privilege license, instruction permit, or provisional license;
- (2) the privilege of any person to drive a motor vehicle whether or not the person holds a valid license; and
- (3) any nonresident's operating privilege.

Sec. 3. Minnesota Statutes 2012, section 171.01, subdivision 49a, is amended to read:

Subd. 49a. **Valid license; valid driver's license.** "Valid license," "valid driver's license," "valid Minnesota driver's license," "valid standard driver's license," or other similar term, means any operator's license, provisional license, driving privilege license, temporary license, limited license, permit, or other license to operate a motor vehicle issued or issuable under the laws of this state by the commissioner, or by another state or jurisdiction if specified, that is:

- (1) not expired, suspended, revoked, or canceled; and
- (2) not disqualified for the class of vehicle being operated.

Sec. 4. Minnesota Statutes 2012, section 171.06, subdivision 1, is amended to read:

Subdivision 1. **Forms of application.** Every application for a Minnesota identification card, for an enhanced identification card, for an instruction permit, for a provisional license, for a driver's license, driving privilege license, or for an enhanced driver's license must be made in a format approved by the department, and every application must be accompanied by the proper fee. All first-time applications and change-of-status applications must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public. All applications requiring evidence of legal presence in the United States or United States citizenship must be signed in the presence of the person authorized to accept the application, or the signature on the application may be verified by a notary public.

Sec. 5. Minnesota Statutes 2012, section 171.06, subdivision 2, is amended to read:

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

Classified Driver's License	D-\$17.25	C-\$21.25	B-\$28.25	A-\$36.25
Classified Under-21 D.L.	D-\$17.25	C-\$21.25	B-\$28.25	A-\$16.25
<u>Driving Privilege License</u>	<u>D-\$17.25</u>	=	=	=
Enhanced Driver's License	D-\$32.25	C-\$36.25	B-\$43.25	A-\$51.25
Instruction Permit				\$5.25
Enhanced Instruction Permit				\$20.25
Provisional License				\$8.25
Enhanced Provisional License				\$23.25
Duplicate License or duplicate identification card				\$6.75
Enhanced Duplicate License or enhanced duplicate identification card				\$21.75

Minnesota identification card or Under-21 Minnesota identification card, other than duplicate, except as otherwise provided in section 171.07, subdivisions 3 and 3a	\$11.25
Enhanced Minnesota identification card	\$26.25

In addition to each fee required in this paragraph, the commissioner shall collect a surcharge of: (1) \$1.75 until June 30, 2012; and (2) \$1.00 from July 1, 2012, to June 30, 2016. Surcharges collected under this paragraph must be credited to the driver and vehicle services technology account in the special revenue fund under section 299A.705.

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

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

(d) In addition to the fee required under paragraph (a), a driver's license agent may charge and retain a filing fee as provided under section 171.061, subdivision 4.

(e) In addition to the fee required under paragraph (a), the commissioner shall charge a filing fee at the same amount as a driver's license agent under section 171.061, subdivision 4. Revenue collected under this paragraph must be deposited in the driver services operating account.

(f) An application for a Minnesota identification card, instruction permit, provisional license, driving privilege license, or driver's license, including an application for renewal, must contain a provision that allows the applicant to add to the fee under paragraph (a), a \$2 donation for the purposes of public information and education on anatomical gifts under section 171.075.

Sec. 6. Minnesota Statutes 2012, section 171.06, subdivision 3, is amended to read:

Subd. 3. ~~Contents of Application; other information requirements.~~ (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state:

- (i) the applicant's Social Security number; or
 - (ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant certifies that the applicant does not have a Social Security number;
- (4) in the case of an application for an enhanced driver's license or enhanced identification card, present:
- (i) proof satisfactory to the commissioner of the applicant's full legal name, United States citizenship, identity, date of birth, Social Security number, and residence address; and
 - (ii) a photographic identity document;
- (5) contain a space where the applicant may indicate a desire to make an anatomical gift according to paragraph (b);
- (6) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; ~~and~~
- (7) contain a space where the applicant may request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a; and
- (8) contain a space where the applicant must attest to a residence address in Minnesota.
- (b) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:
- (1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and
 - (2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.
- (c) The application must be accompanied also by information containing relevant facts relating to:
- (1) the effect of alcohol on driving ability;
 - (2) the effect of mixing alcohol with drugs;
 - (3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and

(4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

(d) A government identification card is:

(1) an acceptable form of proof of identity in application for a Minnesota identification card, instruction permit, or driver's license; and

(2) a primary document for purposes of Minnesota Rules, part 7410.0400.

(e) For purposes of this section, "government identification card" means a valid, unexpired passport issued by a country other than the United States with a certified birth certificate from a country other than the United States, the District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands. A passport and birth certificate under this paragraph must have security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology, using materials that are not readily available to the general public. Any document not in English must be accompanied by a qualified English translation.

EFFECTIVE DATE. This section is effective January 1, 2014.

Sec. 7. Minnesota Statutes 2012, section 171.07, subdivision 1, is amended to read:

Subdivision 1. **License; contents.** (a) Upon the payment of the required fee, the department shall issue to every qualifying applicant a license designating the type or class of vehicles the applicant is authorized to drive as applied for. This license must bear a distinguishing number assigned to the licensee; the licensee's full name and date of birth; either (1) the licensee's residence address, or (2) the designated address under section 5B.05; a description of the licensee in a manner as the commissioner deems necessary; and the usual signature of the licensee. No license is valid unless it bears the usual signature of the licensee. Every license must bear a colored photograph or an electronically produced image of the licensee. A driving privilege license must be plainly marked "FOR DRIVING ONLY."

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the license, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Every license issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) The department shall use processes in issuing a license that prohibit, as nearly as possible, the ability to alter or reproduce a license, or prohibit the ability to superimpose a photograph or electronically produced image on a license, without ready detection.

(e) A license issued to an applicant age 65 or over must be plainly marked "senior" if requested by the applicant.

Sec. 8. **ELECTION JUDGE TRAINING.**

The secretary of state shall inform each county auditor that a driving privilege license as defined in Minnesota Statutes, section 171.01, subdivision 31c, must not be used or accepted for voter registration purposes under Minnesota Statutes, section 201.061. Each county auditor must inform all election officials and election judges hired for an election that a driving privilege license must not be used or accepted for voter registration purposes under Minnesota Statutes, section 201.061. County auditors and municipal clerks must include this information in all election judge training courses.

Sec. 9. **REPEALER.**

Minnesota Rules, part 7410.0410, subparts 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, and 14, are repealed.

Sec. 10. **EFFECTIVE DATE.**

This act is effective January 1, 2014, for a new driver's license, permit, or identification card, and a renewal issued on or after that date."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "creating driving privilege license and setting fee for issuance;"

Amend the title numbers accordingly

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

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

S.F. No. 382: A bill for an act relating to commerce; regulating bullion coin dealers; requiring registration; prohibiting certain conduct; providing enforcement authority and criminal penalties; proposing coding for new law as Minnesota Statutes, chapter 80G.

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

Delete everything after the enacting clause and insert:

"Section 1. **[80G.01] DEFINITIONS.**

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

Subd. 2. **Bullion coin.** "Bullion coin" means any coin containing more than one percent by weight of silver, gold, platinum, or other precious metal.

Subd. 3. **Bullion coin dealer.** (a) Subject to the exceptions in paragraph (b), a "bullion coin dealer" means any person who buys, sells, solicits, or markets bullion coins or investments in bullion coins to consumers and is either incorporated, registered, domiciled, or otherwise located in this state, or who does business with a consumer domiciled, residing, or otherwise located in this state.

(b) A "bullion coin dealer" does not include any of the following persons:

(1) a person who engages only in wholesale bullion coin transactions with bullion coin dealers who sell at retail and are properly registered under this chapter;

(2) a person who engages only in transactions at occasional garage or yard sales held at the seller's residence, farm auctions held at the seller's residence, or estate sales held at the decedent's residence;

(3) a person who is properly registered pursuant to chapter 80A, or the federal Securities Exchange Act of 1934 and rules promulgated thereunder as a securities broker dealer or broker dealer agent;

(4) an auctioneer who auctions coins at auction on behalf of an owner, if the auctioneer does not take title or ownership of the coins;

(5) a person who engages only in transactions at occasional trade shows where the consumer is present and the transaction is made at the trade show; or

(6) a federally or state-chartered bank, bank and trust, savings bank, savings association, or credit union or any operating subsidiary of them.

