

TWENTY-SECOND DAY

St. Paul, Minnesota, Wednesday, February 28, 2007

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Monsignor James D. Habiger.

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

February 22, 2007

The Honorable James P. Metzen
President of the Senate

Dear President Metzen:

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

Secretary of State, S.F. No. 4.

Sincerely,
Tim Pawlenty, Governor

February 22, 2007

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2007 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2007	Date Filed 2007
4		3	10:59 a.m. February 22	February 22

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 293.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 26, 2007

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 293: A bill for an act relating to state government; appropriating money for environment and natural resources; modifying meeting requirements of the Legislative-Citizen Commission on Minnesota Resources; amending Minnesota Statutes 2006, section 116P.08, subdivision 5.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

Senator Pogemiller moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to appointments. The motion prevailed.

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

S.F. No. 447: A bill for an act relating to traffic regulations; imposing petty misdemeanor penalty for certain motor vehicle hit-and-run offenses; amending Minnesota Statutes 2006, section 169.09, by adding a subdivision.

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

Page 1, line 12, delete the second "or"

Page 1, line 13, delete the period and insert "; or"

Page 1, after line 13, insert:

"(3) the owner permitted the possession and operation by another person of the vehicle, in the ordinary course of the owner's business."

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

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

S.F. No. 108: A bill for an act relating to highways; designating the Walter F. Mondale Drive in Duluth; amending Minnesota Statutes 2006, section 161.14, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2006, section 161.14, subdivision 18, is amended to read:

Subd. 18. **Voyageur Highway.** The following route is named and designated the "Voyageur Highway":

(a) Beginning at a point on Trunk Highway No. 26 on the boundary line between the states of Minnesota and Iowa; thence northerly along Trunk Highway No. 26 to its junction with Trunk Highway No. 61; thence northwesterly along Trunk Highway No. 61 to its junction with Trunk Highway No. 10 in the city of St. Paul; thence extending in a general northwesterly direction along Trunk Highway No. 10 to its junction with Trunk Highway No. 371 at Little Falls; thence extending in a general northerly direction along Trunk Highway No. 371 to its junction with Trunk Highway No. 210 at Brainerd; thence northeasterly along Trunk Highway No. 210 to its junction with Trunk Highway No. 169 at Aitkin; thence in a general northerly direction along Trunk Highway No. 169 to its junction with Trunk Highway No. 2 at Grand Rapids; thence northwesterly along Trunk Highway No. 2 to its junction with Trunk Highway No. 71 at Bemidji; thence northeasterly along Trunk Highway No. 71 to its junction with Trunk Highway No. 11 at Pelland; thence northeasterly along Trunk Highway No. 11 to its junction with Trunk Highway No. 53 at International Falls; thence

southeasterly along Trunk Highway No. 53 to its junction with ~~Trunk Highway No. 61~~ Central Entrance at Duluth; Beginning at a point on Trunk Highway No. 61 at its junction with Interstate Highway 35 and thence northeasterly along Trunk Highway No. 61 to the boundary line between the state of Minnesota and the province of Ontario, Canada.

(b) The route of the Voyageur Highway designated and described in clause (a) is supplemented by legs or alternative routes described as follows:

Beginning at a point on Trunk Highway No. 1 at its junction with Trunk Highway No. 61 northerly of Silver Bay; thence northwesterly along Trunk Highway No. 1 to Ely; thence southwesterly along Trunk Highway No. 1 to its junction with Trunk Highway No. 169; thence southerly and westerly along Trunk Highway No. 169 to its junction with Trunk Highway No. 53, and there terminating.

Beginning at a point on Trunk Highway No. 11 at its junction with Trunk Highway No. 53 at International Falls; thence easterly along Trunk Highway No. 11 to its easterly terminus near Island View.

Beginning at a point on Trunk Highway No. 33 at its junction with Interstate Highway marked I-35 southerly of Cloquet, thence northerly along Trunk Highway No. 33 to its junction with Trunk Highway No. 53.

(c) The commissioner of transportation shall:

(1) adopt a suitable marking design of signs or informational plaques;

(2) effect the installation of such signs or plaques in public waysides or other public areas as approved and designated by the commissioner.

Sec. 2. Minnesota Statutes 2006, section 161.14, is amended by adding a subdivision to read:

Subd. 57. **Walter F. Mondale Drive.** Trunk Highway marked 53 from its intersection with Superior Street to its intersection with Central Entrance in the city of Duluth, as signed on the effective date of this section, is designated "Walter F. Mondale Drive." Subject to section 161.139, the commissioner of transportation shall adopt a suitable marking design to mark this highway and erect appropriate signs."

Delete the title and insert:

"A bill for an act relating to highways; designating the Walter F. Mondale Drive in Duluth; amending Minnesota Statutes 2006, section 161.14, subdivision 18, by adding a subdivision."

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

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

S.F. No. 572: A bill for an act relating to transportation; requiring commissioner of public safety to accept Federal Aviation Administration medical certificate for school bus driver physical exam; amending Minnesota Statutes 2006, section 171.321, subdivision 2.

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

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

S.F. No. 279: A bill for an act relating to crimes; providing for the sealing of certain criminal justice data; specifying circumstances under which criminal justice data should be sealed; providing the legal consequences of sealing; requiring business screening services to correct and delete disputed records; providing civil penalties; proposing coding for new law as Minnesota Statutes, chapter 609C.

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

Delete everything after the enacting clause and insert:

"Section 1. [244.092] COLLATERAL SANCTIONS COMMITTEE.

Subdivision 1. **Establishment; duties.** The Collateral Sanctions Committee shall study collateral sanctions of adult convictions and juvenile adjudications. The committee shall identify the uses of collateral sanctions of convictions and adjudications and make recommendations to the legislature regarding any proposed changes relating to collateral sanctions.

Subd. 2. **Resources.** The Sentencing Guidelines Commission shall provide technical and research assistance to the committee, with the assistance of the commissioner of public safety and the commissioner of corrections.

Subd. 3. **Membership.** The committee shall consist of:

(1) the executive director of the Sentencing Guidelines Commission, who shall serve as the committee's chair;

(2) the commissioner of public safety, or designee;

(3) the commissioner of corrections, or designee;

(4) the attorney general, or designee;

(5) the state public defender, or designee;

(6) two senators, one representing the majority party and the other representing the minority party, appointed by the Subcommittee on Committees of the senate Committee on Rules and Administration, or their designees;

(7) two representatives, one representing the majority party and the other representing the minority party, appointed by the speaker of the house of representatives, or their designees;

(8) a crime victim's advocate, appointed by the commissioner of public safety;

(9) a county attorney, appointed by the Minnesota County Attorneys Association;

(10) a city attorney, appointed by the League of Minnesota Cities;

(11) a district court judge, appointed by the Judicial Council;

(12) a private criminal defense attorney, appointed by the Minnesota Association of Criminal Defense Lawyers;

(13) a probation officer, appointed by the Minnesota Association of County Probation Officers;

(14) two peace officers, one appointed by the Minnesota Sheriffs' Association and the other appointed by the Minnesota Chiefs of Police Association;

(15) two representatives with knowledge of housing issues, one of whom is a landlord and the other a tenant, appointed by the commissioner of public safety;

(16) a representative from the employment industry, appointed by the commissioner of public safety;

(17) a representative from a community crime prevention organization, appointed by the commissioner of public safety;

(18) a representative from a community of color, appointed by the commissioner of public safety;

(19) a representative who is an ex criminal offender, appointed by the commissioner of public safety; and

(20) a representative from an agency that provides reentry services to offenders being released from incarceration, appointed by the commissioner of public safety.

Subd. 4. **Report and recommendations.** By January 15 each year, the committee shall present the legislature with a report summarizing its activities for the preceding year and recommending any changes in law or policy it deems appropriate.

Subd. 5. **Expenses; committee is permanent.** The provisions of section 15.059 apply to the committee except that it does not expire.

Subd. 6. **Definition.** As used in this section, "collateral sanctions" has the meaning given in section 609B.050, subdivision 1.

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

Sec. 2. **COLLATERAL SANCTIONS COMMITTEE; STUDY AND REPORT REQUIRED.**

(a) The Collateral Sanctions Committee described in Minnesota Statutes, section 244.092, shall study how collateral sanctions are addressed in other states and determine best practices on this. In addition, the committee shall study issues relating to how criminal convictions and adjudications affect an individual's employment and professional licensing opportunities in Minnesota. The committee shall consider the policy implications of providing a process to allow individuals currently prohibited from certain types of employment or professional licensing because of a criminal record to seek a waiver. The committee shall make recommendations on changes in law and policy in this area.

(b) By January 15, 2008, the committee shall report its findings and recommendations to the chairs and ranking minority members of the committees having jurisdiction over criminal justice policy in the senate and house of representatives.

Sec. 3. **STUDY ON AUTOMATICALLY SEALING ARREST RECORDS.**

Subdivision 1. **Study.** The Criminal and Juvenile Justice Information Policy Group described

in Minnesota Statutes, section 299C.65, subdivision 1, shall study the issues involved with the automatic sealing of arrest records for persons who are not subsequently convicted of an offense related to the arrest. The policy group shall use S.F. No. 279, as introduced in the 2007 legislative session, as a basis for discussions. The policy group shall assume that arrest records of individuals who are not subsequently convicted of an offense relating to the arrest should be automatically sealed. The policy group shall address issues related to implementing this concept under the framework proposed in S.F. No. 279, as introduced. The policy group shall review how other states address the sealing of arrest records and determine best practices in this area. The policy group may make recommendations on changes to the language or concepts in the original bill that are deemed advisable, including compromise proposals. The policy group shall specifically address technical and institutional roadblocks to implementing the concepts in S.F. No. 279, as introduced, if any, and propose solutions to these roadblocks. In addition, the policy group shall estimate the state and local fiscal costs, if any, of automatically sealing these records.

Subd. 2. **Consultation.** The policy group shall consult with and seek advice from the individuals associated with the background checks and expungements delivery team, the Collateral Consequences Committee, and the Council on Crime and Justice.

Subd. 3. **Definition.** As used in this section, "arrest records" include all records relating to an arrest, including law enforcement, court, Bureau of Criminal Apprehension, and prosecution records.

Subd. 4. **Report.** By January 15, 2008, the policy group shall report its findings and recommendations to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over criminal justice policy. The report must include recommended statutory language to best implement the intent of S.F. No. 279, as introduced, a summary of the practices of other states on the sealing of arrest records, and a finding on best practices in this area.

Sec. 4. **APPROPRIATIONS.**

(a) \$..... is appropriated to the commissioner of public safety from the general fund for the fiscal year ending June 30, 2008, to assist the Criminal and Juvenile Justice Information Policy Group in conducting the study described in section 3.

(b) \$..... for the fiscal year ending June 30, 2008, and \$..... for the fiscal year ending June 30, 2009, are appropriated from the general fund to the Sentencing Guidelines Commission for the Collateral Sanctions Committee described in Minnesota Statutes, section 244.092. This money is to be used for staffing, conducting research, conducting public hearings, reimbursing committee members' reasonable expenses, and for the report described in section 2."

Delete the title and insert:

"A bill for an act relating to public safety; requiring the Criminal and Juvenile Justice Information Policy Group to study and make recommendations to the legislature on the automatic sealing of arrest records for persons not subsequently convicted of the offense; making the existing Collateral Sanctions Committee permanent, expanding its membership, and requiring it to report to the legislature; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 244."

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

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

S.F. No. 515: A bill for an act relating to mental health; establishing a certified peer specialist program; amending Minnesota Statutes 2006, sections 256B.0622, subdivision 2; 256B.0623, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Page 2, line 6, after "specialists" insert ", who must be at least 21 years of age and have a high school diploma or its equivalent"

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

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

S.F. No. 480: A bill for an act relating to agriculture; bioenergy development; establishing a bioenergy producer payment program for cellulosic biofuel production; establishing a bioenergy production incentive program; establishing a bioenergy working lands conservation program; authorizing rulemaking; authorizing general obligation bonds; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 17; 41A; 103F.

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

Page 7, line 25, delete "The board may adopt rules to implement this section."

Page 10, lines 9 and 12, delete the first comma and insert "and" and delete ", and rules"

Page 10, line 16, delete the third comma and insert "and"

Page 10, line 17, delete ", and rules"

Amend the title as follows:

Page 1, line 5, delete "authorizing rulemaking;"

And when so amended the bill do pass and be re-referred to the Committee on Energy, Utilities, Technology and Communications. Amendments adopted. Report adopted.

Senator Metzen from the Committee on Business, Industry and Jobs, to which was referred

S.F. No. 804: A bill for an act relating to unemployment insurance; providing extra unemployment benefits for certain workers laid off from the Ainsworth Lumber Company.

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

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

S.F. No. 887: A bill for an act relating to state government; abolishing the Department of Employee Relations; transferring duties.

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

Page 1, lines 8, 10, 12, and 15, delete "30" insert "1"

Page 1, after line 15, insert:

"(b) The commissioner of employee relations, in consultation with the commissioner of finance, may specify one or more dates before June 1, 2008, on which any or all of the transfers provided in paragraph (a) will occur."

Page 1, line 16, delete "(b)" and insert "(c)"

Page 1, line 17, after the first comma, insert "the commissioner of finance,"

Page 1, line 21, delete "(c)" and insert "(d)"

Page 1, after line 22, insert:

"Sec. 2. **WORKER PROTECTION.**

In addition to any other protection, no employee in the classified service shall suffer job loss, have a salary reduced, or have employment benefits reduced as a result of a reorganization mandated or recommended under authority of section 1. No action taken after July 1, 2009, shall be considered a result of reorganization for the purposes of this section."

Page 2, line 4, after the period, insert "The revisor of statutes, in consultation with affected commissioners of state agencies, must prepare a bill for introduction in the 2008 legislative session making other statutory changes needed to implement or conform with section 1."

Page 2, line 6, delete "and 2" and insert "to 3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "duties" insert "; providing certain protections for employees"

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

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

S.F. No. 6: A bill for an act relating to natural and cultural resources; proposing an amendment to the Minnesota Constitution, article XI; increasing the sales tax rate by three-eighths of one percent and dedicating the receipts for natural and cultural resource purposes; creating an arts, humanities, museum, and public broadcasting fund; creating a heritage enhancement fund; creating

a parks and trails fund; creating a clean water fund; establishing a Heritage Enhancement Council; amending Minnesota Statutes 2006, sections 10A.01, subdivision 35; 114D.20, subdivision 6; 114D.30, subdivision 6; 114D.45; 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 85; 97A; 129D.

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

Page 4, delete section 5 and insert:

"Sec. 5. **[97A.056] HERITAGE ENHANCEMENT FUND; HERITAGE ENHANCEMENT COUNCIL.**

Subdivision 1. **Heritage enhancement fund.** (a) The heritage enhancement fund is established in the Minnesota Constitution, article XI, section 15. All money earned by the heritage enhancement fund must be credited to the fund. At least 97 percent of the money appropriated from the fund must be spent on specific fish, wildlife, habitat, and fish and wildlife tourism projects.

(b) A forest legacy and forest consolidation account is created within the heritage enhancement fund. From the receipts deposited in the heritage enhancement fund under the Minnesota Constitution, article XI, section 15, 25 percent each fiscal year must be credited to the forest legacy and forest consolidation account. Money in the account may be spent only for the acquisition of permanent easements on private forest land or for the acquisition of land for forest consolidation.

Subd. 2. **Heritage Enhancement Council.** (a) A Heritage Enhancement Council of 16 members is created in the legislative branch, consisting of:

(1) three members of the senate appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration;

(2) three members of the house of representatives appointed by the speaker of the house;

(3) three public members representing hunting, fishing, and wildlife interests appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration;

(4) three public members representing hunting, fishing, and wildlife interests appointed by the speaker of the house; and

(5) four public members representing hunting, fishing, and wildlife interests appointed by the governor.

(b) One member from the senate and one member from the house of representatives must be from the minority caucus.

(c) In making appointments to the council, appointing authorities shall consult with hunting, fishing, and wildlife groups and shall consider geographic balance. Appointments to the council shall be made by February 1, 2009.