Subd. 4. **Coin dealer representative.** "Coin dealer representative" means any natural person acting as an employee, contractor, or agent of a bullion coin dealer and who has interactions with consumers for the purpose of the buying, selling, solicitation, or marketing of bullion coins or investments in bullion coins.

Subd. 5. **Commissioner.** "Commissioner" means the commissioner of commerce.

Subd. 6. **Owner.** "Owner" means any person who has an ownership interest in a bullion coin dealer, regardless of whether directly or indirectly, of more than ten percent and who is actively engaged in the direction, management, oversight, or operation of the bullion coin dealer or its business affairs.

Subd. 7. **Person.** "Person" has the same meaning given in section 325F.68, subdivision 3.

Subd. 8. **Precious metal content.** "Precious metal content" means the quantity, measured in grams, of gold, silver, platinum, or other precious metal in a coin and the percentage that the precious metal constitutes of the total weight of the coin.

Sec. 2. **[80G.02] REGISTRATION.**

Subdivision 1. **Registration required.** Beginning July 1, 2014, it shall be unlawful for a bullion coin dealer or coin dealer representative to solicit, market, buy, sell, or deliver bullion coins or investments in bullion coins to a consumer without being registered by the commissioner as provided for in this chapter, if the bullion coin dealer has engaged in a bullion coin transaction or transactions with consumers during the 12-month period prior to July 1, 2014, that exceed \$5,000 in the aggregate, as determined by the transactions' sale prices. If a bullion coin dealer was not required to be registered beginning on July 1, 2014, the bullion coin dealer must submit an application to register itself and each of its coin dealer representatives within 30 days of reaching \$5,000 in the aggregate of bullion coin transactions with consumers in any 12-month period prior to July 1 of any calendar year, as determined by the transactions' sale prices. Once a bullion coin dealer is required to register itself and its coin dealer representatives, the coin dealer must thereafter renew its registration and the registration of each of its coin dealer representatives in accordance with this chapter, regardless of the aggregate amount of transactions, unless the person ceases to be a bullion coin dealer. A coin dealer representative may not buy, sell, solicit, or market bullion

coins or investments in bullion coins on behalf of a bullion coin dealer unless the dealer is properly registered with the commissioner under this section.

Subd. 2. **Registration obligations.** Registrations issued or renewed by the commissioner under this chapter shall expire on June 30 and must be renewed.

Subd. 3. **Registration application and renewal.** The application and renewal forms shall include the following information, as applicable, which shall be considered by the commissioner in determining whether to issue a registration and whether to thereafter renew the registration:

(1) the name, assumed names, doing business as names, including caller identification names, and business addresses of the bullion coin dealer, the name of each owner and officer, and the name and primary work location of each coin dealer representative. A bullion coin dealer who desires to carry on business in more than one location shall identify each address where business is conducted;

(2) if a bullion coin dealer is doing business under any name other than the dealer's legal name, documentation that the assumed name has been properly filed with the secretary of state;

(3) the telephone numbers, including cellular phone numbers, electronic mail addresses, and Web site domain names used or intended to be used by the bullion coin dealer and its coin dealer representatives to buy, sell, solicit, market, or deliver to consumers bullion coin or investments in bullion coin;

(4) the disclosure of all criminal convictions by any court within the last ten years for the bullion coin dealer and each officer and owner of the bullion coin dealer and for each of its coin dealer representatives;

(5) the disclosure of any civil judgments in favor of a government entity or government entity orders entered, filed, or issued against the bullion coin dealer, its officers and owners, or its coin dealer representatives within the last ten years for violation of consumer protection laws or unfair trade practice laws or for failure to account to a consumer for money or property received from the consumer;

(6) the disclosure of any settlement or other agreement with any government entity within the last ten years resolving concerns that the bullion coin dealer, its officers and owners, or its coin dealer representatives violated consumer protection or unfair trade practice laws, or for failure to account to a consumer for money or property received from the consumer; and

(7) the disclosure of any instance in which the bullion coin dealer, its officers and owners, and its coin dealer representatives were at any time permanently or temporarily prohibited by any court of competent jurisdiction or ordered to cease and desist as the result of a government agency action from engaging in buying, selling, soliciting, or marketing of bullion coin or investments in bullion coin. A bullion coin dealer may rely on the screening process provided for in section 80G.05 and the statements of its coin dealer representatives for the purposes of complying with the disclosure requirements of this clause relating to coin dealer representatives, provided that such reliance is reasonable, in good faith, and the bullion coin dealer has no knowledge of information suggesting that the screening results or statements are inaccurate.

Subd. 4. **Notice of change in registration information.** A bullion coin dealer must provide the commissioner written notice of a change in the dealer's name, assumed names, doing business as names, business addresses, including all business addresses at which it or its coin dealer

representatives conduct business, owners, electronic mail addresses, Web site domain names, or telephone numbers used by it or its coin dealer representatives to buy, sell, solicit, or market to consumers bullion coin or investments in bullion coin no later than ten days after the change occurs.

Subd. 5. **Registration fee; appropriation.** (a) The fee for each registration under this chapter shall be as follows:

(1) bullion coin dealers: \$25; and

(2) coin dealer representatives: \$10.

(b) The commissioner, based on the cost of processing registrations, may adjust the registration fee on an annual basis as needed.

(c) The commissioner must deposit the fees collected under this subdivision in the state treasury and credit the fee to a separate account in the special revenue fund. The amount collected under this subdivision is annually appropriated to the agency to implement and enforce this chapter.

Sec. 3. **[80G.03] REGISTRATION DENIAL, NONRENEWAL, REVOCATION AND SUSPENSION.**

Subdivision 1. **Authority.** The commissioner may, by order, suspend, revoke, or refuse to issue or renew a bullion coin dealer or coin dealer representative registration for any one or more of the following causes:

(1) providing incorrect, false, misleading, or incomplete information to the commissioner or refusing to allow a reasonable inspection of information and documents in the possession of the bullion coin dealer, coin dealer representative, or a third party or to allow a reasonable inspection of premises;

(2) obtaining or attempting to obtain a registration through misrepresentation or fraud;

(3) having a bullion coin dealer or coin dealer representative registration or its equivalent, including licensure under section 325F.73, denied, suspended, or revoked by any locality within the state or other state, province, district, or territory;

(4) being permanently or temporarily enjoined by any court of competent jurisdiction or being ordered to cease and desist by a government agency from engaging in or continuing any conduct or practice involving the buying, selling, soliciting, or marketing of bullion coins, investments in bullion coins, or precious metal to consumers;

(5) violating the provisions of this chapter or of sections 45.027; 325D.43 to 325D.48; 325F.67; 325F.68 to 325F.69; 325F.694; and 325F.73 to 325F.744, or federal or state taxation or labor law; or

(6) violating a subpoena or order of the commissioner or a court issued pursuant to this chapter or sections 45.027; 325D.43 to 325D.48; 325F.67; 325F.68 to 325F.69; 325F.694; 325F.70; and 325F.73 to 325F.744.

Subd. 2. **Bullion coin dealer responsibility for actions of coin dealer representatives.** The commissioner may take action against a bullion coin dealer for any violations of this chapter by its coin dealer representatives conducting activities on behalf of or at the direction of the bullion coin dealer. The commissioner may also take action against the coin dealer representative.

Subd. 3. **Other authority of the commissioner.** If a registration lapses, is surrendered, withdrawn, terminated, or otherwise becomes ineffective, the commissioner may institute a proceeding under this subdivision within two years after the registration was last effective and enter a revocation order as of the last date on which the registration was in effect, and impose a civil penalty as provided for in section 45.027, subdivision 6.

Subd. 4. **Effect of revocation.** A revocation of a registration prohibits the bullion coin dealer or coin dealer representatives from making a new application for a registration for at least two years from the effective date of the revocation.

Sec. 4. **[80G.04] CRIMINAL CONVICTIONS.**

Subdivision 1. **Bullion coin dealer registration precluded.** The commissioner must deny an application for registration or renewal of a bullion coin dealer, or revoke such registration, if the bullion coin dealer or its owners or officers have within the last ten years been convicted in any court of any financial crime or other crime involving fraud or theft.

Subd. 2. **Coin dealer representative registration precluded.** The commissioner must deny an application for registration or renewal of a coin dealer representative, or revoke such registration, if the coin dealer representative has within the last ten years been convicted in any court of any financial crime or other crime involving fraud or theft.

Sec. 5. **[80G.05] SCREENING.**

Subdivision 1. **Screening process required.** Each bullion coin dealer must establish procedures to screen each of its owners and officers and each of its coin dealer representatives prior to submitting the application to the commissioner for initial registration and at each renewal. The results of such screenings shall be provided to the commissioner as part of the initial registration and all renewal registrations if requested by the commissioner.

Subd. 2. **Initial screening.** The screening process for initial registration must be done no more than 60 days before the submission of an application for registration. The process must include a national criminal history record search, a judgment search, and a county criminal history search for all counties where the owner, officer, or coin dealer representative has resided within the immediately preceding ten years. Each bullion coin dealer shall use a reputable, reliable, and accurate vendor authorized to do business in Minnesota to conduct the background screening process on its owners, officers, and coin dealer representatives.

Subd. 3. **Renewal screening.** The screening process for the renewal of a registration must include a national criminal history record search, a judgment search, and county criminal history search for all counties where the owner, officer, or coin dealer representative has resided since satisfactorily completing the last screening process conducted pursuant to this section. Screening for renewal of the owner, officer, and coin dealer representative registrations must take place no more than 60 days before the submission of an application for renewal of a registration.

Sec. 6. **[80G.06] SURETY BOND.**

Subdivision 1. **Surety bond requirement.** Every bullion coin dealer shall maintain a current, valid surety bond issued by a surety company admitted to do business in Minnesota in an amount based on the transactions (purchases from and sales to consumers at retail) during the 12-month period prior to registration, or renewal, whichever is applicable.

The amount of the surety bond shall be as specified in the table below:

<u>Transaction Amount in Preceding 12-month Period</u>	<u>Surety Bond Required</u>
<u>\$0 to \$200,000</u>	<u>\$25,000</u>
<u>\$200,000.01 to \$500,000</u>	<u>\$50,000</u>
<u>\$500,000.01 to \$1,000,000</u>	<u>\$100,000</u>
<u>\$1,000,000.01 to \$2,000,000</u>	<u>\$150,000</u>
<u>Over \$2,000,000</u>	<u>\$200,000</u>

Subd. 2. **Action on bond permitted.** A consumer injured in money or property by a bullion coin dealer's or coin dealer representative's failure to provide bullion coins that the consumer has paid for or failure to remit money or goods owed to the consumer in connection with the consumer's sale of bullion coins may file a claim with the surety and if the claim is not paid, is authorized to bring an action based on the bond and recover against the surety. The commissioner or attorney general may also file a claim and bring an action on the bond and recover against the surety on behalf of a consumer so injured.

Sec. 7. **[80G.07] PROHIBITED CONDUCT.**

Subdivision 1. **Sales practices.** No bullion coin dealer or coin dealer representative shall:

(1) prior to a transaction regarding bullion coins, or concurrent with the delivery thereof, fail to provide to the consumer in writing, in a clear and conspicuous manner, the sale or purchase price and the precious metal content of the bullion coins involved in the transaction. The written notice shall also include the bullion coin dealer's registration identification information issued by the commissioner, and the Department of Commerce's e-mail address and telephone number. A copy of the written notice shall be provided to the consumer and a copy retained by the bullion coin dealer;

(2) fail to deliver bullion coins to a consumer within the time agreed upon with the consumer or, if no such agreement exists, within 30 days after the consumer has paid for the coins;

(3) fail to pay a consumer for purchased bullion coins within the time agreed upon with the consumer or, if no such agreement exists, within 30 days after the consumer has provided the coins;

(4) fail to provide a written invoice at the time of the transaction specifically identifying and describing the bullion coins involved in the transaction, the quantity of bullion coins involved in the transaction, and the bullion coins' sale or purchase price and precious metal content. The written invoice shall include the bullion coin dealer registration identification information issued by the commissioner, and the Department of Commerce's e-mail address and telephone number. A copy of the transaction documentation shall be provided to the consumer and a copy retained by the bullion coin dealer;

(5) misrepresent the delivery date of bullion coins or payment for bullion coins, or the dealer or representative's professional qualifications, affiliations, or registration;

(6) misrepresent any material aspect of a bullion coin, including its performance, efficacy, nature, investment value, central characteristics, liquidity, earnings potential, or profitability;

(7) misrepresent the manner in which any bullion coins a consumer provides will be stored or otherwise handled once received;

(8) renegotiate the terms of a sale or purchase after receiving a consumer's payment or bullion coins without first obtaining the consumer's agreement to renegotiate and offering the consumer the option to have the payment fully refunded or the entirety of the bullion coins returned;

(9) fail to respond within three business days to a consumer inquiry about the delivery status of bullion coins that the consumer has paid for but not yet received or the status of a payment for bullion coins that the consumer has already provided;

(10) telephone or solicit a consumer, or sell or provide the consumer's name to any other bullion coin dealer or coin dealer representative, after the consumer requests not to be contacted;

(11) violate a subpoena or order of the commissioner or a court;

(12) make any communication to a potential buyer or seller of bullion coins that misrepresents the relationship, if any, between the bullion coin dealer or coin dealer representative and any government agency or mint;

(13) improperly withhold, misappropriate, or convert any money or properties received in the course of buying, selling, soliciting, or marketing bullion coins or investments in bullion coins to consumers;

(14) misrepresent the terms of an actual or proposed purchase or sale of bullion coins or investment in bullion coins to a consumer; or

(15) violate any other federal, state, or local law or rule related to selling, purchasing, soliciting, or marketing of bullion coin, investments in bullion coin, or precious metals, or any federal, state, or local law related to fraudulent, coercive, or dishonest practices, or federal, state, or local law related to taxation or labor standards.

Subd. 2. **Application.** From August 1, 2013, to June 30, 2014, section 80G.07 shall apply to any bullion coin dealer and its coin dealer representatives if the bullion coin dealer is engaged in a bullion coin transaction or transactions with consumers which exceed \$5,000 in the aggregate, as determined by the transaction sale prices, during the 12-month period prior to August 1, 2013. On or after July 1, 2014, section 80G.07 shall apply to any bullion coin dealer and its coin dealer representatives which is or should be registered in accordance with the provisions of this chapter.

Sec. 8. [80G.08] CRIMINAL VIOLATION.

A person who conducts business as a bullion coin dealer or as a coin dealer representative without having first registered with the commissioner, or who carries on such business after the revocation, suspension, or expiration of a registration, or who violates section 80G.07, subdivision 1, clause (2) or (3), is guilty of a misdemeanor.

Sec. 9. [80G.09] OTHER ACTION; LOCAL AUTHORITY.

Nothing in this chapter precludes an action under chapter 80A or preempts local government authority under section 325F.742.

Sec. 10. **[80G.10] INVESTIGATIONS AND CIVIL ENFORCEMENT.**

Subdivision 1. **Civil action instituted by commissioner.** If the commissioner believes that a person has engaged, is engaging, or is about to engage in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter or that a person has, is, or is about to engage in an act, practice, or course of business that materially aids a violation of this chapter or a rule adopted or order issued under this chapter, the commissioner may maintain an action in the district court to enjoin the act, practice, or course of business and to enforce compliance with this chapter or a rule adopted or order issued under this chapter.