(d) Legislative members are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the council. The removal and, beginning July 1, 2009, the compensation of public members is as provided in section 15.0575.

(e) The first meeting of the council shall be convened by the chair of the Legislative Coordinating

Commission. Members shall elect a chair, vice chair, secretary, and other officers as determined by the council. The chair may convene meetings as necessary to conduct the duties prescribed by this section.

(f) Public membership terms are coterminous with the appointing authority and legislative membership terms are at the pleasure of the appointing authority, except that members shall serve on the council until their successors are appointed.

(g) Vacancies occurring on the council do not affect the authority of the remaining members of the council to carry out their duties. Vacancies shall be filled in the same manner as under paragraph (a).

(h) The governor's appointments to the council are subject to the advice and consent of the senate.

Subd. 3. **Duties of council.** (a) The council, in consultation with statewide and local fishing, forestry, hunting, and wildlife groups, shall develop a biennial budget plan to recommend expenditures from the heritage enhancement fund to the legislature and the governor. The biennial budget plan shall include at least \$5,000,000 in each fiscal year for a conservation partners program to provide matching grants of up to \$20,000 to local sporting and conservation clubs for the improvement, enhancement, and protection of fish, game, and wildlife habitat. Approval of the biennial budget plan for the heritage enhancement fund requires an affirmative vote of at least 11 members of the council.

(b) In the biennial budget submitted to the legislature, the governor shall submit separate budget detail for planned expenditures from the heritage enhancement fund as recommended by the council.

(c) As a condition of acceptance of an appropriation from the heritage enhancement fund, an agency or entity receiving an appropriation shall submit a work program and quarterly progress reports for appropriations from the heritage enhancement fund to the members of the Heritage Enhancement Council in the form determined by the council.

Subd. 4. **Council administration.** (a) The council may employ personnel and contract with consultants as necessary to carry out functions and duties of the council. Permanent employees shall be in the unclassified service. The council may request staff assistance, legal opinion, and data from agencies of state government as needed for the execution of the responsibilities of the council.

(b) Beginning July 1, 2009, the administrative expenses of the council shall be paid from the heritage enhancement fund, as appropriated by law.

(c) A council member or an employee of the council may not participate in or vote on a decision of the council relating to an organization in which the member or employee has either a direct or indirect personal financial interest. While serving on or employed by the council, a person shall avoid any potential conflict of interest.

Subd. 5. **Open meetings.** (a) Meetings of the council and other groups the council may establish must be open to the public. Except where prohibited by law, the council shall establish additional processes to broaden public involvement in all aspects of its deliberations. For the purposes of this subdivision, a meeting occurs when a quorum is present and action is taken regarding a matter within the jurisdiction of the council.

(b) For legislative members of the council, enforcement of this subdivision shall be governed

by section 3.055, subdivision 2. For nonlegislative members of the council, enforcement of this subdivision shall be governed by section 13D.06, subdivisions 1 and 2.

Subd. 6. **Council expiration.** Subdivisions 2 to 5 expire on June 30, 2013, unless extended by law.

EFFECTIVE DATE. This section is effective November 15, 2008, if the constitutional amendment proposed in section 1 is adopted by the voters."

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

Senator Metzen from the Committee on Business, Industry and Jobs, to which was referred

S.F. No. 414: A bill for an act relating to employment and economic development; establishing the small business growth acceleration program; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116O.

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

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

S.F. No. 81: A bill for an act relating to metropolitan government; providing for the election of the Metropolitan Council; amending Minnesota Statutes 2006, sections 10A.01, subdivision 10; 10A.09, subdivision 6a; 10A.25, subdivision 2; 10A.27, subdivision 1; 10A.315; 10A.323; 10A.324, subdivision 1; 15.0597, subdivision 1; 204B.06, subdivision 4a; 204B.09, subdivisions 1, 1a; 204B.11; 204B.135, subdivision 2; 204B.32, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 204D.27, by adding a subdivision; 209.02, subdivision 1; 211A.01, subdivision 3; 211B.01, subdivision 3; 290.06, subdivision 23; 353D.01, subdivision 2; 473.123, subdivisions 1, 4, 7, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 10A; 204D; 473; repealing Minnesota Statutes 2006, section 473.123, subdivisions 2a, 3, 3a, 3d; Laws 1994, chapter 628, article 1, section 8.

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

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

S.F. No. 294: A bill for an act relating to public safety; recodifying and restructuring the law on expungements of criminal records; expanding eligibility for expungements; proposing coding for new law as Minnesota Statutes, chapter 609C; repealing Minnesota Statutes 2006, sections 609A.01; 609A.02.

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

Delete everything after the enacting clause and insert:

"Section 1. **[181.968] EMPLOYMENT APPLICATIONS; EXPUNGED RECORDS.**

An application for employment used by an employer that seeks information concerning prior

arrests or convictions of the applicant must state that the request for information does not apply to sealed or expunged criminal records.

Sec. 2. [609C.01] CRIMINAL RECORDS EXPUNGEMENT.

This chapter provides the grounds and procedures for expungement of criminal records under sections 13.82; 152.18, subdivision 1; 299C.11, where a petition is authorized under section 609C.02; or other applicable law. The remedy available is limited to a court order sealing the records and prohibiting the disclosure of their existence or their opening except under court order or statutory authority. Nothing in this chapter authorizes the destruction of records or their return to the subject of the records. The court has no authority to order the expungement of executive branch records relating to criminal activity, except as provided in this chapter.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to expungement petitions filed on or after that date.

Sec. 3. [609C.02] GROUNDS FOR ORDER.

(a) A person may petition under section 609C.03 for the sealing of all records relating to the person's arrest, citation, indictment or information, complaint, trial, guilty plea, or verdict regardless of whether the proceedings were resolved in the person's favor.

(b) Records of a conviction of an offense for which registration is required under section 243.166 may not be expunged.

(c) A court may not grant an expungement if the petitioner is under correctional supervision for an offense or is currently charged with violating a criminal law.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to expungement petitions filed on or after that date.

Sec. 4. [609C.03] PETITION TO EXPUNGE CRIMINAL RECORDS.

Subdivision 1. **Petition; filing fee.** An individual who is the subject of a criminal record who is seeking the expungement of the record shall file a petition under this section and pay a filing fee in the amount required under section 357.021, subdivision 2, clause (1). The filing fee may be waived if the actions or proceedings that resulted in the criminal record were resolved in favor of the petitioner.

Subd. 2. **Contents of petition.** (a) A petition for expungement shall be signed under oath by the petitioner and shall state the following:

(1) the petitioner's full name and all other legal names or aliases by which the petitioner has been known at any time;

(2) the petitioner's date of birth;

(3) all of the petitioner's addresses from the date of the offense or alleged offense in connection with which an expungement order is sought, to the date of the petition;

(4) why expungement is sought, if it is for employment or licensure purposes, the statutory or other legal authority under which it is sought, and why it should be granted;

(5) the details of the offense or arrest for which expungement is sought, including the date and jurisdiction of the occurrence; either the names of any victims or that there were no identifiable victims; whether there is a current order for protection, restraining order, or other no-contact order prohibiting the petitioner from contacting the victims; or whether there has ever been a prior order for protection or restraining order prohibiting the petitioner from contacting the victims; the court file number; and the date of conviction or of dismissal;

(6) in the case of a conviction, what steps the petitioner has taken since the time of the offense toward personal rehabilitation, including treatment, work, or other personal history that demonstrates rehabilitation;

(7) the petitioner's criminal conviction record indicating all convictions for misdemeanors, gross misdemeanors, or felonies in this state, and for all comparable convictions in any other state, federal court, or foreign country, whether the convictions occurred before or after the arrest or conviction for which expungement is sought;

(8) the petitioner's criminal charges record indicating all prior and pending criminal charges against the petitioner in this state or another jurisdiction, including all criminal charges that have been continued for dismissal or stayed for adjudication, or have been the subject of pretrial diversion; and

(9) all prior requests by the petitioner, whether for the present offense or for any other offenses, in this state or any other state or federal court, for pardon, return of arrest records, or expungement or sealing of a criminal record, whether granted or not, and all stays of adjudication or imposition of sentence involving the petitioner.

(b) If there is a current order for protection, restraining order, or other no-contact order prohibiting the petitioner from contacting the victims, or there has ever been a prior order for protection or restraining order prohibiting the petitioner from contacting the victims, the petitioner shall attach a copy of the order to the petition.

Subd. 3. Service of petition and proposed order. (a) The petitioner shall serve by mail the petition for expungement and a proposed expungement order on the prosecutorial office that had jurisdiction over the offense for which expungement is sought and all other state and local government agencies and jurisdictions whose records would be affected by the proposed order. The petitioner shall also serve by mail the attorney for each agency and jurisdiction.

(b) The prosecutorial office that had jurisdiction over the offense for which expungement is sought shall serve by mail the petition for expungement and a proposed expungement order on any victims of the offense for which expungement is sought who have requested notice of expungement pursuant to section 611A.06. Service under this paragraph does not constitute a violation of an existing order for protection, restraining order, or other no-contact order.

(c) The prosecutorial office's notice to victims of the offense under this subdivision must specifically inform the victims of the victims' right to be present and to submit an oral or written statement at the expungement hearing described in subdivision 4.

Subd. 4. Hearing. A hearing on the petition shall be held no sooner than 60 days after service of the petition. A victim of the offense for which expungement is sought has a right to submit an oral or written statement to the court at the time of the hearing describing the harm suffered by the

victim as a result of the crime and the victim's recommendation on whether expungement should be granted or denied. The judge shall consider the victim's statement when making a decision.

Subd. 5. **Maintenance of records.** If the court issues an expungement order it may require that the criminal record be sealed and the record not be opened except as provided under subdivision 8. An expungement order or a record of the existence of an expunged record must not be disclosed, except as provided under subdivision 8. Records must not be destroyed or returned to the subject of the record.

Subd. 6. **Order concerning crimes of violence.** An order expunging the record of a conviction for a crime of violence as defined in section 624.712, subdivision 5, must provide that the person is not entitled to ship, transport, possess, or receive a firearm for the remainder of the person's lifetime. Any person whose record of conviction is expunged under this section and who receives a relief of disability under United States Code, title 18, section 925, or whose ability to possess firearms has been restored under section 609.165, subdivision 1d, is not subject to the restriction in this subdivision.

Subd. 7. **Effect of order.** (a) Except as provided in paragraph (b), if the court orders an expungement under this section, the effect of the order shall be to restore the person, in the contemplation of the law, to the status the person occupied before the arrest, citation, indictment or information, complaint, trial, guilty plea, or verdict. The person shall not be held guilty of perjury or otherwise of giving a false statement if the person fails to acknowledge any of these events in response to any inquiry made for any purpose.

(b) An expunged conviction is considered a conviction for purposes of other expungement proceedings by the same petitioner; criminal history for sentencing or calculating a criminal history score under the sentencing guidelines; subsequent prosecutions where a prior conviction is an element of the charge; evidence of other crimes; and impeachment.

Subd. 8. **Limitations of order.** (a) Upon issuance of an expungement order related to a charge supported by probable cause, the DNA samples and DNA records held by the Bureau of Criminal Apprehension and collected under authority other than section 299C.105, shall not be sealed, returned to the subject of the record, or destroyed.

(b) Notwithstanding the issuance of an expungement order:

(1) an expunged record may be opened for purposes of a criminal investigation, prosecution, or sentencing without a court order;

(2) the fact that an expunged record exists may be made available to law enforcement authorities acting within the scope of official duties;

(3) an expunged record may be opened for purposes of evaluating a prospective employee in a criminal justice agency without a court order; and

(4) an expunged record of a conviction may be opened for purposes of a background study under section 245C.08, unless the court order for expungement is directed specifically to the commissioner of human services.

Upon request by law enforcement, prosecution, or corrections authorities, an agency or jurisdiction subject to an expungement order shall inform the requester of the existence of an

expunged record and of the right to obtain access to it as provided by this paragraph. For purposes of this section, a "criminal justice agency" means courts or a government agency that performs the administration of criminal justice under statutory authority.

Subd. 9. **Distribution of expungement orders.** The court administrator shall send a copy of an expungement order to each agency and jurisdiction whose records are affected by the terms of the order.

Subd. 10. **Stay of order; appeal.** An expungement order shall be stayed automatically for 60 days after the order is filed and, if the order is appealed, during the appeal period. A person or an agency or jurisdiction whose records would be affected by the order may appeal the order within 60 days of service of notice of filing of the order. An agency or jurisdiction or its officials or employees need not file a cost bond or supersedeas bond in order to further stay the proceedings or file an appeal.

Subd. 11. **Factors to be considered; extent of order.** (a) When deciding whether to issue an expungement order under this section, the court shall consider and issue a written finding concerning:

(1) the nature and severity of the underlying crime whose record is the subject of the expungement petition;

(2) the danger, if any, the petitioner poses to any individuals or society;

(3) the length of time since the crime occurred;

(4) the steps taken by the petitioner towards rehabilitation following the crime;

(5) extenuating or mitigating factors relating to the underlying crime, including, but not limited to, the petitioner's level of participation, claims of innocence, and irregularities in the trial;

(6) the reasons for the expungement, including, but not limited to, the petitioner's attempts to obtain employment, housing, or other necessities;

(7) the petitioner's criminal record;

(8) the petitioner's record of employment and community involvement;

(9) the recommendations of interested law enforcement, prosecutorial, and corrections officials;

(10) the recommendations of any victims of the underlying crime; and

(11) any other factor deemed relevant by the court.

(b) Except as provided in paragraph (c), a court may grant an expungement if it determines by a preponderance of the evidence that the benefit to the petitioner outweighs the disadvantages to the public and public safety after considering the factors listed in paragraph (a).

(c) If the proceedings had been resolved in the petitioner's favor, the expungement shall be granted unless the agency or jurisdiction whose records would be affected establishes by clear and convincing evidence that the interests of the public and public safety outweighs the disadvantages to the petitioner of not sealing the records.

(d) If the court grants the expungement petition, it shall specify what records are to be affected by the order. The order may affect judicial branch records, executive branch records, and any other government records deemed appropriate by the court.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to expungement petitions filed on or after that date.

Sec. 5. [609C.04] EMPLOYER DUTIES RELATED TO EXPUNGED RECORDS.

Subdivision 1. **No duty to discover.** An employer or prospective employer does not have a duty to discover or use a record that has been expunged under this chapter or other law for purposes of making an employment decision.

Subd. 2. **Employment applications.** A prospective employer must comply with section 181.968 when seeking information on prior arrests or convictions.

EFFECTIVE DATE. This section is effective August 1, 2007.

Sec. 6. REVISOR'S INSTRUCTION.

The revisor of statutes shall replace all statutory references to Minnesota Statutes, sections 609A.01 to 609A.03, with references to the appropriate successor sections in chapter 609C.

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

Sec. 7. REPEALER.

Minnesota Statutes 2006, sections 609A.01; 609A.02; and 609A.03, are repealed.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to expungement petitions filed on or after that date."

Delete the title and insert:

"A bill for an act relating to public safety; recodifying and restructuring the law on expungements of criminal records; expanding eligibility for expungements; requiring notice to employment applicants that a question regarding criminal history does not apply to sealed or expunged records; proposing coding for new law in Minnesota Statutes, chapter 181; proposing coding for new law as Minnesota Statutes, chapter 609C; repealing Minnesota Statutes 2006, sections 609A.01; 609A.02; 609A.03."

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

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

S.F. No. 780: A bill for an act relating to crimes; adjusting the monetary thresholds for certain property offenses; amending Minnesota Statutes 2006, sections 609.52, subdivision 3; 609.535, subdivision 2a; 609.595, subdivisions 1, 2.

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

Page 4, after line 19, insert:

"Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective August 1, 2007, and apply to crimes committed on or after that date."

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

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

S.F. No. 1117: A bill for an act relating to crime; amending the crime of burglary in the second degree; prescribing penalties; amending Minnesota Statutes 2006, sections 609.581, by adding subdivisions; 609.582, subdivision 2.