Subd. 2. **Relief available.** In an action under this section and on a proper showing, the court may:

(1) issue a permanent or temporary injunction, restraining order, or declaratory judgment;

(2) order other appropriate or ancillary relief, which may include:

(i) an asset freeze, accounting, writ of attachment, writ of general or specific execution, and appointment of a receiver or conservator, that may be the commissioner, for the defendant or the defendant's assets;

(ii) ordering the commissioner to take charge and control of a defendant's property, including investment accounts and accounts in a depository institution, rents, and profits; to collect debts; and to acquire and dispose of property;

(iii) imposing a civil penalty up to \$10,000 for each violation; an order of rescission, restitution, or disgorgement directed to a person that has engaged in an act, practice, or course of business constituting a violation of this chapter or a rule adopted or order issued under this chapter or the predecessor act; and

(iv) ordering the payment of prejudgment and post judgment interest; or

(3) order such other relief as the court considers appropriate.

Subd. 3. **No bond required.** The commissioner may not be required to post a bond in an action or proceeding under this chapter.

Subd. 4. **Commissioner authority.** (a) If the commissioner determines that a person has engaged, is engaged, or is about to engage in an act, practice, or course of conduct constituting a violation of this chapter or a rule adopted or order issued under this chapter or that a person has materially aided, is materially aiding, or is about to materially aid an act, practice or course of conduct constituting a violation of this chapter or rule adopted or order issued under this chapter the commissioner may:

(1) issue an order directing the person to cease and desist from engaging in the act, practice or conduct or to take other action necessary or appropriate to comply with this chapter; or

(2) issue an order denying, suspending, revoking or conditioning the registration of a bullion coin dealer or coin dealer representative.

(b) Upon issuance of an order, the commissioner shall promptly serve each person subject to the order with a copy of the order and a notice that the order has been issued. The order must include a statement of the reasons for the order and whether the commissioner will seek a civil penalty or

costs of the investigation, and notice that the person must, within 30 days of being served with the order, request in writing a hearing and that within 15 days after receipt of a written hearing request from the person, the matter will be scheduled for a hearing. If a person subject to the order does not request a hearing within 30 days after the date of service of the order, the order becomes final as to that person by operation of law. If a hearing is requested, the commissioner, after notice of an opportunity for hearing to each person subject to the order, may modify or vacate the order or extend it until final determination.

(c) If a hearing is requested pursuant to paragraph (b), a hearing must be held under chapter 14 and a final order may not be issued unless the commissioner makes findings of fact and conclusions of law in a record according to chapter 14. The final order may make final, vacate, or modify the order issued under paragraph (a).

(d) If a petition for judicial review of a final order is not filed in accordance with chapter 14, the commissioner may file a certified copy of the final order with the clerk of a court of competent jurisdiction. The order so filed has the same effect as a judgment of the court and may be recorded, enforced, or satisfied in the same manner as a judgment of the court.

(e) If a person does not comply with an order under this section, the commissioner may petition a court of competent jurisdiction to enforce the order. The court may not require the commissioner to post a bond in an action or proceeding under this section. If the court finds, after service and opportunity for hearing, that the person was not in compliance with the order, the court may adjudge the person in civil contempt of the order. The court may impose a further civil penalty against the person for contempt in an amount up to \$10,000 for each violation and may grant any other relief the court determines is just and proper in the circumstances.

(f) In addition to the authority granted under this chapter, the commissioner has all the authority provided under section 45.027 to ensure compliance with this chapter.

Sec. 11. EFFECTIVE DATE.

This act is effective August 1, 2013."

Amend the title accordingly

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

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

S.F. No. 677: A bill for an act relating to elections; making policy, technical, and clarifying changes to various provisions related to election law, including provisions related to redistricting, voting, absentee voting, vacancies in nomination, recounts, challengers, and election administration; providing early voting; modifying eligibility requirements for voting by absentee ballot; establishing the Uniform Faithful Presidential Electors Act; changing the date of the state primary from August to June; appropriating money; amending Minnesota Statutes 2012, sections 13.851, subdivision 10; 103C.225, subdivision 3; 103C.305, subdivision 3; 103C.311, subdivision 2; 201.022, subdivision 1; 201.054, subdivision 2, by adding a subdivision; 201.071, subdivision 2; 201.091, subdivision 8; 201.12, subdivision 3; 201.13, subdivision 1a; 201.14; 201.157; 201.275; 202A.14, subdivision 1; 203B.001; 203B.01, by adding a subdivision; 203B.02, subdivision 1; 203B.03, subdivision 1; 203B.04, subdivisions 1, 5; 203B.05, subdivision 1; 203B.06, subdivisions 1, 3; 203B.065; 203B.08, subdivision 3; 203B.081; 203B.085; 203B.121, subdivisions 1, 3, 4,

5, by adding a subdivision; 203B.227; 203B.28; 204B.04, by adding a subdivision; 204B.07, subdivision 2; 204B.13, subdivisions 1, 2, 5, by adding subdivisions; 204B.14, subdivisions 2, 4; 204B.18, subdivision 2; 204B.21, subdivision 1; 204B.22, subdivisions 1, 2; 204B.28, subdivisions 1, 2; 204B.32, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.36, subdivision 1; 204B.45, subdivisions 1, 2; 204B.46; 204C.07, subdivisions 1, 2, 4, by adding a subdivision; 204C.14; 204C.15, subdivision 1; 204C.19, subdivision 2; 204C.25; 204C.27; 204C.35, subdivision 1, by adding a subdivision; 204C.36, subdivision 1; 204D.03, subdivision 1; 204D.08, subdivision 6; 204D.09, subdivisions 1, 2; 204D.11, subdivisions 1, 4, 5, 6; 204D.13, subdivision 3; 204D.14, subdivisions 1, 3; 204D.15, subdivision 3; 204D.16; 204D.165; 204D.19, subdivision 2, by adding a subdivision; 204D.28, subdivision 5; 205.02, subdivision 2; 205.065, subdivisions 1, 2; 205.10, subdivision 3; 205.13, subdivision 1a, by adding a subdivision; 205.16, subdivisions 4, 5; 205.17, subdivisions 1, 3; 205A.03, subdivisions 1, 2; 205A.04, by adding a subdivision; 205A.05, subdivisions 1, 2; 205A.06, subdivision 1a, by adding a subdivision; 205A.07, subdivisions 3, 3a, 3b; 205A.08, subdivision 1; 205A.11, subdivision 2a; 206.61, subdivisions 4, 5; 206.82, subdivisions 1, 2; 206.83; 206.89, subdivisions 2, 3; 206.895; 206.90, subdivision 6; 208.02; 208.03; 208.04, subdivisions 1, 2; 208.06; 209.01, subdivision 2; 211B.045; 211B.37; 241.065, subdivision 2; 340A.416, subdivisions 2, 3; 340A.602; 375.20; 447.32, subdivisions 2, 3, 4; Laws 1963, chapter 276, section 2, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 2; 203B; 204B; 208; 244; repealing Minnesota Statutes 2012, sections 2.444; 2.484; 203B.04, subdivision 6; 204B.12, subdivision 2a; 204B.13, subdivisions 4, 6; 204B.42; 204D.11, subdivisions 2, 3; 205.17, subdivisions 2, 4; 205A.08, subdivision 4; 208.07; 208.08.

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

Page 4, line 19, delete "the office of the county auditor or designated municipal clerk" and insert "polling places designated in the county auditor's offices in county-owned or operated buildings or at the municipal clerk's office"

Page 9, delete section 18

Page 10, line 20, delete "or oath"

Page 10, line 21, delete "or request"

Page 13, delete section 6

Page 21, after line 2, insert:

"Sec. 4. Minnesota Statutes 2012, section 123A.48, subdivision 14, is amended to read:

Subd. 14. **Election.** The board shall determine the date of the election, the number of boundaries of voting precincts, and the location of the polling places where voting shall be conducted, and the hours the polls will be open. The board shall also provide official ballots which must be used exclusively and shall be in the following form:

For consolidation

Against consolidation Shall the (name of school district) and the (name of school district) be consolidated as proposed? Yes.... No....

The board must appoint election judges who shall act as clerks of election. The ballots and results must be certified to the board who shall canvass and tabulate the total vote cast for and against the proposal."