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

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

S.F. No. 727: A bill for an act relating to crimes; making it a felony to commit theft of a computer that has identity information in its memory about the owner or any other person; amending Minnesota Statutes 2006, section 609.52, subdivision 3.

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

Page 2, line 21, after "paragraph (d)," insert "but not including a name alone,"

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

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

S.F. No. 148: A bill for an act relating to human services; changing mental health provisions; requiring mental health assessments for certain inmates; establishing children's mental health grants and training; requiring students of higher education to carry health insurance; creating a loan forgiveness program; establishing the Crisis Intervention Team State Council; making changes to mental health funding provisions; establishing pilot projects; authorizing grant funding; requiring reports; appropriating money; amending Minnesota Statutes 2006, sections 245.462, subdivision 20; 245.50, subdivision 5; 245.696, by adding a subdivision; 256B.038; 256B.0623, subdivisions 2, 8, 12; 256B.0625, subdivisions 38, 43, 46, by adding subdivisions; 256B.0943, subdivisions 1, 2, by adding subdivisions; 256B.69, subdivisions 5g, 5h; 256B.761; 256B.763; 256D.03, subdivisions 3, 4; 256D.44, subdivision 5; 256L.03, subdivisions 1, 5; 256L.035; 256L.07, subdivision 3; 256L.12, subdivision 9a; 609.115, by adding a subdivision; 609.135, by adding a subdivision; 641.15, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 135A; 243; 245; 245A; 256; 641.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1
CRIMINAL JUSTICE

Section 1. [626.96] CRISIS INTERVENTION TEAM STATE COUNCIL.

Subdivision 1. Purpose. (a) The purpose of the Crisis Intervention Team (CIT) State Council is to encourage and support the statewide development of law enforcement CIT's. The council shall serve as the governing body on the finance, curriculum, and programs for CIT training.

(b) The council shall promote the development of local collaboratives between public safety professionals, community providers, and citizens.

(c) The council shall maintain a mailing list of all CIT trained officers in Minnesota, sponsor an annual Minnesota CIT conference, and develop systems to promote and support CIT officers and stakeholders.

Subd. 2. Membership. The commissioner of public safety shall appoint members to the CIT State Council. Members must include, but not be limited to:

- (1) a representative of the Barbara Schneider Foundation;
- (2) a representative of the National Alliance on Mental Illness;
- (3) a representative of the Minnesota Mental Health Association;
- (4) a representative from a mental health court;
- (5) a representative from a hospital with emergency and inpatient psychiatric services;
- (6) a representative of the Minnesota Chiefs of Police Association from a police department of a city of the third or fourth class;
- (7) a representative from the Minnesota Sheriffs Association;
- (8) a representative of the CIT Officers Association;
- (9) a training director or CIT coordinator from an operational CIT unit; and
- (10) a representative from the Peace Officers Standards and Training Board.

Subd. 3. Crisis intervention team training. (a) The council shall have at least one employee who shall be responsible for coordination of the statewide CIT training for public safety officers. Components of the training must include, but not be limited to:

- (1) an overview of mental illnesses and the mental health system;
- (2) site visits to psychiatric receiving facilities;
- (3) mental health courts;
- (4) specific psychiatric conditions, their manifestations, and treatment; and
- (5) CIT reporting and data collection.

(b) Training under paragraph (a) shall be a minimum of 40 hours.

Sec. 2. Minnesota Statutes 2006, section 641.15, is amended by adding a subdivision to read:

Subd. 3a. **Intake procedure; approved mental health screening.** As part of its intake procedure for new prisoners, the sheriff or local corrections shall use a mental health screening tool approved by the commissioner of corrections in consultation with the commissioner of human services and local corrections staff to identify persons who may have mental illness.

Sec. 3. **[641.156] COUNTY JAIL REENTRY PROJECTS; GRANTS.**

Subdivision 1. **Purpose.** The purpose of the reentry project is to promote public safety, prevent recidivism, and promote a successful reintegration into the community by providing services to individuals confined in jails and county regional jails who are identified as having mental illness, traumatic brain injury, chemical dependency, or being homeless.

Subd. 2. **Grants.** (a) The commissioner of corrections, in consultation with the commissioner of human services, shall award grants to county boards for two-year reentry pilot projects. At a minimum, one project must be located outside the seven-county metropolitan area. Projects will target prisoners in jails and county regional jails who are identified as having:

- (1) a mental illness, as defined in section 245.462, subdivision 20;
- (2) a traumatic brain injury, as defined in section 256B.093, subdivision 4;
- (3) chemical dependency, as defined in section 253B.02, subdivision 2; or
- (4) a history of homelessness, as defined in section 116L.361, subdivision 5.

(b) The projects shall provide a range of services including, but not limited to, screening and assessment, client-specific programming, discharge planning and follow up assistance, and follow up for at least six months after the prisoner has reentered the community.

Subd. 3. **Applications.** A grant applicant shall prepare and submit to the commissioner of corrections a written proposal detailing the plan and strategies on how the applicant will implement the program components in subdivision 4. The application shall include a proposed evaluation component of outcome measures including, but not limited to, numbers of prisoners served, recidivism, restoration of public benefits, and status regarding housing, employment, and treatment needs after six months.

Subd. 4. **Program components.** Each participating county shall:

(a) develop a written collaborative plan between the county jail or county regional jail and the county social services agency;

(b) assess each prisoner upon entry into the jail or county regional jail using a screening tool approved by the commissioner of corrections in consultation with the commissioner of human services to identify prisoners with the characteristics listed in subdivision 2, paragraph (a);

(c) ensure prisoners who are identified with a positive screening and who will be incarcerated for less than 30 days are offered follow-up care and referred to appropriate professionals;

(d) ensure prisoners who are identified as having a characteristic listed in subdivision 2,

paragraph (a), and who will be incarcerated 30 days or longer, are provided with appropriate treatment and programming including, but not limited to, mental health treatment, counseling, living and employment skills development, substance abuse treatment, GED and literacy training, and referrals to aftercare treatment and skills training;

(e) offer to develop a discharge plan for prisoners identified as having a characteristic listed in subdivision 2, paragraph (a), who will be incarcerated for 90 days or longer. Discharge planning components must include:

(1) at least 60 days prior to the prisoner's release, the person responsible for discharge planning authorized by this section shall begin assisting the prisoner to establish, or reestablish, benefits such as medical assistance, veterans' benefits, MinnesotaCare, general assistance medical care, Social Security insurance, housing assistance, and submitting in a timely manner a prisoner's application for any benefits for which the prisoner may be eligible upon release;

(2) obtaining informed consent and releases of information from the prisoner that are needed for transition services, identifying treatment needs, referring the prisoner to appropriate services in the community, and arranging for basic needs such as food, housing, transportation, employment, and GED services;

(3) securing appointments for a prisoner to be treated by a psychiatrist within 30 days of release, if appropriate;

(4) securing appointments for a prisoner with a community mental health provider and a chemical dependency provider within 30 days of release, if appropriate;

(5) ensuring that the prisoner, when released from custody, has at least a 14-day supply of all necessary medications, and a prescription for at least a 30-day supply of all necessary medication that can be refilled once for an additional 30-day supply;

(6) arranging for the prisoner to have a state photo identification card when released. The identification card must not disclose the prisoner's incarceration or criminal record and must list an address other than the address of the jail or county regional jail. The identification card expires on the date of birth of the holder four years after the date of issue; and

(7) identifying prisoners who had a case manager prior to incarceration, and maintaining contact with that case manager to provide service coordination for the prisoner upon release. For prisoners without a case manager, making appropriate referrals for case management services or offering to provide follow-up services to assist the prisoner in obtaining stable housing, public benefits, and community services for up to six months after release;

(f) recording the number of prisoners identified under subdivision 2, paragraph (a), and the number of prisoners who received federal benefits upon entry into the jail or county regional jail; and

(g) maintaining accurate records to complete the program evaluation.

Sec. 4. DISCIPLINARY CONFINEMENT; PROTOCOL.

The commissioner of corrections shall develop a protocol that is fair, firm, and consistent so that inmates have an opportunity to be released from disciplinary confinement in a timely manner. For

those inmates in disciplinary confinement who are nearing their release date, the commissioner of corrections shall develop a reentry plan.

Sec. 5. APPROPRIATIONS.

Subdivision 1. **Grant program.** \$..... is appropriated from the general fund to the commissioner of corrections for fiscal year 2008 and \$..... for fiscal year 2009 to administer the grant program established in section 3.

Subd. 2. **Discharge planning.** \$..... is appropriated from the general fund to the commissioner of human services for fiscal year 2008 to fund discharge planning for offenders with serious and persistent mental illness as defined in Minnesota Statutes, section 245.462, subdivision 20, paragraph (c), who are pending release from correctional facilities.

Subd. 3. **Mental health courts.** \$..... for fiscal year 2008 and \$..... for fiscal year 2009 are appropriated from the general fund to the Supreme Court to develop and implement standards for mental health courts.

Subd. 4. **Crisis intervention training.** \$144,000 is appropriated in fiscal year 2008 from the general fund to the commissioner of public safety to fund grants to local police departments to conduct crisis intervention training under section 1.

ARTICLE 2

CHILDREN'S MENTAL HEALTH

Section 1. [245.4889] CHILDREN'S MENTAL HEALTH GRANTS.

Subdivision 1. **Establishment and authority.** (a) The commissioner is authorized to make grants from available appropriations to assist:

- (1) counties;
- (2) Indian tribes;
- (3) children's collaboratives under section 124D.23 or 245.493; or
- (4) mental health service providers

in providing services to children with emotional disturbances as defined in section 245.4871, subdivision 15, and their families. The commissioner may also authorize grants to assist young adults meeting the criteria for transition services in section 245.4875, subdivision 8, and their families.

(b) Services under paragraph (a) must be designed to help each child to function and remain with the child's family in the community and must be delivered consistent with the child's treatment plan. Transition services under paragraph (a) to eligible young adults must be designed to foster independent living in the community.

Subd. 2. **Grant application and reporting requirements.** To apply for a grant an applicant organization shall submit an application and budget for the use of the money in the form specified by the commissioner. The commissioner shall make grants only to entities whose applications and budgets are approved by the commissioner. In awarding grants, the commissioner shall give priority

to those counties whose applications indicate plans to collaborate in the development, funding, and delivery of services with other agencies in the local system of care. The commissioner shall specify requirements for reports, including quarterly fiscal reports under section 256.01, subdivision 2, paragraph (q). The commissioner shall require collection of data and periodic reports that the commissioner deems necessary to demonstrate the effectiveness of each service.

Sec. 2. [245A.175] MENTAL HEALTH TRAINING REQUIREMENT.

Prior to the placement of a child in a foster care home, the child foster care provider, if required to be licensed, must complete two hours of training that addresses the causes, symptoms, and key warning signs of mental health disorders; cultural considerations; and effective approaches for dealing with a child's behaviors. At least one hour of the annual 12-hour training requirement for foster parents must be on children's mental health issues and treatment. Training curriculum shall be approved by the commissioner of human services.

Sec. 3. [256.9961] COLLABORATIVE SERVICES FOR HIGH-RISK CHILDREN.

To provide early intervention collaborative services to children who are at high risk for child maltreatment, substance use, mental illness, and serious and violent offending, but not subject to the delinquency provisions of chapter 260B, the commissioner of human services shall fund one or more projects that identify and serve these children. The projects shall include the following program components:

- (1) multidimensional screening instruments;
- (2) multidisciplinary and multijurisdictional collaborative services;
- (3) integrated information systems;
- (4) intensive in-home and community casework;
- (5) continuous tracking of outcomes; and
- (6) multidimensional evaluations and cost-benefit analysis.

Projects must use all available funding streams.

Sec. 4. Minnesota Statutes 2006, section 256B.0943, is amended by adding a subdivision to read:

Subd. 14. **Rate increase for children's therapeutic services and support.** For services defined in clauses (1) and (2) rendered on or after July 1, 2007, payment rates shall be increased by 33.7 percent over the rates in effect on January 1, 2006, for:

- (1) services when provided as a component of children's therapeutic services and support including, but not limited to, individual and group skills training, individual and group psychotherapy, and provider travel; and
- (2) diagnostic assessments of children and adolescents.

The commissioner shall adjust rates paid to prepaid health plans under contract with the commissioner to reflect the rate increases provided in clauses (1) and (2). The prepaid health plans must pass this rate increase to the providers of the services identified in clauses (1) and (2).

Sec. 5. CHILDREN'S MENTAL HEALTH WORK GROUP; REPORT.

The commissioner of human services shall convene a work group to study the unmet need for children's mental health wraparound services, and determine what components of wraparound services are currently being funded, and what components need to be funded in order to provide comprehensive funding of wraparound services, to address the needs of children diagnosed with an emotional disturbance or a severe emotional disturbance. In addition to a representative from the Department of Human Services, the work group shall consist of representatives from the Department of Health, the Department of Education, organizations that provide or advocate for children's mental health services, and county representatives. The commissioner shall report the results of the work group's findings and recommendations to the chairs of the house and senate committees with jurisdiction over children's mental health issues no later than January 15, 2008.

Sec. 6. TRAUMA-FOCUSED, EVIDENCE-BASED PRACTICES TO CHILDREN.

The commissioner of human services shall provide grants to organizations that provide trauma-focused, evidence-based services to children. Organizations that are certified to provide children's therapeutic services and support under Minnesota Statutes, section 256B.0943, are eligible to apply for a grant to provide services to children who have been exposed to violence or are refugees. Grants are to be used to provide trauma-focused, evidence-based practices to children who are living in a battered women's shelter, homeless shelter, transitional housing, or supported housing. Children served must have been exposed to or witnessed domestic violence, have been exposed to or witnessed community violence, or be a refugee. Priority shall be given to organizations that demonstrate collaboration with battered women's shelters, homeless shelters, or providers of transitional housing or supported housing. The commissioner shall specify what constitutes evidence-based practice. Organizations shall use all available funding streams.

Sec. 7. RESPIRE CARE.

(a) The commissioner of human services shall allocate amounts for respite care funding to counties based on population. Counties shall be reimbursed for the costs of respite care for families with a child who has a severe emotional disturbance. Total reimbursement shall not exceed the county's allocation. Any funds not used by a county may be reallocated to other counties.

(b) Funds allocated under paragraph (a) may be used for day, night, overnight, and summer or vacation respite care. Funds may be used for in-home or out-of-home respite care.

(c) Up to 25 percent of the funds allocated under paragraph (a) in the first year may be used to recruit, train, and support respite care providers.

(d) The commissioner shall convene a work group composed of stakeholders to determine:

(1) how funds in subsequent years may be used;

(2) how funds shall be disbursed to counties;

(3) who is eligible to provide respite care;

(4) how families access respite care;

(5) how respite care rates will be established; and

(6) what outcome data will be collected.

The work group shall also examine how to use existing tools to determine difficulty of care rates.

Sec. 8. APPROPRIATIONS.

Subdivision 1. **Evidence-based practice.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the commissioner of human services to develop and implement evidence-based practice in children's mental health care and treatment.

Subd. 2. **Early intervention collaborative programs.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the commissioner of human services to fund the early intervention collaborative programs in section 3.

Subd. 3. **Childhood trauma; grants.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the commissioner of human services to make grants for the purpose of maintaining and expanding evidence-based practices under section 6 that support children and youth who have been exposed to violence or who are refugees.

Subd. 4. **Respite care.** \$..... in fiscal year 2008 is appropriated from the general fund to the commissioner of human services to fund respite care for children under section 7 who have a diagnosis of emotional disturbance or severe emotional disturbance.

ARTICLE 3

MISCELLANEOUS

Section 1. [144.206] LOAN FORGIVENESS PROGRAM.

Subdivision 1. **Establishment.** A loan forgiveness program account is established. The commissioner of health shall use money from the account to establish a loan forgiveness program for individuals who are employed by a nonprofit agency that provides mental health services for cultural or ethnic minority clients.

Appropriations made to the account do not cancel and are available until expended, except that at the end of the biennium, any remaining balance in the account that is not committed by contract and is not needed to fulfill existing commitments shall cancel to the fund.