Page 25, line 2, delete ", except that" and insert a period

Page 27, line 11, after "election" insert ", unless the candidate withdraws the initial affidavit pursuant to section 204B.12"

Page 28, line 26, strike ", the cost of printing" and strike "ballots,"

Page 34, line 1, after "head" insert "election"

Page 47, after line 11, insert:

"Sec. 69. Minnesota Statutes 2012, section 206.57, is amended by adding a subdivision to read:

Subd. 8. **Ballot boxes.** Notwithstanding Minnesota Rules, part 8230.4355, ballot boxes used with precinct count voting systems are not required to contain two separate compartments to receive ballots.

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

Page 47, line 22, after the period, insert "The postelection review must not begin before the 11th day after the state general election and must be completed no later than the 18th day after the state general election."

Page 47, line 25, before "The" insert "The ballots to be reviewed for a precinct include both the ballots counted at the polling place for that precinct and the absentee ballots counted centrally by a ballot board for that precinct."

Page 48, delete section 71 and insert:

"Sec. 71. Minnesota Statutes 2012, section 206.89, is amended by adding a subdivision to read:

Subd. 2a. **Exception.** No review is required for an office that is recounted as provided in section 204C.35, subdivision 1."

Page 55, line 8, strike "the chief"

Page 55, line 9, strike everything before "the"

Page 55, line 10, strike everything after "211B.32"

Page 55, strike lines 11, 12, and 13

Page 55, line 14, strike the old language

Page 55, line 18, delete the new language and insert "must be paid from the appropriations to the"

Page 59, delete section 99

Page 63, line 6, before "correctional" insert "state adult"

Page 63, line 7, delete everything after "facilities" and insert a period

Page 63, line 13, before "correctional" insert "state adult" and delete "in which only"

Page 63, line 14, delete everything before the period

Page 65, delete section 10

Page 70, line 23, delete "Sections 1 to 14 are" and insert "This article is"

Page 70, after line 24, insert:

"ARTICLE 8

ELECTRONIC ROSTERS

Section 1. ELECTRONIC ROSTER PILOT PROJECT.

Subdivision 1. **Established.** A pilot project is established to explore the use of electronic rosters in conducting elections. Jurisdictions participating in the project may use electronic rosters to process election day registration, to verify the registration status of preregistered voters, or both. The pilot project shall apply to general elections for home rule charter or statutory cities conducted in participating cities in 2013. The standards for conducting the pilot project are provided in this section.

Subd. 2. **Participating cities.** Precincts located in Dilworth, Minnetonka, Moorhead, Saint Anthony, and Saint Paul may participate in the project. In participating cities, the head elections official may designate individual precincts in the jurisdiction to participate. A city is not required to use electronic rosters in all precincts.

Subd. 3. **Technology requirements.** (a) In participating precincts, an electronic poll book must:

(1) be able to be loaded with a data file that includes voter registration data in a file format prescribed by the secretary of state;

(2) allow for data to be exported in a file format prescribed by the secretary of state;

(3) allow for data to be entered manually or by scanning a Minnesota driver's license or identification card to populate a voter registration application that would be printed and signed and dated by the voter;

(4) provide for a printed voter's signature certificate, containing the voter's name, address of residence, date of birth, voter identification number, the oath required by Minnesota Statutes, section 204C.10, and a space for the voter's original signature;

(5) immediately alert the election judge if the electronic poll book indicates that a voter has already voted, the voter's registration status is challenged, or it appears the voter resides in a different precinct;

(6) provide immediate instructions on how to resolve a particular type of challenge when a voter's record is challenged; and

(7) perform any other functions necessary for the efficient and secure administration of participating election, as determined by the secretary of state.

(b) In precincts using electronic rosters only for election day registration, the technology does not need to comply with paragraph (a), clause (4), (5), or (6).

Subd. 4. **Minnesota election law; other law.** Except as provided in this section, the provisions of the Minnesota Election Law apply to this pilot project, so far as practicable. Voters participating in the safe at home program must be allowed to vote pursuant to Minnesota Statutes, section 5B.06. Nothing in this section shall be construed to amend absentee voting provisions in Minnesota Statutes, chapter 203B.

Subd. 5. **Election records retention.** All voter's signature certificates and voter registration applications printed from an electronic poll book shall be retained pursuant to Minnesota Statutes, section 204B.40. Data on election day registrants must be uploaded to the statewide voter registration system for processing by county auditors.

Subd. 6. **Election day.** Participating precincts may use electronic rosters for election day registration, to verify registration status of preregistered voters, or both. In precincts using electronic rosters to verify registration status of preregistered voters, the election judges shall also use a paper roster.

Subd. 7. **Evaluation.** The secretary of state must evaluate the pilot project and must report to the legislative committees with jurisdiction over elections by January 31, 2014, on the results of the evaluation. The report must include:

(1) a description of the technology that was used and explanation of how that technology was selected;

(2) the process used for implementing electronic poll books;

(3) a description of training that was conducted for election judges and other election officials in precincts that used electronic poll books;

(4) the number of voters who voted in each precinct using electronic poll books;

(5) comments, feedback, or recommendations from election judges and others in a precinct using electronic poll books;

(6) the costs associated with the use of electronic poll books, broken down by precinct;

(7) comments, feedback, or recommendations from the participating cities and counties regarding data transfers and other exchanges of information; and

(8) any other feedback or recommendations the secretary of state believes are relevant to evaluating the pilot project.

Subd. 8. **Expiration.** The authorization for this pilot project expires upon submission of the report as provided in subdivision 7.

Sec. 2. **ELECTRONIC ROSTER TASK FORCE.**

Subdivision 1. **Membership.** (a) The Electronic Roster Task Force consists of the following 15 members:

(1) the director of the Department of Public Safety, Division of Vehicle Services, or designee;

(2) the secretary of state, or designee;

(3) an individual designated by the secretary of state, from the elections division in the Office of the Secretary of State;

- (4) the chief information officer of the state of Minnesota, or designee;
- (5) one county auditor appointed by the Minnesota Association of County Officers;
- (6) one town election official appointed by the Minnesota Association of Townships;
- (7) one city election official appointed by the League of Minnesota Cities;
- (8) one school district election official appointed by the Minnesota School Boards Association;
- (9) one representative appointed by the speaker of the house of representatives;
- (10) one representative appointed by the minority leader of the house of representatives;
- (11) one senator appointed by the senate Subcommittee on the Committee of the Committee on Rules and Administration;
- (12) one senator appointed by the senate minority leader;
- (13) one person appointed by the governor, familiar with electronic roster technology but who does not represent a specific vendor of the technology; and
- (14) two election judges appointed by the governor.

(b) Any vacancy shall be filled by appointment of the appointing authority for the vacating member.

(c) Members shall be appointed by June 1, 2013.

Subd. 2. **Conflict of interest.** No member of the task force may have a financial interest in a manufacturer or distributor of electronic roster technology.

Subd. 3. **Duties.** The task force must research the following issues:

- (1) electronic roster technology, including different types of electronic rosters;
- (2) the ability to use photographs received from the Department of Vehicle Services;
- (3) the ability to add photographs to the roster on election day;
- (4) data security in electronic rosters, the statewide voter registration system, and the Department of Vehicle Services;
- (5) reliability of Department of Vehicle Services data, including the ability to match names and photographs without duplication;
- (6) ability of precincts across the state to connect an electronic roster to a secure network to access the statewide voter registration system; and
- (7) direct and indirect costs associated with using electronic rosters.

Subd. 4. **First meeting.** The secretary of state, or the secretary's designee, must convene the initial meeting of the task force by July 1, 2013. The members of the task force must elect a chair and a vice-chair from the members of the task force at the first meeting.

Subd. 5. **Compensation.** Public members of the task force shall be compensated pursuant to Minnesota Statutes, section 15.059, subdivision 3.

Subd. 6. **Staff.** The Legislative Coordinating Commission shall provide staff support, as needed, to facilitate the task force's work.

Subd. 7. **Report.** The task force must submit a report by January 31, 2014, to the chairs and ranking minority members of the committees in the senate and house of representatives with primary jurisdiction over elections, summarizing its findings and listing recommendations on the implementation of electronic rosters statewide. The report shall include draft legislation to implement the recommendations of the task force.

Subd. 8. **Sunset.** The task force shall sunset the day following submission of the report under subdivision 7, or January 31, 2014, whichever is earlier.