Subd. 2. **Definition.** For the purposes of this section, "qualified educational loan" means a government, commercial, or foundation loan for actual costs paid for tuition, reasonable education expenses, and reasonable living expenses related to the graduate education of a mental health professional.

Subd. 3. **Eligibility.** To be eligible to participate in the loan forgiveness program, an individual must be employed by a nonprofit agency that provides mental health services for cultural or ethnic minority clients and must be of the same culture or ethnicity as the clients. An applicant selected to participate must sign a contract agreeing to remain employed with the nonprofit agency for a three-year full-time term, which shall begin no later than 30 days following completion of the required training.

The commissioner may select applicants each year for participation in the loan forgiveness program, within the limits of available funding. Applicants are responsible for securing their own

qualified educational loans. The commissioner shall select participants based on their suitability for practice serving the required cultural or ethnic minority population. The commissioner shall give preference to applicants closest to completing their education.

Subd. 4. **Disbursements.** For each year that a participant meets the service obligation required under subdivision 3, the commissioner shall make annual disbursements directly to the participant equivalent to 25 percent of the participant's loan indebtedness, not to exceed the balance of the participant's qualifying educational loans. Before receiving loan repayment disbursements, and as requested, the participant and the employer must complete and return to the commissioner an affidavit of practice form provided by the commissioner verifying that the participant is practicing as required under subdivision 3. The participant must provide the commissioner with verification that the full amount of the loan repayment disbursement received by the participant has been applied toward the designated loans. After each disbursement, verification must be received by the commissioner and approved before the next loan repayment disbursement is made.

If a participant does not fulfill the minimum commitment of service under subdivision 3, the commissioner shall collect from the participant the full amount paid to the participant under the loan forgiveness program plus interest at the rate established under section 270C.40. The commissioner shall deposit the money collected in the general fund. The commissioner shall allow waivers of all or part of the money owed the commissioner as a result of nonfulfillment if emergency circumstances prevented fulfillment of the minimum service commitment.

Sec. 2. Minnesota Statutes 2006, section 245.4712, subdivision 1, is amended to read:

Subdivision 1. **Availability of community support services.** (a) County boards must provide or contract for sufficient community support services within the county to meet the needs of adults with serious and persistent mental illness who are residents of the county, and adults who are having an acute episode, regardless of insurance status. Adults may be required to pay a fee according to section 245.481. The community support services program must be designed to improve the ability of adults with serious and persistent mental illness to:

- (1) work in a regular or supported work environment;
- (2) handle basic activities of daily living;
- (3) participate in leisure time activities;
- (4) set goals and plans; and
- (5) obtain and maintain appropriate living arrangements.

The community support services program must also be designed to promote mental health stabilization and increase functioning, and reduce the need for and use of more intensive, costly, or restrictive placements both in number of admissions and length of stay.

(b) Community support services are those services that are supportive in nature and not necessarily treatment-oriented, and include:

- (1) assessing and monitoring mental health symptoms;
- (2) conducting outreach activities such as home visits, health and wellness checks, illness education, problem solving, and accompanying people to medical appointments and other meetings;

- (3) connecting people to resources to meet their basic needs;
- (4) finding, securing, and helping people maintain housing;
- (5) attaining and maintaining health insurance benefits;
- (6) assisting with finding and maintaining employment and securing a stable financial situation;
- (7) fostering social support, including support groups, mentoring, peer support, and other efforts to prevent isolation and promote recovery;
- (8) educating about mental illness, treatment, and recovery; and
- (9) connecting with individuals who have mental illness, health care providers, and treatment programs to prevent the use of crisis services or hospital emergency departments.

(c) Community support services shall use all available funding streams. The county shall maintain the level of expenditures for this program, as required under section 245.4835. County boards must continue to provide funds for those services not covered by other funding streams and to maintain an infrastructure to carry out these services.

(d) The commissioner shall collect data on community support services programs, including, but not limited to, demographic information such as age, sex, race, the number of people served, and information related to housing, employment, hospitalization, symptoms, and satisfaction with services.

Sec. 3. Minnesota Statutes 2006, section 245.50, subdivision 5, is amended to read:

Subd. 5. Special contracts; bordering states. (a) An individual who is detained, committed, or placed on an involuntary basis under chapter 253B may be confined or treated in a bordering state pursuant to a contract under this section. An individual who is detained, committed, or placed on an involuntary basis under the civil law of a bordering state may be confined or treated in Minnesota pursuant to a contract under this section. A peace or health officer who is acting under the authority of the sending state may transport an individual to a receiving agency that provides services pursuant to a contract under this section and may transport the individual back to the sending state under the laws of the sending state. Court orders valid under the law of the sending state are granted recognition and reciprocity in the receiving state for individuals covered by a contract under this section to the extent that the court orders relate to confinement for treatment or care of mental illness or chemical dependency. Such treatment or care may address other conditions that may be co-occurring with the mental illness or chemical dependency. These court orders are not subject to legal challenge in the courts of the receiving state. Individuals who are detained, committed, or placed under the law of a sending state and who are transferred to a receiving state under this section continue to be in the legal custody of the authority responsible for them under the law of the sending state. Except in emergencies, those individuals may not be transferred, removed, or furloughed from a receiving agency without the specific approval of the authority responsible for them under the law of the sending state.

(b) While in the receiving state pursuant to a contract under this section, an individual shall be subject to the sending state's laws and rules relating to length of confinement, reexaminations, and extensions of confinement. No individual may be sent to another state pursuant to a contract under this section until the receiving state has enacted a law recognizing the validity and applicability of

this section.

(c) If an individual receiving services pursuant to a contract under this section leaves the receiving agency without permission and the individual is subject to involuntary confinement under the law of the sending state, the receiving agency shall use all reasonable means to return the individual to the receiving agency. The receiving agency shall immediately report the absence to the sending agency. The receiving state has the primary responsibility for, and the authority to direct, the return of these individuals within its borders and is liable for the cost of the action to the extent that it would be liable for costs of its own resident.

(d) Responsibility for payment for the cost of care remains with the sending agency.

(e) This subdivision also applies to county contracts under subdivision 2 which include emergency care and treatment provided to a county resident in a bordering state.

(f) If a Minnesota resident is admitted to a receiving agency in a bordering state under this chapter, a physician, licensed psychologist who has a doctoral degree in psychology, or an advance practice registered nurse certified in mental health, and who is licensed in the bordering state, may act as an examiner under sections 253B.07, 253B.08, 253B.092, 253B.12, and 253B.17, subject to the same requirements and limitations in section 253B.02, subdivision 7.

Sec. 4. [245.6961] CULTURALLY COMPETENT MENTAL HEALTH SERVICES GRANTS.

Subdivision 1. **Services.** The commissioner shall make grants to nonprofit organizations to ensure that culturally competent mental health services are provided to individuals throughout the state. The grants are intended to provide direct services and to serve as a bridge to existing mental health providers and organizations that reflect the community they serve. The grants may be used to:

- (1) provide services and support to low-income families from different cultures;
- (2) provide technical assistance to mental health and health care providers who have clients in need of culturally appropriate services;
- (3) translate information for patients and their families;
- (4) collocate services at clinics, schools, and other locations;
- (5) provide services and support using telemedicine to reach families in need of information and support in communities where there are no culturally specific providers; and
- (6) provide culturally specific support services.

Subd. 2. **Grants.** The commissioner shall determine grantees through a request for proposal process and, in consultation with mental health advocates, develop grantee eligibility requirements, services, and outcome measures.

Sec. 5. Minnesota Statutes 2006, section 256D.03, subdivision 3, is amended to read:

Subd. 3. **General assistance medical care; eligibility.** (a) General assistance medical care may be paid for any person who is not eligible for medical assistance under chapter 256B, including

eligibility for medical assistance based on a spenddown of excess income according to section 256B.056, subdivision 5, or MinnesotaCare as defined in paragraph (b), except as provided in paragraph (c), and:

(1) who is receiving assistance under section 256D.05, except for families with children who are eligible under Minnesota family investment program (MFIP), or who is having a payment made on the person's behalf under sections 256I.01 to 256I.06; or

(2) who is a resident of Minnesota; and

(i) who has gross countable income not in excess of 75 percent of the federal poverty guidelines for the family size, using a six-month budget period and whose equity in assets is not in excess of \$1,000 per assistance unit. General assistance medical care is not available for applicants or enrollees who are otherwise eligible for medical assistance but fail to verify their assets. Enrollees who become eligible for medical assistance shall be terminated and transferred to medical assistance. Exempt assets, the reduction of excess assets, and the waiver of excess assets must conform to the medical assistance program in section 256B.056, subdivision 3, with the following exception: the maximum amount of undistributed funds in a trust that could be distributed to or on behalf of the beneficiary by the trustee, assuming the full exercise of the trustee's discretion under the terms of the trust, must be applied toward the asset maximum;

(ii) who has gross countable income above 75 percent of the federal poverty guidelines but not in excess of 175 percent of the federal poverty guidelines for the family size, using a six-month budget period, whose equity in assets is not in excess of the limits in section 256B.056, subdivision 3c, and who applies during an inpatient hospitalization; or

(iii) the commissioner shall adjust the income standards under this section each July 1 by the annual update of the federal poverty guidelines following publication by the United States Department of Health and Human Services.

(b) Effective for applications and renewals processed on or after September 1, 2006, general assistance medical care may not be paid for applicants or recipients who are adults with dependent children under 21 whose gross family income is equal to or less than 275 percent of the federal poverty guidelines who are not described in paragraph (e).

(c) Effective for applications and renewals processed on or after September 1, 2006, general assistance medical care may be paid for applicants and recipients who meet all eligibility requirements of paragraph (a), clause (2), item (i), for a temporary period beginning the date of application. Immediately following approval of general assistance medical care, enrollees shall be enrolled in MinnesotaCare under section 256L.04, subdivision 7, with covered services as provided in section 256L.03 for the rest of the six-month eligibility period, until their six-month renewal.

(d) To be eligible for general assistance medical care following enrollment in MinnesotaCare as required by paragraph (c), an individual must complete a new application.

(e) Applicants and recipients eligible under paragraph (a), clause (1); who have applied for and are awaiting a determination of blindness or disability by the state medical review team or a determination of eligibility for Supplemental Security Income or Social Security Disability Insurance by the Social Security Administration; who fail to meet the requirements of section 256L.09, subdivision 2; who are classified as end-stage renal disease beneficiaries in the Medicare

program; who are enrolled in private health care coverage as defined in section 256B.02, subdivision 9; who are eligible under paragraph (j); or who receive treatment funded pursuant to section 254B.02 are exempt from the MinnesotaCare enrollment requirements of this subdivision.

(f) For applications received on or after October 1, 2003, eligibility may begin no earlier than the date of application. For individuals eligible under paragraph (a), clause (2), item (i), a redetermination of eligibility must occur every 12 months. Individuals are eligible under paragraph (a), clause (2), item (ii), only during inpatient hospitalization but may reapply if there is a subsequent period of inpatient hospitalization.

(g) Beginning September 1, 2006, Minnesota health care program applications and renewals completed by recipients and applicants who are persons described in paragraph (c) and submitted to the county agency shall be determined for MinnesotaCare eligibility by the county agency. If all other eligibility requirements of this subdivision are met, eligibility for general assistance medical care shall be available in any month during which MinnesotaCare enrollment is pending. Upon notification of eligibility for MinnesotaCare, notice of termination for eligibility for general assistance medical care shall be sent to an applicant or recipient. If all other eligibility requirements of this subdivision are met, eligibility for general assistance medical care shall be available until enrollment in MinnesotaCare subject to the provisions of paragraphs (c), (e), and (f).

(h) The date of an initial Minnesota health care program application necessary to begin a determination of eligibility shall be the date the applicant has provided a name, address, and Social Security number, signed and dated, to the county agency or the Department of Human Services. If the applicant is unable to provide a name, address, Social Security number, and signature when health care is delivered due to a medical condition or disability, a health care provider may act on an applicant's behalf to establish the date of an initial Minnesota health care program application by providing the county agency or Department of Human Services with provider identification and a temporary unique identifier for the applicant. The applicant must complete the remainder of the application and provide necessary verification before eligibility can be determined. The county agency must assist the applicant in obtaining verification if necessary.

(i) County agencies are authorized to use all automated databases containing information regarding recipients' or applicants' income in order to determine eligibility for general assistance medical care or MinnesotaCare. Such use shall be considered sufficient in order to determine eligibility and premium payments by the county agency.

(j) General assistance medical care is not available for a person in a correctional facility unless the person is detained by law for less than one year in a county correctional or detention facility as a person accused or convicted of a crime, or admitted as an inpatient to a hospital on a criminal hold order, and the person is a recipient of general assistance medical care at the time the person is detained by law or admitted on a criminal hold order and as long as the person continues to meet other eligibility requirements of this subdivision.

(k) General assistance medical care is not available for applicants or recipients who do not cooperate with the county agency to meet the requirements of medical assistance.

(l) In determining the amount of assets of an individual eligible under paragraph (a), clause (2), item (i), there shall be included any asset or interest in an asset, including an asset excluded under paragraph (a), that was given away, sold, or disposed of for less than fair market value within the 60 months preceding application for general assistance medical care or during the

period of eligibility. Any transfer described in this paragraph shall be presumed to have been for the purpose of establishing eligibility for general assistance medical care, unless the individual furnishes convincing evidence to establish that the transaction was exclusively for another purpose. For purposes of this paragraph, the value of the asset or interest shall be the fair market value at the time it was given away, sold, or disposed of, less the amount of compensation received. For any uncompensated transfer, the number of months of ineligibility, including partial months, shall be calculated by dividing the uncompensated transfer amount by the average monthly per person payment made by the medical assistance program to skilled nursing facilities for the previous calendar year. The individual shall remain ineligible until this fixed period has expired. The period of ineligibility may exceed 30 months, and a reapplication for benefits after 30 months from the date of the transfer shall not result in eligibility unless and until the period of ineligibility has expired. The period of ineligibility begins in the month the transfer was reported to the county agency, or if the transfer was not reported, the month in which the county agency discovered the transfer, whichever comes first. For applicants, the period of ineligibility begins on the date of the first approved application.

(m) When determining eligibility for any state benefits under this subdivision, the income and resources of all noncitizens shall be deemed to include their sponsor's income and resources as defined in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, title IV, Public Law 104-193, sections 421 and 422, and subsequently set out in federal rules.

(n) Undocumented noncitizens and nonimmigrants are ineligible for general assistance medical care. For purposes of this subdivision, a nonimmigrant is an individual in one or more of the classes listed in United States Code, title 8, section 1101(a)(15), and an undocumented noncitizen is an individual who resides in the United States without the approval or acquiescence of the Immigration and Naturalization Service.

(o) Notwithstanding any other provision of law, a noncitizen who is ineligible for medical assistance due to the deeming of a sponsor's income and resources, is ineligible for general assistance medical care.

(p) Effective July 1, 2003, general assistance medical care emergency services end.

(q) Effective July 1, 2007, individuals in a correctional facility who have been diagnosed with a mental illness as defined in section 245.462, subdivision 20, are eligible for general assistance medical care for three months from the date of release from confinement.

Sec. 6. MINNESOTA FAMILY INVESTMENT PROGRAM AND CHILDREN'S MENTAL HEALTH PILOT PROJECT.

Subdivision 1. Pilot project authorized. The commissioner of human services shall fund a three-year pilot project to measure the effect of children's identified mental health needs, including social and emotional needs, on Minnesota family investment program (MFIP) participants' ability to obtain and retain employment. The project shall also measure the effect on meeting work activity requirements of MFIP participants' needs to address their children's identified mental health needs.

Subd. 2. Provider and agency proposals. (a) Interested MFIP employment and training service providers and agencies shall:

(1) submit proposals defining how they will identify participants whose children have mental

health needs that hinder the employment process;

(2) connect families with appropriate developmental, social, and emotional screenings and services; and

(3) incorporate those services into the participant's employment plan.

Each proposal under this paragraph must include an evaluation component.

(b) Interested MFIP employment and training service providers and agencies shall develop a protocol to inform MFIP participants of the following:

(1) the availability of developmental, social, and emotional screening tools for children and youth;

(2) the purpose of the screenings;

(3) how the information will be used to assist the participants in identifying and addressing potential barriers to employment; and

(4) that their employment plan may be modified based on the screening results.

Subd. 3. **Program components.** (a) MFIP employment and training service providers shall obtain the participant's written consent for participation in the pilot project, including consent for developmental, social, and emotional screening.

(b) MFIP employment and training service providers shall coordinate with county social service agencies and health plans to assist recipients in arranging referrals indicated by the screening results.

(c) Tools used for developmental, social, and emotional screenings shall be approved by the commissioner of human services.

Subd. 4. **Program evaluation.** (a) The commissioner of human services shall conduct an evaluation of the pilot project to determine:

(1) the number of participants who took part in the screening;

(2) the number of children who were screened and what screening tools were used;

(3) the number of children who were identified in the screening who needed referral or follow-up services;

(4) the number of children who received services, what agency provided the services, and what type of services were provided;

(5) the number of employment plans that were adjusted to include the activities recommended in the screenings;

(6) the changes in work participation rates;

(7) the changes in earned income;

(8) the changes in sanction rates; and

(9) the participants' report of program effectiveness.

(b) The evaluation is due to the legislature by January 15, 2011.

Subd. 5. **Work activity.** Participant involvement in screenings and subsequent referral and follow-up services shall count as work activity under Minnesota Statutes, section 256J.49, subdivision 13.

Sec. 7. EVIDENCE-BASED PRACTICE.

The commissioner of human services shall consult with stakeholder groups to examine possible budget-neutral changes that include and support evidence-based practices. The commissioner has the authority to make budget-neutral changes to medical assistance coverage and benefits to implement evidence-based practices as defined by the Agency for Healthcare Research and Quality Practice Guidelines, and the Substance Abuse and Mental Health Services Administration.

Sec. 8. TELEHEALTH.

Subdivision 1. **Office of Enterprise Technology.** The Office of Enterprise Technology, in consultation with the commissioner of human services, shall provide interconnectivity, bridging, or gateway for televideo conferencing at no cost to the providers between:

- (1) state and county agency sites; and
- (2) community provider sites or association of community providers sites.

Subd. 2. **Eligibility.** Community providers eligible for the televideo conferencing are those enrolled as medical assistance providers under Minnesota Statutes, section 256B.0625, subdivision 5, or under contract with counties to provide services under Minnesota Statutes, sections 245.461 to 245.486, the Minnesota Comprehensive Adult Mental Health Act; Minnesota Statutes, sections 245.4712 to 245.4861, community support and day treatment services; or Minnesota Statutes, sections 245.487 to 245.4887, the Minnesota Comprehensive Children's Mental Health Act.

Sec. 9. DUAL DIAGNOSIS.

The commissioner of human services shall fund up to three programs, within the available appropriation, that provide services for high-risk adults with serious mental illness and co-occurring substance abuse problems. The services must include, but not be limited to, the following:

- (1) housing services, including rent or housing subsidies, housing with clinical staff, or housing support;
- (2) assertive outreach services; and
- (3) intensive direct therapeutic, rehabilitative, and care management services oriented to harm reduction.

The commissioner shall work with housing providers to ensure proper licensure or certification to meet medical assistance or third-party payor reimbursement requirements.

Sec. 10. HIGHER EDUCATION STUDENT HEALTH INSURANCE PROGRAM.

The commissioner of human services shall explore, in consultation with the Office of Higher Education, and provide to the legislature, different options for ensuring that all full-time and part-time students enrolled in a public or private institution of higher education in the state are

participating in a qualifying student health insurance program or are covered under another health insurance plan. The commissioner shall determine how institutions of higher education will monitor student participation and require each institution to provide documentation to determine if the institution is complying with the mandatory health insurance program requirements. The commissioner shall also propose exceptions to the requirement for students who do not have insurance coverage due to religious beliefs. The commissioner must recommend in the report to the legislature a penalty for institutions that fail to carry out the responsibilities of the mandatory student health insurance program. The commissioner shall also provide in the report to the legislature an analysis of the number of higher education students in the state who are lacking health insurance, and the costs to the students and the institutions of providing a qualifying student health insurance program, or requiring the students to enroll in other available health insurance, and the costs of monitoring student compliance with the program. The commissioner shall also include a proposed method of meeting those costs.

The analysis, report, and draft legislation are due to the legislative committees having jurisdiction over higher education issues and health care issues by January 15, 2008.

Sec. 11. APPROPRIATIONS.

Subd. 1. **Community mental health programs.** \$..... is appropriated in fiscal year 2008 from the general fund to the commissioner of human services to contract for training and consultation for clinical supervisors and staff of community mental health centers who provide services to children and adults. The purpose of the training and consultation is to improve clinical supervision of staff, strengthen compliance with federal and state rules and regulations, and to recommend strategies for standardization and simplification of administrative functions among community mental health centers.

Subd. 2. **Suicide intervention and prevention grant.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the commissioner of human services for grants for institutions of higher education in the state of Minnesota to coordinate implementation of youth suicide early intervention and prevention strategies.

Subd. 3. **Culturally competent mental health services grants.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the commissioner of human services for development and implementation of grants for culturally competent mental health services under section 4.

Subd. 4. **Bridges rental housing assistance program.** \$3,400,000 in fiscal year 2008 and \$3,400,000 in fiscal year 2009 are appropriated from the general fund to the Housing Finance Agency for the Bridges rental housing assistance program under Minnesota Statutes, section 462A.2097. These appropriations are in addition to any base appropriations for this purpose and shall become part of the agency's base.

Subd. 5. **MFIP and children's mental health pilot project.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the commissioner of human services to fund the pilot project under section 6.

Subd. 6. **Televideo conferencing.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the Office of Enterprise Technology to provide televideo conferencing under section 8.

Subd. 7. **Dual diagnosis; demonstration project.** \$..... in fiscal year 2008 and \$..... in fiscal year 2009 are appropriated from the general fund to the commissioner of human services to fund the demonstration projects under section 9.

ARTICLE 4

MENTAL HEALTH FUNDING

Section 1. Minnesota Statutes 2006, section 256B.038, is amended to read:

256B.038 PROVIDER RATE INCREASES AFTER JUNE 30, 1999.

(a) For fiscal years beginning on or after July 1, 1999, the commissioner of finance shall include an annual inflationary adjustment in payment rates for the services listed in paragraph (b) as a budget change request in each biennial detailed expenditure budget submitted to the legislature under section 16A.11. The adjustment shall be accomplished by indexing the rates in effect for inflation based on the change in the Consumer Price Index-All Items (United States city average)(CPI-U) as forecasted by Data Resources, Inc., in the fourth quarter of the prior year for the calendar year during which the rate increase occurs.

(b) Within the limits of appropriations specifically for this purpose, the commissioner shall apply the rate increases in paragraph (a) to home and community-based waiver services for persons with developmental disabilities under section 256B.501; home and community-based waiver services for the elderly under section 256B.0915; waived services under community alternatives for disabled individuals under section 256B.49; community alternative care waived services under section 256B.49; traumatic brain injury waived services under section 256B.49; nursing services and home health services under section 256B.0625, subdivision 6a; personal care services and nursing supervision of personal care services under section 256B.0625, subdivision 19a; private duty nursing services under section 256B.0625, subdivision 7; day training and habilitation services for adults with developmental disabilities under sections 252.40 to 252.46; physical therapy services under sections 256B.0625, subdivision 8, and 256D.03, subdivision 4; occupational therapy services under sections 256B.0625, subdivision 8a, and 256D.03, subdivision 4; speech-language therapy services under section 256D.03, subdivision 4, and Minnesota Rules, part 9505.0390; respiratory therapy services under section 256D.03, subdivision 4, and Minnesota Rules, part 9505.0295; physician services under section 256B.0625, subdivision 3; dental services under sections 256B.0625, subdivision 9, and 256D.03, subdivision 4; alternative care services under section 256B.0913; adult residential program grants under Minnesota Rules, parts 9535.2000 to 9535.3000; adult and family community support grants under Minnesota Rules, parts 9535.1700 to 9535.1760; and semi-independent living services under section 252.275, including SILS funding under county social services grants formerly funded under chapter 256I; adult rehabilitative mental health services under section 256B.0623; and children's therapeutic services and support services under section 256B.0943.

(c) The commissioner shall increase prepaid medical assistance program capitation rates as appropriate to reflect the rate increases in this section.

(d) In implementing this section, the commissioner shall consider proposing a schedule to equalize rates paid by different programs for the same service.

Sec. 2. Minnesota Statutes 2006, section 256B.0623, subdivision 8, is amended to read:

Subd. 8. **Diagnostic assessment.** Providers of adult rehabilitative mental health services must complete a diagnostic assessment as defined in section 245.462, subdivision 9, within five days after the recipient's second visit or within 30 days after intake, whichever occurs first. A diagnostic assessment must be reimbursed at the same rate as an assessment under section 256B.0655, subdivision 8. In cases where a diagnostic assessment is available that reflects the recipient's current status, and has been completed within 180 days preceding admission, an update must be completed. An update shall include a written summary by a mental health professional of the recipient's current mental health status and service needs. If the recipient's mental health status has changed significantly since the adult's most recent diagnostic assessment, a new diagnostic assessment is required. For initial implementation of adult rehabilitative mental health services, until June 30, 2005, a diagnostic assessment that reflects the recipient's current status and has been completed within the past three years preceding admission is acceptable.

Sec. 3. Minnesota Statutes 2006, section 256B.0625, subdivision 38, is amended to read:

Subd. 38. **Payments for mental health services.** (a) Payments for mental health services covered under the medical assistance program that are provided by masters-prepared mental health professionals shall be 80 percent of the rate paid to doctoral-prepared professionals. Payments for mental health services covered under the medical assistance program that are provided by masters-prepared mental health professionals employed by community mental health centers shall be 100 percent of the rate paid to doctoral-prepared professionals. ~~For purposes of reimbursement of mental health professionals under the medical assistance program, all~~

(b) Payments for mental health services covered under the medical assistance program that are provided by social workers who:

(1) have received a master's degree in social work from a program accredited by the Council on Social Work Education;

(2) are licensed at the level of graduate social worker or independent social worker; ~~and~~

(3) are practicing clinical social work under appropriate supervision, as defined by chapter 148D; and

(4) meet all requirements under Minnesota Rules, part 9505.0323, subpart 24, and. Payments under this paragraph shall be paid accordingly according to Minnesota Rules, part 9505.0323, subpart 24, unless paragraph (c) is applicable.

(c) Payments for mental health services covered under the medical assistance program that are provided by an individual who is employed by a community mental health center and:

(1) who is a licensed graduate social worker under section 148D.055, subdivision 3, or a licensed independent social worker under section 148D.055, subdivision 4;

(2) who has completed all requirements for licensure or board certification as a mental health professional except for the requirements for supervised experience in the delivery of mental health services; or

(3) who is a student in a bona fide field placement or internship under a program leading to completion of the requirements for licensure as a mental health professional

shall be reimbursed at 100 percent of the rate paid to the supervising professional. The individual providing the service under this paragraph must be under the clinical supervision of a fully qualified mental health professional.

(d) Subject to federal approval, medical assistance covers clinical supervision of mental health practitioners by a mental health professional when clinical supervision is required as part of other medical assistance services.

Sec. 4. Minnesota Statutes 2006, section 256B.0625, subdivision 43, is amended to read:

Subd. 43. **Mental health provider travel time.** Medical assistance covers provider travel time if a recipient's individual treatment plan requires the provision of mental health services outside of the provider's normal place of business. This The per minute rate for travel time is to be calculated at two times the IRS mileage rate. Reimbursement under this subdivision does not include any travel time which is included in other billable services, and is only covered when the mental health service being provided to a recipient is covered under medical assistance.

Sec. 5. Minnesota Statutes 2006, section 256B.0625, subdivision 46, is amended to read:

Subd. 46. **Mental health telemedicine.** Effective January 1, 2006, and subject to federal approval, mental health services that are otherwise covered by medical assistance as direct face-to-face services may be provided via two-way interactive video. Use of two-way interactive video must be medically appropriate to the condition and needs of the person being served. Reimbursement is at the same rates and under the same conditions that would otherwise apply to the service and shall include payment for the originating facility fee and the cost of broadband connections. The interactive video equipment and connection must comply with Medicare standards in effect at the time the service is provided.

Sec. 6. Minnesota Statutes 2006, section 256B.0943, is amended by adding a subdivision to read:

Subd. 11a. **Reimbursement of diagnostic assessments.** A diagnostic assessment under this section must be reimbursed at the same rate as a diagnostic assessment under section 256B.0655, subdivision 8.

Sec. 7. Minnesota Statutes 2006, section 256B.69, subdivision 5g, is amended to read:

Subd. 5g. **Payment for covered services.** For services rendered on or after January 1, 2003, the total payment made to managed care plans for providing covered services under the medical assistance and general assistance medical care programs is reduced by .5 percent from their current statutory rates. This provision excludes payments for nursing home services, home and community-based waivers, and payments to demonstration projects for persons with disabilities, and mental health services added as covered benefits after December 31, 2007.

Sec. 8. Minnesota Statutes 2006, section 256B.69, subdivision 5h, is amended to read:

Subd. 5h. **Payment reduction.** In addition to the reduction in subdivision 5g, the total payment made to managed care plans under the medical assistance program is reduced 1.0 percent for services provided on or after October 1, 2003, and an additional 1.0 percent for services provided on or after January 1, 2004. This provision excludes payments for nursing home services, home and community-based waivers, and payments to demonstration projects for persons with disabilities, and mental health services added as covered benefits after December 1, 2007.

Sec. 9. Minnesota Statutes 2006, section 256B.763, is amended to read:

256B.763 CRITICAL ACCESS MENTAL HEALTH RATE INCREASE.

(a) For services defined in paragraph (b) and rendered on or after July 1, 2007, payment rates shall be increased by 23.7 percent over the rates in effect on January 1, 2006, for:

- (1) psychiatrists and advanced practice registered nurses with a psychiatric specialty;
- (2) community mental health centers under section 256B.0625, subdivision 5; and

(3) mental health clinics and centers certified under Minnesota Rules, parts 9520.0750 to 9520.0870, or hospital outpatient psychiatric departments that are designated as essential community providers under section 62Q.19.

(b) This increase applies to group skills training when provided as a component of children's therapeutic services and support, psychotherapy, medication management, evaluation and management, diagnostic assessment, explanation of findings, psychological testing, neuropsychological services, direction of behavioral aides, and inpatient consultation.

(c) This increase does not apply to rates that are governed by section 256B.0625, subdivision 30, or 256B.761, paragraph (b), other cost-based rates, rates that are negotiated with the county, rates that are established by the federal government, or rates that increased between January 1, 2004, and January 1, 2005.

(d) The commissioner shall adjust rates paid to prepaid health plans under contract with the commissioner to reflect the rate increases provided in ~~paragraph~~ paragraphs (a) and (e). The prepaid health plan must pass this rate increase to the providers identified in ~~paragraph~~ paragraphs (a) and (e).

(e) Effective January 1, 2008, payment rates for all services not included in paragraph (b) shall increase 23.7 percent over rates in effect on January 1, 2006, for all services by community mental health centers under section 256B.0625, subdivision 5.