Sec. 3. **EFFECTIVE DATE.**

This article is effective the day following final enactment.

ARTICLE 9

APPROPRIATION

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2014" and "2015" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2014, or June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal year 2015. "The biennium" is fiscal years 2014 and 2015.

	APPROPRIATIONS		
	Available for the Year		
	Ending June 30		
	<u>2014</u>	<u>2015</u>	
Sec. 2. LEGISLATIVE COORDINATING COMMISSION	\$	21,000 \$	-0-
<u>\$21,000 the first year is for the purposes of the Electronic Roster Task Force established in article 8, section 2.</u>			
Sec. 3. SECRETARY OF STATE	\$	433,000 \$	135,000
<u>\$130,000 the first year is for early voting modifications to the statewide voter registration system in article 2. The base is \$26,000 in fiscal year 2016.</u>			
<u>\$46,000 the first year is for computer programming costs for absentee voting in</u>			

article 3. The base for fiscal year 2016 is \$9,000.

\$20,000 the first year is for inclusion of vital records death reports from other states in the statewide voter registration system in article 5.

\$75,000 the first year to develop functionality within the statewide voter registration system to facilitate the processing and tracking of mail ballots submitted under Minnesota Statutes, sections 204B.45 and 204B.46.

\$95,000 the first year and \$95,000 the second year is for entering into an interagency agreement with the commissioner of corrections for data programming costs related to the loss and restoration of voting rights in article 6.

\$40,000 in the second year is for notifying individuals currently on, or exiting, probation before the general election as to whether their right to vote has been restored as provided in article 6. The base for fiscal year 2016 is \$40,000 and available for the biennium.

\$67,000 the first year is for implementing the electronic roster pilot program in article 8, section 1."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the first semicolon, insert "establishing a pilot project for conducting elections using electronic roster technology; creating the Electronic Roster Task Force; requiring a report;"

Amend the title numbers accordingly

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

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

S.F. No. 796: A bill for an act relating to natural resources; modifying game and fish laws; modifying trespassing laws; providing for certain license seizure; modifying fees; modifying invasive species laws; modifying watercraft provisions; modifying exemptions for the Minnesota Zoological Garden; providing for a special local law in six counties to protect surface water and groundwater; requiring rulemaking; appropriating money; amending Minnesota Statutes 2012, sections 84.027, subdivision 13, by adding subdivisions; 84D.01, subdivision 15a; 84D.03,

subdivision 4; 84D.09; 84D.10, subdivisions 1, 4; 84D.105, subdivision 2; 84D.11, by adding subdivisions; 84D.13, subdivision 2, by adding a subdivision; 85A.02, subdivision 10; 86B.005, subdivision 18, by adding subdivisions; 86B.13, by adding a subdivision; 86B.301, subdivision 2; 86B.501, subdivision 1; 86B.825, subdivision 2; 97A.051, subdivision 2; 97A.135, subdivision 3; 97A.420, subdivision 1; 97A.441, subdivision 6; 97A.445, subdivision 1; 97A.451, subdivisions 3, 3b, 4, 5, by adding a subdivision; 97A.475, subdivisions 2, 3, 8; 97A.485, subdivision 6; 97B.001, subdivisions 3, 4; 97B.0215; 97B.022, subdivision 2; 97B.055, subdivision 2; 97B.071; 97B.112; 97C.341; 97C.345, subdivisions 1, 2; 97C.376, subdivisions 1, 2, 3; 103G.271, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103G; repealing Minnesota Statutes 2012, sections 84D.01, subdivision 22; 97A.451, subdivision 4a; 97C.346.

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

Page 13, delete section 26 and insert:

"Sec. 26. Minnesota Statutes 2012, section 97A.441, subdivision 6, is amended to read:

Subd. 6. **Taking deer; disabled veterans.** A person authorized to issue licenses must issue, without a fee, a license to take deer with firearms or by archery to a resident that is a veteran, as defined in section 197.447, and that has a 100 percent service connected disability as defined by the United States Veterans Administration upon being furnished satisfactory evidence. The commissioner, upon request, must issue a permanent license to a veteran eligible for a license under this subdivision. A person issued a permanent license must register with a license agent and receive site tags each year that the license is used. The site tags shall be issued at no charge to the licensee."

Page 21, after line 10, insert:

"Sec. 41. Minnesota Statutes 2012, section 97B.031, subdivision 5, is amended to read:

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

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

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

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

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

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

Page 24, delete section 50

Page 25, delete section 51

Page 26, line 17, delete "45 and 46" and insert "46 and 47"

Page 27, delete section 57

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 5, delete everything after the semicolon

Page 1, line 6, delete everything before "requiring"

Page 1, line 7, delete everything before "amending"

Amend the title numbers accordingly

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. 829 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
829	967				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 829 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 829, the second engrossment; and insert the language after the enacting clause of S.F. No. 967, the first engrossment; further, delete the title of H.F. No. 829, the second engrossment; and insert the title of S.F. No. 967, the first engrossment.

And when so amended H.F. No. 829 will be identical to S.F. No. 967, and further recommends that H.F. No. 829 be given its second reading and substituted for S.F. No. 967, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 938 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
938	675				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 938 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 938, the second engrossment; and insert the language after the enacting clause of S.F. No. 675, the first engrossment; further, delete the title of H.F. No. 938, the second engrossment; and insert the title of S.F. No. 675, the first engrossment.

And when so amended H.F. No. 938 will be identical to S.F. No. 675, and further recommends that H.F. No. 938 be given its second reading and substituted for S.F. No. 675, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1138 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.
1138	971				

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

H.F. No. 1221 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.
1221	626				

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

H.F. No. 1400 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.
1400	1423				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1272, 271, 382, 677 and 796 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 829, 938, 1138, 1221 and 1400 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Dibble; Petersen, B.; Goodwin; Tomassoni and Eken introduced—

S.F. No. 1641: A bill for an act relating to health; permitting the medical use of marijuana; setting fees; authorizing rulemaking; providing criminal and civil penalties; appropriating money; amending Minnesota Statutes 2012, section 13.3806, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 152.

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

Senators Eaton, Hayden, Nienow and Marty introduced—

S.F. No. 1642: A bill for an act relating to health; authorizing use of complementary and alternative health care practices by health care practitioners; proposing coding for new law in Minnesota Statutes, chapter 214.

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

Senators Pederson, J. and Stumpf introduced—

S.F. No. 1643: A bill for an act relating to capital investment; appropriating money for the Minnesota correctional facility in St. Cloud; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Bonoff, Cohen and Bakk introduced—

S.F. No. 1644: A bill for an act relating to higher education; appropriating money for grants for diabetes prevention, treatment, and cure.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Senator Eaton moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Hoffman be added as chief author to S.F. No. 1615. The motion prevailed.

RECESS

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

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

CALL OF THE SENATE

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Latz moved that the following members be excused for a Conference Committee on S.F. No. 671 at 2:15 p.m.:

Senators Latz, Dibble, Goodwin, Dziedzic and Limmer. The motion prevailed.

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Tomassoni moved that the following members be excused for a Conference Committee on H.F. No. 976 at 2:15 p.m.:

Senators Tomassoni, Sparks, Saxhaug, Metzen and Westrom. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED**SPECIAL ORDERS**

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

H.F. Nos. 194, 459, S.F. Nos. 1564, 340, H.F. No. 588 and S.F. No. 17.

SPECIAL ORDER

H.F. No. 194: A bill for an act relating to commerce; preventing fraud; requiring a money transmitter to notify the sender when someone tries to receive wired funds at a location other than the location specified by the sender; amending Minnesota Statutes 2012, section 53B.27, by adding a subdivision.

Senator Bonoff moved to amend H.F. No. 194, as amended pursuant to Rule 45, adopted by the Senate April 11, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 247.)

Page 1, line 17, after "must" insert "include sufficient identifying information about individuals on the list to"

Page 3, line 12, delete "establish" and insert "recommend"

Page 3, line 19, after "transfer" insert "at a physical location"

Page 3, line 21, after "any" insert "physical"

Page 3, line 28, after the period, insert "This subdivision only applies to transmissions received at a physical location."