Sec. 10. Minnesota Statutes 2006, section 256D.03, subdivision 4, is amended to read:

Subd. 4. **General assistance medical care; services.** (a)(i) For a person who is eligible under subdivision 3, paragraph (a), clause (2), item (i), general assistance medical care covers, except as provided in paragraph (c):

- (1) inpatient hospital services;
- (2) outpatient hospital services;
- (3) services provided by Medicare certified rehabilitation agencies;
- (4) prescription drugs and other products recommended through the process established in section 256B.0625, subdivision 13;
- (5) equipment necessary to administer insulin and diagnostic supplies and equipment for diabetics to monitor blood sugar level;
- (6) eyeglasses and eye examinations provided by a physician or optometrist;

- (7) hearing aids;
- (8) prosthetic devices;
- (9) laboratory and X-ray services;
- (10) physician's services;
- (11) medical transportation except special transportation;
- (12) chiropractic services as covered under the medical assistance program;
- (13) podiatric services;
- (14) dental services as covered under the medical assistance program;
- (15) ~~outpatient services provided by a mental health center or clinic that is under contract with the county board and is established under section 245.62~~ mental health services covered under chapter 256B;
- (16) ~~day treatment services for mental illness provided under contract with the county board;~~
- ~~(17)~~ prescribed medications for persons who have been diagnosed as mentally ill as necessary to prevent more restrictive institutionalization;
- ~~(18) psychological services,~~ (17) medical supplies and equipment, and Medicare premiums, coinsurance and deductible payments;
- ~~(19)~~ (18) medical equipment not specifically listed in this paragraph when the use of the equipment will prevent the need for costlier services that are reimbursable under this subdivision;
- ~~(20)~~ (19) services performed by a certified pediatric nurse practitioner, a certified family nurse practitioner, a certified adult nurse practitioner, a certified obstetric/gynecological nurse practitioner, a certified neonatal nurse practitioner, or a certified geriatric nurse practitioner in independent practice, if (1) the service is otherwise covered under this chapter as a physician service, (2) the service provided on an inpatient basis is not included as part of the cost for inpatient services included in the operating payment rate, and (3) the service is within the scope of practice of the nurse practitioner's license as a registered nurse, as defined in section 148.171;
- ~~(21)~~ (20) services of a certified public health nurse or a registered nurse practicing in a public health nursing clinic that is a department of, or that operates under the direct authority of, a unit of government, if the service is within the scope of practice of the public health nurse's license as a registered nurse, as defined in section 148.171;
- ~~(22)~~ (21) telemedicine consultations, to the extent they are covered under section 256B.0625, subdivision 3b; and
- ~~(23) mental health telemedicine and psychiatric consultation as covered under section 256B.0625, subdivisions 46 and 48~~
- (22) up to six hours of service per client per year, without authorization, of consultation and care coordination as directed by an individual treatment plan, and as a component of children's therapeutic services and support, adult rehabilitative mental health services, or community mental

health services; and

(23) up to six hours of service per client per year for collateral contacts as a component of children's therapeutic services and support, adult rehabilitative mental health services, or community mental health services. These services must be directed by an individual treatment plan and are solely for the purpose of assisting parents and others toward understanding, accommodating, and better caregiving of the person with mental illness or emotional disturbance.

(ii) Effective October 1, 2003, for a person who is eligible under subdivision 3, paragraph (a), clause (2), item (ii), general assistance medical care coverage is limited to inpatient hospital services, including physician services provided during the inpatient hospital stay. A \$1,000 deductible is required for each inpatient hospitalization.

(b) Effective August 1, 2005, sex reassignment surgery is not covered under this subdivision.

(c) In order to contain costs, the commissioner of human services shall select vendors of medical care who can provide the most economical care consistent with high medical standards and shall where possible contract with organizations on a prepaid capitation basis to provide these services. The commissioner shall consider proposals by counties and vendors for prepaid health plans, competitive bidding programs, block grants, or other vendor payment mechanisms designed to provide services in an economical manner or to control utilization, with safeguards to ensure that necessary services are provided. Before implementing prepaid programs in counties with a county operated or affiliated public teaching hospital or a hospital or clinic operated by the University of Minnesota, the commissioner shall consider the risks the prepaid program creates for the hospital and allow the county or hospital the opportunity to participate in the program in a manner that reflects the risk of adverse selection and the nature of the patients served by the hospital, provided the terms of participation in the program are competitive with the terms of other participants considering the nature of the population served. Payment for services provided pursuant to this subdivision shall be as provided to medical assistance vendors of these services under sections 256B.02, subdivision 8, and 256B.0625. For payments made during fiscal year 1990 and later years, the commissioner shall consult with an independent actuary in establishing prepayment rates, but shall retain final control over the rate methodology.

(d) Recipients eligible under subdivision 3, paragraph (a), shall pay the following co-payments for services provided on or after October 1, 2003:

(1) \$25 for eyeglasses;

(2) \$25 for nonemergency visits to a hospital-based emergency room;

(3) \$3 per brand-name drug prescription and \$1 per generic drug prescription, subject to a \$12 per month maximum for prescription drug co-payments. No co-payments shall apply to antipsychotic drugs when used for the treatment of mental illness; and

(4) 50 percent coinsurance on restorative dental services.

(e) Co-payments shall be limited to one per day per provider for nonpreventive visits, eyeglasses, and nonemergency visits to a hospital-based emergency room. Recipients of general assistance medical care are responsible for all co-payments in this subdivision. The general assistance medical care reimbursement to the provider shall be reduced by the amount of the co-payment, except that reimbursement for prescription drugs shall not be reduced once a recipient has reached the \$12 per

month maximum for prescription drug co-payments. The provider collects the co-payment from the recipient. Providers may not deny services to recipients who are unable to pay the co-payment, except as provided in paragraph (f).

(f) If it is the routine business practice of a provider to refuse service to an individual with uncollected debt, the provider may include uncollected co-payments under this section. A provider must give advance notice to a recipient with uncollected debt before services can be denied.

(g) Any county may, from its own resources, provide medical payments for which state payments are not made.

(h) Chemical dependency services that are reimbursed under chapter 254B must not be reimbursed under general assistance medical care.

(i) The maximum payment for new vendors enrolled in the general assistance medical care program after the base year shall be determined from the average usual and customary charge of the same vendor type enrolled in the base year.

(j) The conditions of payment for services under this subdivision are the same as the conditions specified in rules adopted under chapter 256B governing the medical assistance program, unless otherwise provided by statute or rule.

(k) Inpatient and outpatient payments shall be reduced by five percent, effective July 1, 2003. This reduction is in addition to the five percent reduction effective July 1, 2003, and incorporated by reference in paragraph (i).

(l) Payments for all other health services except inpatient, outpatient, and pharmacy services shall be reduced by five percent, effective July 1, 2003.

(m) Payments to managed care plans shall be reduced by five percent for services provided on or after October 1, 2003.

(n) A hospital receiving a reduced payment as a result of this section may apply the unpaid balance toward satisfaction of the hospital's bad debts.

(o) Fee-for-service payments for nonpreventive visits shall be reduced by \$3 for services provided on or after January 1, 2006. For purposes of this subdivision, a visit means an episode of service which is required because of a recipient's symptoms, diagnosis, or established illness, and which is delivered in an ambulatory setting by a physician or physician ancillary, chiropractor, podiatrist, advance practice nurse, audiologist, optician, or optometrist.

(p) Payments to managed care plans shall not be increased as a result of the removal of the \$3 nonpreventive visit co-payment effective January 1, 2006.

(q) Payments for mental health services added as covered benefits after December 1, 2007, are not subject to the reductions in paragraphs (i), (k), (l), and (m).

Sec. 11. Minnesota Statutes 2006, section 256D.44, subdivision 5, is amended to read:

Subd. 5. **Special needs.** In addition to the state standards of assistance established in subdivisions 1 to 4, payments are allowed for the following special needs of recipients of Minnesota supplemental aid who are not residents of a nursing home, a regional treatment center, or a group residential

housing facility.

(a) The county agency shall pay a monthly allowance for medically prescribed diets if the cost of those additional dietary needs cannot be met through some other maintenance benefit. The need for special diets or dietary items must be prescribed by a licensed physician. Costs for special diets shall be determined as percentages of the allotment for a one-person household under the thrifty food plan as defined by the United States Department of Agriculture. The types of diets and the percentages of the thrifty food plan that are covered are as follows:

- (1) high protein diet, at least 80 grams daily, 25 percent of thrifty food plan;
- (2) controlled protein diet, 40 to 60 grams and requires special products, 100 percent of thrifty food plan;
- (3) controlled protein diet, less than 40 grams and requires special products, 125 percent of thrifty food plan;
- (4) low cholesterol diet, 25 percent of thrifty food plan;
- (5) high residue diet, 20 percent of thrifty food plan;
- (6) pregnancy and lactation diet, 35 percent of thrifty food plan;
- (7) gluten-free diet, 25 percent of thrifty food plan;
- (8) lactose-free diet, 25 percent of thrifty food plan;
- (9) antidumping diet, 15 percent of thrifty food plan;
- (10) hypoglycemic diet, 15 percent of thrifty food plan; or
- (11) ketogenic diet, 25 percent of thrifty food plan.

(b) Payment for nonrecurring special needs must be allowed for necessary home repairs or necessary repairs or replacement of household furniture and appliances using the payment standard of the AFDC program in effect on July 16, 1996, for these expenses, as long as other funding sources are not available.

(c) A fee for guardian or conservator service is allowed at a reasonable rate negotiated by the county or approved by the court. This rate shall not exceed five percent of the assistance unit's gross monthly income up to a maximum of \$100 per month. If the guardian or conservator is a member of the county agency staff, no fee is allowed.

(d) The county agency shall continue to pay a monthly allowance of \$68 for restaurant meals for a person who was receiving a restaurant meal allowance on June 1, 1990, and who eats two or more meals in a restaurant daily. The allowance must continue until the person has not received Minnesota supplemental aid for one full calendar month or until the person's living arrangement changes and the person no longer meets the criteria for the restaurant meal allowance, whichever occurs first.

(e) A fee of ten percent of the recipient's gross income or \$25, whichever is less, is allowed for representative payee services provided by an agency that meets the requirements under SSI regulations to charge a fee for representative payee services. This special need is available to all recipients of Minnesota supplemental aid regardless of their living arrangement.

(f) Notwithstanding the language in this subdivision, an amount equal to the maximum allotment authorized by the federal Food Stamp Program for a single individual which is in effect on the first day of ~~January~~ July of the ~~previous~~ current state fiscal year will be added to the standards of assistance established in subdivisions 1 to 4 for individuals under the age of 65 who are relocating from an institution, ~~or an adult mental health residential treatment program under section 256B.0622,~~ or an adult eligible for the community alternatives for disabled individuals waiver, and who are shelter needy. An eligible individual who receives this benefit prior to age 65 may continue to receive the benefit after the age of 65.

"Shelter needy" means that the assistance unit incurs monthly shelter costs that exceed 40 percent of the assistance unit's gross income before the application of this special needs standard. "Gross income" for the purposes of this section is the applicant's or recipient's income as defined in section 256D.35, subdivision 10, or the standard specified in subdivision 3, whichever is greater. A recipient of a federal or state housing subsidy, that limits shelter costs to a percentage of gross income, shall not be considered shelter needy for purposes of this paragraph.

Sec. 12. Minnesota Statutes 2006, section 256L.03, subdivision 1, is amended to read:

Subdivision 1. **Covered health services.** For individuals under section 256L.04, subdivision 7, with income no greater than 75 percent of the federal poverty guidelines or for families with children under section 256L.04, subdivision 1, all subdivisions of this section apply. "Covered health services" means the health services reimbursed under chapter 256B, with the exception of inpatient hospital services, special education services, private duty nursing services, adult dental care services other than services covered under section 256B.0625, subdivision 9, orthodontic services, nonemergency medical transportation services, personal care assistant and case management services, nursing home or intermediate care facilities services, inpatient mental health services, and chemical dependency services. ~~Outpatient mental health services covered under the MinnesotaCare program are limited to diagnostic assessments, psychological testing, explanation of findings, mental health telemedicine, psychiatric consultation, medication management by a physician, day treatment, partial hospitalization, and individual, family, and group psychotherapy.~~

No public funds shall be used for coverage of abortion under MinnesotaCare except where the life of the female would be endangered or substantial and irreversible impairment of a major bodily function would result if the fetus were carried to term; or where the pregnancy is the result of rape or incest.

Covered health services shall be expanded as provided in this section.

Sec. 13. Minnesota Statutes 2006, section 256L.03, subdivision 5, is amended to read:

Subd. 5. **Co-payments and coinsurance.** (a) Except as provided in paragraphs (b) and (c), the MinnesotaCare benefit plan shall include the following co-payments and coinsurance requirements for all enrollees:

- (1) ten percent of the paid charges for inpatient hospital services for adult enrollees, subject to an annual inpatient out-of-pocket maximum of \$1,000 per individual and \$3,000 per family;
- (2) \$3 per prescription for adult enrollees;
- (3) \$25 for eyeglasses for adult enrollees;

(4) \$3 per nonpreventive visit. For purposes of this subdivision, a "visit" means an episode of service which is required because of a recipient's symptoms, diagnosis, or established illness, and which is delivered in an ambulatory setting by a physician or physician ancillary, chiropractor, podiatrist, nurse midwife, advanced practice nurse, audiologist, optician, or optometrist; and

(5) \$6 for nonemergency visits to a hospital-based emergency room.

(b) Paragraph (a), clause (1), does not apply to parents and relative caretakers of children under the age of 21 in households with family income equal to or less than 175 percent of the federal poverty guidelines. Paragraph (a), clause (1), does not apply to parents and relative caretakers of children under the age of 21 in households with family income greater than 175 percent of the federal poverty guidelines for inpatient hospital admissions occurring on or after January 1, 2001.

(c) Paragraph (a), clauses (1) to (4), do not apply to pregnant women and children under the age of 21.

(d) Paragraph (a), clause (4), does not apply to mental health services.

(e) Adult enrollees with family gross income that exceeds 175 percent of the federal poverty guidelines and who are not pregnant shall be financially responsible for the coinsurance amount, if applicable, and amounts which exceed the \$10,000 inpatient hospital benefit limit.

~~(e)~~ (f) When a MinnesotaCare enrollee becomes a member of a prepaid health plan, or changes from one prepaid health plan to another during a calendar year, any charges submitted towards the \$10,000 annual inpatient benefit limit, and any out-of-pocket expenses incurred by the enrollee for inpatient services, that were submitted or incurred prior to enrollment, or prior to the change in health plans, shall be disregarded.

Sec. 14. Minnesota Statutes 2006, section 256L.035, is amended to read:

256L.035 LIMITED BENEFITS COVERAGE FOR CERTAIN SINGLE ADULTS AND HOUSEHOLDS WITHOUT CHILDREN.

(a) "Covered health services" for individuals under section 256L.04, subdivision 7, with income above 75 percent, but not exceeding 175 percent, of the federal poverty guideline means:

(1) inpatient hospitalization benefits with a ten percent co-payment up to \$1,000 and subject to an annual limitation of \$10,000;

(2) physician services provided during an inpatient stay; and

(3) physician services not provided during an inpatient stay; outpatient hospital services; freestanding ambulatory surgical center services; chiropractic services; lab and diagnostic services; diabetic supplies and equipment; mental health services as covered under chapter 256B; and prescription drugs; subject to the following co-payments:

(i) \$50 co-pay per emergency room visit;

(ii) \$3 co-pay per prescription drug; and

(iii) \$5 co-pay per nonpreventive visit; except this co-pay does not apply to mental health services or community mental health services.

The services covered under this section may be provided by a physician, physician ancillary, chiropractor, psychologist, ~~or~~ licensed independent clinical social worker, or other mental health providers covered under chapter 256B if the services are within the scope of practice of that health care professional.

For purposes of this section, "a visit" means an episode of service which is required because of a recipient's symptoms, diagnosis, or established illness, and which is delivered in an ambulatory setting by any health care provider identified in this paragraph.

Enrollees are responsible for all co-payments in this section.

(b) Reimbursement to the providers shall be reduced by the amount of the co-payment, except that reimbursement for prescription drugs shall not be reduced once a recipient has reached the \$20 per month maximum for prescription drug co-payments. The provider collects the co-payment from the recipient. Providers may not deny services to recipients who are unable to pay the co-payment, except as provided in paragraph (c).

(c) If it is the routine business practice of a provider to refuse service to an individual with uncollected debt, the provider may include uncollected co-payments under this section. A provider must give advance notice to a recipient with uncollected debt before services can be denied.

Sec. 15. Minnesota Statutes 2006, section 256L.07, subdivision 3, is amended to read:

Subd. 3. **Other health coverage.** (a) Families and individuals enrolled in the MinnesotaCare program must have no health coverage while enrolled ~~or for at least four months prior to application and renewal.~~ Children enrolled in the original children's health plan and children in families with income equal to or less than 150 percent of the federal poverty guidelines, who have other health insurance, are eligible if the coverage:

(1) lacks two or more of the following:

(i) basic hospital insurance;

(ii) medical-surgical insurance;

(iii) prescription drug coverage;

(iv) dental coverage; ~~or~~

(v) vision coverage; or

(vi) mental health coverage;

(2) requires a deductible of \$100 or more per person per year; or

(3) lacks coverage because the child has exceeded the maximum coverage for a particular diagnosis or the policy excludes a particular diagnosis.

The commissioner may change this eligibility criterion for sliding scale premiums in order to remain within the limits of available appropriations. The requirement of no health coverage does not apply to newborns.

(b) Medical assistance, general assistance medical care, and the Civilian Health and Medical

Program of the Uniformed Service, CHAMPUS, or other coverage provided under United States Code, title 10, subtitle A, part II, chapter 55, are not considered insurance or health coverage for purposes of the four-month requirement described in this subdivision.

(c) For purposes of this subdivision, an applicant or enrollee who is entitled to Medicare Part A or enrolled in Medicare Part B coverage under title XVIII of the Social Security Act, United States Code, title 42, sections 1395c to 1395w-152, is considered to have health coverage. An applicant or enrollee who is entitled to premium-free Medicare Part A may not refuse to apply for or enroll in Medicare coverage to establish eligibility for MinnesotaCare.

(d) Applicants who were recipients of medical assistance or general assistance medical care within one month of application must meet the provisions of this subdivision and subdivision 2.

(e) Cost-effective health insurance that was paid for by medical assistance is not considered health coverage for purposes of the four-month requirement under this section, except if the insurance continued after medical assistance no longer considered it cost-effective or after medical assistance closed.

Sec. 16. Minnesota Statutes 2006, section 256L.12, subdivision 9a, is amended to read:

Subd. 9a. **Rate setting; ratable reduction.** For services rendered on or after October 1, 2003, the total payment made to managed care plans under the MinnesotaCare program is reduced 1.0 percent. This provision excludes payments for mental health services added as covered benefits after December 31, 2007.

Sec. 17. **MENTAL HEALTH SERVICES PROVIDER RATE INCREASES.**

(a) The commissioner of human services shall increase reimbursement rates or rate limits, as applicable, by percent for the rate period beginning October 1, 2007, and the rate period beginning October 1, 2008, effective for services rendered on or after those dates.

(b) The percent annual rate increase described in this section must be provided to:

(1) children's therapeutic services and support under section 256B.0943; and

(2) adult rehabilitative mental health services under section 256B.0623.

(c) Providers that receive a rate increase under this section shall use 75 percent of the additional revenue to increase wages and benefits and pay associated costs for all employees, except for management fees, the administrator, and central office staffs.

(d) For public employees, the increase for wages and benefits for certain staff is available and pay rates shall be increased only to the extent that they comply with laws governing public employees' collective bargaining. Money received by a provider for pay increases under this section may be used only for increases implemented on or after the first day of the rate period in which the increase is available and must not be used for increases implemented prior to that date.

(e) A copy of the provider's plan for complying with paragraph (c) must be made available to all employees by giving each employee a copy or by posting a copy in an area of the provider's operation to which all employees have access. If an employee does not receive the adjustment, if any, described in the plan and is unable to resolve the problem with the provider, the employee may contact the employee's union representative. If the employee is not covered by a collective

bargaining agreement, the employee may contact the commissioner at a telephone number provided by the commissioner and included in the provider's plan.

Sec. 18. REQUIREMENT FOR THE COMMISSIONER OF HUMAN SERVICES TO SEEK FEDERAL APPROVAL TO EXPAND MEDICAL ASSISTANCE TO INCLUDE CERTAIN MENTAL HEALTH SERVICES.

(a) The commissioner of human services shall seek federal approval to expand medical assistance covered services to include:

(1) family psychoeducation, which is a multimodal outpatient therapy and rehabilitative service that involves parents, families, and others as resources in the treatment, recovery, and improved functioning of a person with mental illness or emotional disturbance, in which families learn about the illness, family reactions, and types of treatment and support. Families learn to develop skills to handle problems posed by mental illness including coping, managing stress, ensuring safety, creating social support, identifying resources, and supporting treatment and recovery goals. Services include family counseling, family treatment planning, and family support using cognitive, behavioral, problem-solving, and communication strategies, and may involve individual, family, and group intervention activities for consumers and families together, families only, or brief intermittent consultations at critical times in an episode of care. Eligible providers must be certified to provide both outpatient mental health services and rehabilitative services under this section;

(2) intensive mental health outpatient treatment, which is a multimodal, therapeutic, and rehabilitative service that is provided for at least two hours per day and at least nine to 20 hours per week. The service provides an opportunity to combine existing covered services to deliver the necessary intensity and frequency of services identified in the individual treatment plan. Components of intensive mental health outpatient treatment include, but are not limited to:

(i) individual, family, or multifamily group psychotherapy or psychoeducational services;

(ii) adjunctive services such as medical monitoring, family psychoeducation, behavioral parent training, rehabilitative services, medication education, relapse prevention, illness management and recovery services, and care coordination; and

(iii) service coordination and referral for medical care or social services.

During transition into or from services, intensive outpatient treatment under paragraph (a) may include time-limited services in multiple settings as clinically necessary. The service must be paid as a per diem based on 90 percent of the rate paid for partial hospitalization. Eligible providers must be licensed or certified to provide all aspects of the service;

(3) coordination and care management, which is for the purpose of improving continuity and access to appropriate and necessary services; and

(4) collateral contracts as a component of children's therapeutic services and support, adult rehabilitative mental health services, and community mental health services. These services must be directed by an individual treatment plan, and are solely for the purpose of assisting parents and others toward understanding, accommodating, and better caregiving of the person with mental illness or emotional disturbance.

(b) The commissioner shall also seek federal approval in order to authorize medical assistance

payments for community mental health and psychiatry services provided to dual-eligible clients to be paid at the Medicare reimbursement rate or at the medical assistance payment rate in effect at a certain point in time, whichever is greater.

(c) The commissioner shall seek federal approval as soon as possible, but no later than September 1, 2007. The commissioner shall report to the legislative committees having jurisdiction over mental health issues the result of each request in paragraphs (a) and (b) in the legislative session following the federal government's determinations, unless the commissioner receives the determination during a legislative session. If the determination is favorable and is received by the commissioner during the legislative session, the commissioner shall report the information to the legislature within one week.

(d) If the federal government approves any of the requests in paragraphs (a) and (b), the commissioner shall consult with mental health advocates for input when drafting legislation incorporating the new services into the statutes. The draft legislation is due to the legislature at the same time as the report in paragraph (c).

Sec. 19. APPROPRIATIONS.

Subdivision 1. **Mobile mental health crisis services.** (a) \$5,000,000 in fiscal year 2008 and \$7,250,000 in fiscal year 2009 are appropriated from the general fund to the commissioner of human services for statewide funding of mobile mental health crisis services under Minnesota Statutes, sections 256B.0624 and 256B.0944.

(b) Providers must utilize all available funding streams.

Subd. 2. **Mental health tracking system.** \$448,000 in fiscal year 2008 and \$324,000 in fiscal year 2009 are appropriated from the general fund to the commissioner of human services to fund implementation and continuation of the mental health services outcomes and tracking system.

Subd. 3. **Suicide prevention program.** \$1,100,000 in fiscal year 2008 and \$1,100,000 in fiscal year 2009 are appropriated from the general fund to the commissioner of health to fund the suicide prevention program."

Amend the title as follows:

Page 1, line 4, after "requiring" insert "a study to determine the feasibility of requiring"

Amend the title numbers accordingly

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

Senator Moua from the Committee on Judiciary, to which were referred the following appointments:

BOARD ON JUDICIAL STANDARDS
Douglas A. Fuller

DEPARTMENT OF PUBLIC SAFETY
COMMISSIONER

Michael Champion

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

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

SECOND READING OF SENATE BILLS

S.F. Nos. 108 and 572 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Prettner Solon moved that the name of Senator Johnson be added as a co-author to S.F. No. 140. The motion prevailed.

Senator Saxhaug moved that the name of Senator Latz be added as a co-author to S.F. No. 200. The motion prevailed.

Senator Rosen moved that the name of Senator Latz be added as a co-author to S.F. No. 209. The motion prevailed.

Senator Ingebrigtsen moved that his name be stricken as chief author, and the name of Senator Wergin be shown as chief author to S.F. No. 342. The motion prevailed.

Senator Skogen moved that the name of Senator Ingebrigtsen be added as a co-author to S.F. No. 717. The motion prevailed.

Senator Larson moved that the name of Senator Latz be added as a co-author to S.F. No. 725. The motion prevailed.

Senator Robling moved that her name be stricken as a co-author to S.F. No. 733. The motion prevailed.

Senator Skogen moved that the name of Senator Rest be added as a co-author to S.F. No. 1028. The motion prevailed.

Senator Olseen moved that the name of Senator Rest be added as a co-author to S.F. No. 1043. The motion prevailed.

Senator Scheid moved that the name of Senator Latz be added as a co-author to S.F. No. 1106. The motion prevailed.

Senator Dibble moved that the name of Senator Sieben be added as a co-author to S.F. No. 1135. The motion prevailed.

Senator Marty moved that the name of Senator Sieben be added as a co-author to S.F. No. 1153. The motion prevailed.

Senator Moua moved that the name of Senator Sieben be added as a co-author to S.F. No. 1159. The motion prevailed.

Senator Sparks moved that the name of Senator Ortman be added as a co-author to S.F. No. 1168. The motion prevailed.

Senator Scheid moved that the name of Senator Ortman be added as a co-author to S.F. No. 1177. The motion prevailed.

Senator Koch moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Frederickson be shown as chief author to S.F. No. 1186. The motion prevailed.

Senator Frederickson moved that the names of Senators Tomassoni, Cohen and Langseth be added as co-authors to S.F. No. 1186. The motion prevailed.

Senator Dibble moved that S.F. No. 787 be withdrawn from the Committee on Finance and re-referred to the Committee on Education. The motion prevailed.

Senator Dibble introduced –

Senate Resolution No. 51: A Senate resolution honoring Zac Fustgaard of Minneapolis, Minnesota, for his courageous actions on October 29, 2006.

Referred to the Committee on Rules and Administration.

Senator Michel introduced –

Senate Resolution No. 52: A Senate resolution congratulating Ross Amundson of Bloomington, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Olseen introduced –

Senate Resolution No. 53: A Senate resolution honoring Bridget Alldritt for being selected as the Prudential Spirit of Community Awards Top Youth Volunteer for Minnesota.

Referred to the Committee on Rules and Administration.

Senator Wiger moved that S.F. No. 81 be withdrawn from the Committee on Environment and Natural Resources, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 81 was read the second time.

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

CALENDAR

S.F. No. 226: A bill for an act relating to elections; allowing certain persons access to multiple unit residences for certain campaign and election purposes; amending Minnesota Statutes 2006, section 211B.20, 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 52 and nays 8, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Langseth	Olson, M.	Sieben
Berglin	Erickson Ropes	Latz	Pappas	Skogen
Betzold	Fischbach	Lourey	Pogemiller	Sparks
Bonoff	Foley	Lynch	Prettner Solon	Stumpf
Carlson	Frederickson	Metzen	Rest	Tomassoni
Chaudhary	Gimse	Michel	Robling	Torres Ray
Clark	Higgins	Moua	Rummel	Vickerman
Cohen	Ingebrigtsen	Murphy	Saltzman	Wiger
Day	Johnson	Neuville	Saxhaug	
Dibble	Koering	Olseen	Scheid	
Dille	Kubly	Olson, G.	Sheran	

Those who voted in the negative were:

Koch	Ortman	Rosen	Vandever
Limmer	Pariseau	Senjem	Wergin

So the bill passed and its title was agreed to.

S.F. No. 458: A bill for an act relating to elections; conforming disclaimer requirements for campaign material to constitutional requirements; amending Minnesota Statutes 2006, section 211B.04.

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 55 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Kubly	Olson, G.	Vandever
-------	-----------	----------

So the bill passed and its title was agreed to.

S.F. No. 483: A bill for an act relating to elections; eliminating ten percent requirement for major political party nomination; amending Minnesota Statutes 2006, sections 204B.04, subdivision 2; 204D.10, subdivision 1; 204D.20, subdivision 1; repealing Minnesota Statutes 2006, section 204D.10, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

CONSENT CALENDAR

H.F. No. 87: A bill for an act relating to capital improvements; authorizing expenditures to predesign an Asian Pacific Cultural Center in St. Paul; amending Laws 2006, chapter 258, section 21, subdivision 21.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

S.F. No. 736: A bill for an act relating to local government; renaming the Metropolitan Intercounty Association; amending Minnesota Statutes 2006, sections 353.01, subdivision 6; 383D.48; 471.61, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

CONFIRMATION

Senator Rest moved that the report from the Committee on State and Local Government Operations and Oversight, reported January 22, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Rest moved that in accordance with the report from the Committee on State and Local Government Operations and Oversight, reported January 22, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF ADMINISTRATION COMMISSIONER

Dana B. Badgerow, 1790 Irving Ave. S., Minneapolis, Hennepin County, effective January 2, 2007, for a term expiring on January 3, 2011.

METROPOLITAN COUNCIL CHAIR

Peter Bell, 3730 W. Calhoun Pkwy., Minneapolis, Hennepin County, effective January 2, 2007, for a term expiring on January 3, 2011.

OFFICE OF ENTERPRISE TECHNOLOGY CHIEF INFORMATION OFFICER

Gopal K. Khanna, 6605 Nordic Dr., Edina, Hennepin County, effective January 2, 2007, for a term expiring on January 3, 2011.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Metzen moved that the report from the Committee on Business, Industry and Jobs, reported January 25, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Metzen moved that in accordance with the report from the Committee on Business, Industry and Jobs, reported January 25, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of:

**BUREAU OF MEDIATION SERVICES
COMMISSIONER**

James Alex Cunningham, Jr., 515 Westby Dr., Spring Lake Park, Anoka County, effective on January 2, 2007, for a term expiring on January 3, 2011.

**DEPARTMENT OF LABOR AND INDUSTRY
COMMISSIONER**

Scott Brener, 4621 Wooddale Ave., Edina, Hennepin County, effective on January 2, 2007, for a term expiring on January 3, 2011.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Rest moved that the report from the Committee on State and Local Government Operations and Oversight, reported January 29, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Rest moved that in accordance with the report from the Committee on State and Local Government Operations and Oversight, reported January 29, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of:

GAMBLING CONTROL BOARD

Gerald E. Dexter, 3020 N. Rice St., #F-51, Little Canada, Ramsey County, effective July 1, 2006, for a term expiring on June 30, 2010.

Shirleen Hoffman, 599 Marsh Dr., Delano, Wright County, effective July 1, 2006, for a term expiring on June 30, 2010.

Peggy Moon, 1412 Dale St., St. Joseph, Stearns County, effective July 1, 2005, for a term expiring on June 30, 2009.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Vickerman moved that the report from the Committee on Agriculture and Veterans,

reported January 29, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Vickerman moved that in accordance with the report from the Committee on Agriculture and Veterans, reported January 29, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF AGRICULTURE
COMMISSIONER

Gene Hugoson, 2775 - 60th St., Granada, Martin County, effective January 2, 2007, for a term expiring on January 3, 2011.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education, reported February 1, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Wiger moved that in accordance with the report from the Committee on Education, reported February 1, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Peter Adolphson, 15211 Knob Hill Crv., Minnetonka, Hennepin County, effective February 20, 2006, for a term expiring on January 4, 2010.

Penny Johnson, 608 - 11th Ave. S.E., Willmar, Kandiyohi County, effective July 15, 2005, for a term expiring on January 5, 2009.

Roberta Jones, 3710 Vincent Ave. N., Minneapolis, Hennepin County, effective July 15, 2005, for a term expiring on January 5, 2009.

Sonja Peterson, 507 North Shore Dr., Battle Lake, Otter Tail County, effective July 15, 2005, for a term expiring on January 5, 2009.