The motion prevailed. So the amendment was adopted.

H.F. No. 194 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eken	Ingebrigtsen	Ortman	Senjem
Benson	Fischbach	Jensen	Osmek	Sheran
Bonoff	Franzen	Johnson	Pappas	Sieben
Brown	Gazelka	Kent	Pederson, J.	Skoe
Carlson	Goodwin	Koenen	Pratt	Stumpf
Chamberlain	Hall	Lourey	Reinert	Thompson
Champion	Hann	Marty	Rest	Torres Ray
Clausen	Hawj	Miller	Rosen	Weber
Dahle	Hayden	Nelson	Ruud	Wiger
Dahms	Hoffman	Newman	Scalze	Wiklund
Eaton	Housley	Nienow	Schmit	

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

SPECIAL ORDER

H.F. No. 459: A bill for an act relating to children's health; prohibiting sale of children's food containers containing bisphenol-A; proposing coding for new law in Minnesota Statutes, chapter 325F.

CALL OF THE SENATE

Senator Sieben imposed a call of the Senate for the balance of the proceedings on H.F. No. 459. The Sergeant at Arms was instructed to bring in the absent members.

Senator Petersen, B. moved to amend H.F. No. 459, as amended pursuant to Rule 45, adopted by the Senate May 1, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 379.)

Page 2, line 8, delete everything after "by" and insert "the state of Minnesota, or the federal government,"

Page 2, line 9, delete "international agency"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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	
Dziedzic	Jensen	Pappas	Sparks	

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

H.F. No. 459 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Chamberlain	Hall	Limmer	Nienow
Benson	Dahms	Hann	Nelson	Ortman
Brown	Gazelka	Ingebrigtsen	Newman	Osmeck

Pederson, J.
Petersen, B.

Pratt
Rosen

Senjem
Thompson

Weber
Westrom

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1564: A bill for an act relating to metropolitan government; providing for redistricting of the Metropolitan Council districts; amending Minnesota Statutes 2012, section 473.123, by adding a subdivision; repealing Minnesota Statutes 2012, section 473.123, subdivision 3d.

Senator Nelson moved to amend S.F. No. 1564 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 473.123, subdivision 3a, is amended to read:

Subd. 3a. **Redistricting.** The legislature shall redraw the boundaries of the council districts after each decennial federal census so that each district ~~has substantially~~ be as nearly equal in population as practicable. Redistricting is effective in the year ending in the numeral "3." Within 60 days after a redistricting plan takes effect, the governor shall appoint members from the newly drawn districts to serve terms as provided under subdivision 2a.

Sec. 2. METROPOLITAN COUNCIL REDISTRICTING EXTENSION.

Notwithstanding Minnesota Statutes, section 473.123, subdivision 3a, redistricting of the Metropolitan Council districts after the 2010 decennial federal census shall be effective in 2014."

Amend the title accordingly

CALL OF THE SENATE

Senator Skoe imposed a call of the Senate for the balance of the proceedings on S.F. No. 1564. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson
Benson
Brown
Chamberlain
Dahms
Fischbach

Gazelka
Hall
Hann
Housley
Ingebrigtsen
Limmer

Miller
Nelson
Newman
Nienow
Ortman
Osmek

Pederson, J.
Petersen, B.
Pratt
Rosen
Ruud
Senjem

Thompson
Weber
Westrom

Those who voted in the negative were:

Bakk
Bonoff
Carlson
Champion
Clausen
Cohen
Dahle
Dibble

Dziedzic
Eaton
Eken
Franzen
Goodwin
Hawj
Hayden
Hoffman

Jensen
Johnson
Kent
Koenen
Latz
Marty
Metzen
Pappas

Rest
Saxhaug
Scalze
Schmit
Sheran
Sieben
Skoe
Sparks

Stumpf
Torres Ray
Wiger
Wiklund

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

S.F. No. 1564 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 340: A bill for an act relating to economic development; modifying loans to development authorities; amending Minnesota Statutes 2012, section 116J.5764, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 588: A bill for an act relating to health; requiring a hospital staffing report; requiring a study on nurse staffing levels and patient outcomes.

CALL OF THE SENATE

Senator Skoe imposed a call of the Senate for the balance of the proceedings on H.F. No. 588. The Sergeant at Arms was instructed to bring in the absent members.

H.F. No. 588 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 36 and nays 25, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 17: A joint resolution requesting that Congress propose a constitutional amendment and, if Congress does not propose an amendment, applying to Congress to call a constitutional convention to propose an amendment clarifying that the rights protected under the Constitution are the rights of natural persons and not the rights of artificial entities and that spending money to influence elections is not speech under the First Amendment.

Senator Marty moved to amend S.F. No. 17 as follows:

Page 1, delete lines 20 to 23 and insert:

"(2) Any entity, including any organization or association of one or more persons, established or allowed by the laws of any State, the United States, or any Foreign State shall have no rights under this Constitution and are subject to regulation by the people, through Federal, State, or local law."

Page 2, delete lines 1 and 2 and insert:

"(3) The privileges of any entity, including any organization or association, shall be determined by the people, through Federal, State, or local law, and shall not be construed to be inherent or inalienable."

Amend the title as follows:

Page 1, line 1, delete "joint"

Page 1, line 2, before "requesting" insert "memorializing Congress;"

The motion prevailed. So the amendment was adopted.

Senator Westrom moved to amend S.F. No. 17 as follows:

Page 1, line 17, after "amendment" insert "or amendments"

Page 2, line 13, delete the quotation mark

Page 2, after line 13, insert:

"(8) Total outlays for any fiscal year shall not exceed the total receipts for that fiscal year, unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a roll call vote.

(9) Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which total outlays do not exceed total receipts.""

Page 2, after line 26, insert:

"BE IT FURTHER RESOLVED that if Congress has taken no action by June 1, 2017, the Legislature of the State of Minnesota withdraws this resolution; and"

CALL OF THE SENATE

Senator Marty imposed a call of the Senate for the balance of the proceedings on S.F. No. 17. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 24 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Westrom moved to amend S.F. No. 17 as follows:

Page 2, after line 26, insert:

"BE IT FURTHER RESOLVED that if Congress has taken no action by June 1, 2017, the Legislature of the State of Minnesota withdraws this resolution; and"

Senator Westrom moved to amend the second Westrom amendment to S.F. No. 17 as follows:

Page 1, line 4, delete "2017" and insert "2020"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the second Westrom amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 17 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 36 and nays 24, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

CONFIRMATION

Senator Torres Ray moved that the report from the Committee on Education, reported January 31, 2013, pertaining to appointments to the Board of Teaching, be taken from the table. The motion prevailed.

Senator Torres Ray moved that the foregoing report be now adopted. The motion prevailed.

Senator Torres Ray moved that in accordance with the report from the Committee on Education, reported January 31, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF TEACHING

Diane O'Brien, 4328 Highland Dr., Shoreview, Ramsey County, effective June 4, 2012, for a term expiring on January 4, 2016.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Torres Ray moved that the report from the Committee on Education, reported January 31, 2013, pertaining to appointments to the Board of the Minnesota State Academies, be taken from the table. The motion prevailed.

Senator Torres Ray moved that the foregoing report be now adopted. The motion prevailed.

Senator Torres Ray moved that in accordance with the report from the Committee on Education, reported January 31, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE MINNESOTA STATE ACADEMIES

Gary Lazarz, 928 – 3rd St. N.E., Faribault, Rice County, effective June 29, 2012, for a term expiring on January 4, 2016.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Torres Ray moved that the report from the Committee on Education, reported January 31, 2013, pertaining to appointments to the Board of the Perpich Center for Arts Education, be taken from the table. The motion prevailed.

Senator Torres Ray moved that the foregoing report be now adopted. The motion prevailed.

Senator Torres Ray moved that in accordance with the report from the Committee on Education, reported January 31, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Eunice Biel, 24983 – 120th St., Harmony, Fillmore County, effective June 30, 2012, for a term expiring on January 4, 2016.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported February 7, 2013, pertaining to appointments to the Board of Animal Health, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported February 7, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF ANIMAL HEALTH

Holly Neaton, 11549 Hwy. 25 S.W., Watertown, Wright County, effective March 21, 2012, for a term expiring on January 4, 2016.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, pertaining to appointments to the Workers' Compensation Court of Appeals, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

WORKERS' COMPENSATION COURT OF APPEALS

Patricia J. Milun, 2452 Morson Cir., Mendota Heights, Dakota County, effective May 2, 2011, for a term expiring on January 2, 2017.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, pertaining to appointments to the Workers' Compensation Court of Appeals, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

WORKERS' COMPENSATION COURT OF APPEALS

Gary M. Hall, 4107 Victoria St. N., Shoreview, Ramsey County, effective March 14, 2012, to complete a term expiring on January 4, 2016.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, pertaining to appointments to the Board of Electricity, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF ELECTRICITY

Douglas Fingerson, 333 Parkview Crv., Zumbrota, Goodhue County, effective March 5, 2012, for a term expiring on December 31, 2014.

James Freichels, 4860 Mustang Cir., Mounds View, Anoka County, effective January 1, 2011, for a term expiring on December 31, 2013.

William Hoskins, 220 N. Sunnyside Dr., Caledonia, Houston County, effective January 1, 2011, for a term expiring on December 31, 2013.

Kim Huxford, 9417 N.W. 66th St., Waseca, Waseca County, effective January 1, 2011, for a term expiring on December 31, 2013.

Laura Karow, 16820 Whitewood Ave., Prior Lake, Scott County, effective March 5, 2012, for a term expiring on December 31, 2014.

Daniel Klein, 11323 Hubert Ln., Cold Spring, Stearns County, effective March 5, 2012, for a term expiring on December 31, 2014.

John McConnell, 40956 Yellow Birch Ln., Emily, Crow Wing County, effective January 1, 2011, for a term expiring on December 31, 2013.

Scott Novotny, 2577 Oriole Ave. N., Stillwater, Washington County, effective March 5, 2012, for a term expiring on December 31, 2014.

Anthony Toft, 7139 Cty. Rd. 3 S.W., Byron, Olmsted County, effective January 1, 2011, for a term expiring on December 31, 2013.

Joseph Vespa, 4533 – 3rd Ave. E., Hibbing, Saint Louis County, effective March 5, 2012, for a term expiring on December 31, 2014.

Daniel Westberg, 5601 Schutta Rd., Shoreview, Ramsey County, effective March 5, 2012, for a term expiring on December 31, 2014.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, pertaining to appointments to the Board of High Pressure Piping Systems, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF HIGH PRESSURE PIPING SYSTEMS

James Andrie, 25103 Carousel Rd., Paynesville, Stearns County, effective February 29, 2012, for a term expiring on December 31, 2014.

Robert R. Bastianelli, 3152 Lyman St., Duluth, Saint Louis County, effective January 1, 2011, for a term expiring on December 31, 2013.

Marit Brock, 74 Garfield St., Saint Paul, Ramsey County, effective October 29, 2012, to complete a term expiring on December 31, 2013.

David Carlson, 65 Larson Rd., Esko, Carlton County, effective January 1, 2011, for a term expiring on December 31, 2013.

Timothy Daugherty, 20920 Buchanan St. N.E., East Bethel, Anoka County, effective February 29, 2012, for a term expiring on December 31, 2014.

Mark Geisenhoff, 3944 – 35th St. N., Lake Elmo, Washington County, effective January 1, 2011, for a term expiring on December 31, 2013.

Larry Jordan, 10736 Toledo Ln., Brooklyn Park, Hennepin County, effective January 1, 2011, for a term expiring on December 31, 2013.

Mark Kincs, 7522 Whitehall Rd., Shakopee, Scott County, effective January 1, 2011, for a term expiring on December 31, 2013.

Vicki Sandberg, 10473 Abbott Dr. N., Brooklyn Park, Hennepin County, effective February 29, 2012, for a term expiring on December 31, 2014.

Chris Savage, 700 Huron Rd., Marshall, Lyon County, effective January 1, 2011, for a term expiring on December 31, 2013.

Russell Scherber, 1660 Endicott Ave. N.W., Buffalo, Wright County, effective February 29, 2012, for a term expiring on December 31, 2014.

Larry Stevens, Jr., 2608 Horseshoe Ln., Woodbury, Washington County, effective February 29, 2012, for a term expiring on December 31, 2014.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, pertaining to appointments to the Minnesota Rural Finance Authority, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA RURAL FINANCE AUTHORITY

Marcus Knisely, 12201 – 199th Ave., N.E., New London, Kandiyohi County, effective May 1, 2011, for a term expiring on January 5, 2015.

Gary Wertish, 26416 Cty. Rd. 17, Renville, Renville County, effective June 30, 2011, for a term expiring on January 5, 2015.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Sparks moved that the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, pertaining to appointments to the Plumbing Board, be taken from the table. The motion prevailed.

Senator Sparks moved that the foregoing report be now adopted. The motion prevailed.

Senator Sparks moved that in accordance with the report from the Committee on Jobs, Agriculture and Rural Development, reported February 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

PLUMBING BOARD

Rebecca Ames, 311 Pleasant Ave., #315, Saint Paul, Ramsey County, effective January 1, 2011, for a term expiring on December 31, 2013.

Joseph Beckel, 1400 – 7th St. N.W., Rochester, Olmsted County, effective June 18, 2012, for a term expiring on December 31, 2014.

Grant Edwards, 2662 Scotland Ct., Mounds View, Ramsey County, effective June 18, 2012, for a term expiring on December 31, 2014.

Chad Filek, 3308 Southway Dr., Saint Cloud, Stearns County, effective January 1, 2011, for a term expiring on December 31, 2013.

John Flagg, 3017 Croft Dr., Minneapolis, Hennepin County, effective January 1, 2011, for a term expiring on December 31, 2013.

Lawrence Justin, 1255 Imperial Ln., New Brighton, Ramsey County, effective June 18, 2012, for a term expiring on December 31, 2014.

James Kittelson, 572 – 1st Ave., Wanamingo, Goodhue County, effective January 1, 2011, for a term expiring on December 31, 2013.

Michael McGowan, 401 Eleanor St., Mankato, Blue Earth County, effective June 18, 2012, for a term expiring on December 31, 2014.

Pete Moulton, 405 W. Saint Julien St., Saint Peter, Nicollet County, effective June 18, 2012, to complete a term expiring on December 31, 2013.

Gale Mount, 245 Pine Ridge Ct. S.W., Oronoco, Olmsted County, effective June 18, 2012, for a term expiring on December 31, 2014.

John Parizek, 5646 Cedarwood Tr., Prior Lake, Scott County, effective June 18, 2012, for a term expiring on December 31, 2014.

Phillip Sterner, 7373 – 147th St. W., Apple Valley, Dakota County, effective June 18, 2012, to complete a term expiring on December 31, 2013.

The motion prevailed. So the appointments were confirmed.

MEMBERS EXCUSED

Senators Fischbach and Hayden were excused from the Session of today from 11:00 to 11:15 a.m. Senator Petersen, B. was excused from the Session of today from 11:00 to 11:20 a.m. Senator Ortman was excused from the Session of today from 11:00 to 11:25 a.m. Senator Brown was excused from the Session of today from 11:00 to 11:25 a.m. and from 5:55 to 6:10 p.m. Senator Latz was excused from the Session of today from 11:00 to 11:25 a.m. and at 6:15 p.m. Senator Kiffmeyer was excused from the Session of today at 2:15 p.m. Senator Bakk was excused from the Session of today from 2:35 to 3:30 p.m. Senator Reinert was excused from the Session of today at 2:40 p.m. Senator Schmit was excused from the Session of today at 4:15 p.m. Senator Metzen was excused from the Session of today at 4:50 p.m. Senator Tomassoni was excused from the Session of today from 5:15 to 6:00 p.m. Senator Housley was excused from the Session of today at 5:35 p.m. Senator Sheran was excused from the Session of today at 5:50 p.m. Senator Thompson was excused from the Session of today at 5:55 p.m. Senator Lourey was excused from the Session of today at 6:15 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Friday, May 3, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