Alex Plechash, 475 Highcroft Rd., Wayzata, Hennepin County, effective June 29, 2006, for a term expiring on January 4, 2010.

Howard Wilson, 1380 - 85th Court Way, Northfield, Rice County, effective July 15, 2005, for a term expiring on January 5, 2009.

BOARD OF SCHOOL ADMINISTRATORS

Jim Rhodes, 3408 Rhode Island Ave. S., St. Louis Park, Hennepin County, effective July 7, 2006, for a term expiring on January 4, 2010.

Ramraj Singh, 1204 Summit Oaks Dr., Burnsville, Dakota County, effective February 20, 2006,

for a term expiring on January 4, 2010.

Louise Sundin, 5216 Vincent Ave. S., Minneapolis, Hennepin County, effective July 7, 2006, for a term expiring on January 7, 2008.

BOARD OF TEACHING

Charlene Delaney, 12572 Danbury Way, Rosemount, Dakota County, effective July 7, 2005, for a term expiring on January 5, 2009.

Asad Zaman, 6485 Dawn Way, Inver Grove Heights, Dakota County, effective July 7, 2005, for a term expiring on January 5, 2009.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Moua moved that the report from the Committee on Judiciary, reported February 1, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Moua moved that in accordance with the report from the Committee on Judiciary, reported February 1, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF CORRECTIONS COMMISSIONER

Joan Fabian, 35217 Forest Blvd., North Branch, Chisago County, effective January 2, 2007, for a term expiring on January 3, 2011.

DEPARTMENT OF HUMAN RIGHTS COMMISSIONER

Velma Korbelt, 14801 Butternut St. N.W., Andover, Anoka County, effective January 2, 2007, for a term expiring on January 3, 2011.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Metzen moved that the report from the Committee on Business, Industry and Jobs, reported February 5, 2007, pertaining to appointments, be taken from the table. The motion prevailed.

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

Senator Metzen moved that in accordance with the report from the Committee on Business, Industry and Jobs, reported February 5, 2007, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF INVENTION

Candace Campbell, 3532 Irving Ave. S., Minneapolis, Hennepin County, effective May 15, 2006, for a term expiring on January 5, 2009.

Mary Sue Collins, 1900 East Camp St., Ely, St. Louis County, effective May 15, 2006, for a term expiring on January 4, 2010.

Weston Cutter, 1169 Veronica Ln., Mendota Heights, Dakota County, effective May 15, 2006, for a term expiring on January 7, 2008.

Pat L. Dillon, 2322 Towerview Cir., Bloomington, Hennepin County, effective May 15, 2006, for a term expiring on January 7, 2008.

Randall D. Olson, 3730 Ridgewood Dr., Eagan, Dakota County, effective May 15, 2006, for a term expiring on January 5, 2009.

Leonard S. Pederson, 16728 Shady Oak Ln., Waterville, Le Sueur County, effective May 15, 2006, for a term expiring on January 1, 2007.

Theresa A. Santiago, 968 Stony Point Rd., Eagan, Dakota County, effective May 15, 2006, for a term expiring on January 7, 2008.

Andrew Wells, 4885 Windsor Ct., Bemidji, Beltrami County, effective May 15, 2006, for a term expiring on January 4, 2010.

The motion prevailed. So the appointments were confirmed.

GENERAL ORDERS

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

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

S.F. No. 60, which the committee recommends to pass.

On motion of Senator Pogemiller, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Berglin introduced—

S.F. No. 1317: A bill for an act relating to public health; requiring the commissioner of health to seek funding for environmental justice mapping.

Referred to the Committee on Finance.

Senators Skogen, Lourey, Vickerman, Ingebrigtsen and Koering introduced–

S.F. No. 1318: A bill for an act relating to veterans; exempting veterans from the requirement of a firearm safety certificate; amending Minnesota Statutes 2006, section 97B.020.

Referred to the Committee on Agriculture and Veterans.

Senator Dibble introduced–

S.F. No. 1319: A bill for an act relating to the city of Minneapolis; providing for funding of construction and maintenance of streets and street lighting; amending Laws 1973, chapter 393, section 1, as amended; repealing Laws 1973, chapter 393, section 2.

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

Senators Lynch, Wergin and Higgins introduced–

S.F. No. 1320: A bill for an act relating to health; appropriating money for a statewide hearing aid loan bank for infants and children who are deaf or who have a hearing loss.

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

Senators Scheid and Neuville introduced–

S.F. No. 1321: A bill for an act relating to family law; modifying custody designations for parenting plans that use alternative terminology; amending Minnesota Statutes 2006, section 518.1705, subdivision 4.

Referred to the Committee on Judiciary.

Senator Betzold introduced–

S.F. No. 1322: A bill for an act relating to taxation; property; indexing the residential homestead and agricultural market value credits; amending Minnesota Statutes 2006, section 273.1384, subdivisions 1, 2, by adding subdivisions.

Referred to the Committee on Taxes.

Senator Betzold introduced–

S.F. No. 1323: A bill for an act relating to public employment; changing the definition of confidential employee; amending Minnesota Statutes 2006, section 179A.03, subdivision 4.

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

Senators Anderson, Berglin, Marty, Foley and Erickson Ropes introduced–

S.F. No. 1324: A bill for an act relating to employment; establishing minimum standards of sick leave for certain workers proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Business, Industry and Jobs.

Senator Rest introduced—

S.F. No. 1325: A bill for an act relating to retirement; St. Paul Teachers Retirement Fund Association; authorizing the purchase of service credit for uncredited prior teaching service in an early childhood family education position.

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

Senators Scheid and Rest introduced—

S.F. No. 1326: A bill for an act relating to human services; authorizing the licensure of four intermediate care facilities for persons with developmental disabilities to replace one larger facility; establishing a transition period rate; establishing the payment rate for the new facilities; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 252.

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

Senator Tomassoni introduced—

S.F. No. 1327: A bill for an act relating to state government; including the house of representatives in the public employment labor relations act; amending Minnesota Statutes 2006, section 179A.03, subdivisions 7, 15; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Senator Olson, M. introduced—

S.F. No. 1328: A bill for an act relating to education; establishing an induction program for new teachers; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Education.

Senator Michel introduced—

S.F. No. 1329: A bill for an act relating to motor vehicles; establishing special plates remembering victims of impaired drivers; amending Minnesota Statutes 2006, section 168.1291, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Transportation.

Senator Michel introduced—

S.F. No. 1330: A bill for an act relating to insurance; requiring use of electronic records and signatures in certain instances; amending Minnesota Statutes 2006, section 60A.08, subdivision 5, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Commerce and Consumer Protection.

Senators Moua, Kubly, Marty and Koering introduced–

S.F. No. 1331: A bill for an act relating to human services; appropriating money for food and nutrition assistance.

Referred to the Committee on Finance.

Senator Dille introduced–

S.F. No. 1332: A bill for an act relating to local government; permitting Meeker County EDA to increase its membership to nine members; amending Laws 1998, chapter 389, article 11, section 25, subdivision 1.

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

Senators Latz, Scheid, Higgins, Saxhaug and Vandeverer introduced–

S.F. No. 1333: A bill for an act relating to commerce; enacting a car buyers' bill of rights; requiring disclosures; capping dealer compensation for vehicle financing; regulating the sale of "certified" used motor vehicles; requiring a cancellation option on purchase of a used motor vehicle; amending Minnesota Statutes 2006, sections 53C.01, by adding subdivisions; 53C.08, subdivision 4, by adding a subdivision; 297B.01, subdivision 8; 325F.662, subdivision 10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 53C.

Referred to the Committee on Commerce and Consumer Protection.

Senators Dibble, Berglin, Tomassoni, Pogemiller and Cohen introduced–

S.F. No. 1334: A bill for an act relating to economic development; appropriating money for minority enterprise retention.

Referred to the Committee on Business, Industry and Jobs.

Senator Olseen introduced–

S.F. No. 1335: A bill for an act relating to utilities; modifying conditions for disconnecting and reconnecting utility service; amending Minnesota Statutes 2006, section 216B.097, subdivisions 1, 3.

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

Senators Sheran, Prettner Solon, Berglin and Sieben introduced–

S.F. No. 1336: A bill for an act relating to corrections; authorizing independently licensed mental health care professionals to deliver service to inmates; amending Minnesota Statutes 2006, section 241.69, subdivisions 3, 4.

Referred to the Committee on Judiciary.

Senators Sheran, Murphy, Vickerman and Frederickson introduced–

S.F. No. 1337: A bill for an act relating to transportation; appropriating money for road reconstruction in Nicollet County.

Referred to the Committee on Finance.

Senators Sheran, Foley, Frederickson and Vickerman introduced–

S.F. No. 1338: A bill for an act relating to public safety; permitting use of 911 data to notify the public of an emergency; amending Minnesota Statutes 2006, section 403.07, subdivision 4.

Referred to the Committee on Judiciary.

Senators Tomassoni, Murphy, Sieben, Latz and Saxhaug introduced–

S.F. No. 1339: A bill for an act relating to workers' compensation; requiring employers to pay for continued health coverage for injured workers; requiring employers to pay attorney fees in certain cases; amending Minnesota Statutes 2006, sections 176.021, subdivisions 1, 3; 176.081, subdivision 1.

Referred to the Committee on Business, Industry and Jobs.

Senators Higgins and Latz introduced–

S.F. No. 1340: A bill for an act relating to public defense; requiring the Board of Public Defense to allocate and distribute funds based on weighted caseload; amending Minnesota Statutes 2006, section 611.27, subdivision 1.

Referred to the Committee on Judiciary.

Senators Cohen, Pappas, Moua and Anderson introduced–

S.F. No. 1341: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for the Ordway Center for the Performing Arts in St. Paul.

Referred to the Committee on Finance.

Senators Kubly, Langseth, Stumpf and Skogen introduced–

S.F. No. 1342: A bill for an act relating to natural resources; appropriating money for the Red River mediation implementation.

Referred to the Committee on Finance.

Senators Sheran, Vickerman, Saxhaug, Frederickson and Olson, G. introduced–

S.F. No. 1343: A bill for an act relating to natural resources; providing for community forest management; providing for control of forest and shade tree pests; amending Minnesota Statutes 2006, sections 18G.03, by adding a subdivision; 18G.11; 84D.14; 88.01, by adding a subdivision;

88.79, subdivisions 1, 2; 88.82; 89.001, subdivision 8, by adding subdivisions; 89.01, subdivisions 1, 2, 4; 89.51, subdivisions 1, 6, 9; 89.52; 89.53; 89.54; 89.55; 89.56, subdivisions 1, 3; 89.57; 89.58; 89.59; 89.60; 89.61; 97A.205; proposing coding for new law in Minnesota Statutes, chapter 89; repealing Minnesota Statutes 2006, sections 18G.16; 89.51, subdivision 8.

Referred to the Committee on Environment and Natural Resources.

Senators Carlson, Bakk, Sparks, Sheran and Rosen introduced—

S.F. No. 1344: A bill for an act relating to education finance; increasing funding for districts with declining enrollment; amending Minnesota Statutes 2006, section 126C.05, subdivisions 5, 6.

Referred to the Committee on Finance.

Senator Stumpf introduced—

S.F. No. 1345: A bill for an act relating to education finance; increasing funding for special education programs; amending Minnesota Statutes 2006, sections 125A.76, subdivision 1; 125A.79, subdivision 1.

Referred to the Committee on Finance.

Senators Torres Ray, Scheid, Betzold, Metzen and Koering introduced—

S.F. No. 1346: A bill for an act relating to the Office of the Secretary of State; regulating registrations, filings, and dissolutions of certain entities; providing fees; regulating foreign limited partnership name changes; regulating notaries public; amending Minnesota Statutes 2006, sections 5.12, subdivision 1; 302A.821, subdivision 4; 308A.995, subdivisions 1, 4; 308B.121, subdivisions 1, 4; 308B.215, subdivision 2; 317A.823, subdivision 1; 321.0206; 336.1-110; 336.9-516; 336.9-525; 358.41; 358.42; 358.50; 359.085, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters 308B; 321; repealing Minnesota Statutes 2006, sections 69.051, subdivision 1c; 359.085, subdivision 8.

Referred to the Committee on Judiciary.

Senators Torres Ray, Anderson, Chaudhary, Saxhaug and Frederickson introduced—

S.F. No. 1347: A bill for an act relating to environment; requiring a report on strategies to prevent endocrine disruptors in waters of the state.

Referred to the Committee on Environment and Natural Resources.

Senators Carlson, Marty, Scheid and Ingebrigtsen introduced—

S.F. No. 1348: A bill for an act relating to crimes; making it a crime to falsely report police misconduct to an attorney or other person whose responsibilities include investigating or reporting police misconduct; prescribing penalties; amending Minnesota Statutes 2006, section 609.505, subdivision 2.

Referred to the Committee on Judiciary.

Senators Olson, M.; Neuville; Betzold; Higgins and Moua introduced–

S.F. No. 1349: A bill for an act relating to courts; authorizing the attorney general to represent guardians ad litem who are sued for acts committed in scope of employment; removing certain salary range language for state court administrator and district administrators; requiring county responsibility for persons civilly committed; reinstating certain bail forfeiture language inadvertently removed; authorizing the state court administrator to develop a uniform form for summons and writ of recovery of premises; modifying provisions of law to conform to current guardian ad litem responsibilities; permitting court administrators to collect restitution for six years; providing new judges expense payments; removing certain obsolete judicial provisions relating to reports; amending Minnesota Statutes 2006, sections 3.732, subdivision 1; 3.736, subdivision 1; 15A.083, subdivision 4; 253B.185, subdivision 5; 352D.02, subdivision 1; 484.54, subdivision 2; 484.83; 504B.361, subdivision 1; 518.165, subdivisions 1, 2; 518A.35, subdivision 3; 609.135, subdivision 8; Laws 2001, First Special Session chapter 8, article 4, section 4; Laws 2003, First Special Session chapter 2, article 1, section 2; repealing Minnesota Statutes 2006, sections 260B.173; 480.175, subdivision 3; 626A.17, subdivision 3.

Referred to the Committee on Judiciary.

Senators Olseen, Lynch and Erickson Ropes introduced–

S.F. No. 1350: A bill for an act relating to education; clarifying the requirements for petitioning a school board to hold a special election; amending Minnesota Statutes 2006, section 205A.05, subdivision 1.

Referred to the Committee on Education.

Senators Olson, M. and Skoe introduced–

S.F. No. 1351: A bill for an act relating to higher education; transferring the American Indian scholarship; requiring an office to distribute the scholarships; appropriating money.

Referred to the Committee on Finance.

Senators Sieben, Saltzman, Rest, Carlson and Ortman introduced–

S.F. No. 1352: A bill for an act relating to taxes; individual income; increasing the exemption amount for the alternative minimum tax; amending Minnesota Statutes 2006, section 290.091, subdivision 3.

Referred to the Committee on Taxes.

Senators Wergin and Koch introduced–

S.F. No. 1353: A bill for an act relating to capital improvements; appropriating money for expansion of the Clear Lake/Clearwater Sewer Treatment Facility authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Prettner Solon, Lourey, Bakk, Tomassoni and Saxhaug introduced—

S.F. No. 1354: A bill for an act relating to economic development; appropriating money for technical assistance and business training.

Referred to the Committee on Business, Industry and Jobs.

Senator Higgins introduced—

S.F. No. 1355: A bill for an act relating to employment; appropriating money for the Hennepin-Carver Workforce Investment Board.

Referred to the Committee on Business, Industry and Jobs.

Senator Saxhaug introduced—

S.F. No. 1356: A bill for an act relating to rural economies; appropriating money for a pilot workforce program.

Referred to the Committee on Business, Industry and Jobs.

Senators Bakk and Sieben introduced—

S.F. No. 1357: A bill for an act relating to taxation; conforming to federal tax rules for public safety retiree pensions; amending Minnesota Statutes 2006, section 290.01, subdivisions 19, 31.

Referred to the Committee on Taxes.

Senator Sparks introduced—

S.F. No. 1358: A bill for an act relating to employment; appropriating money for a pilot project to provide certain employment and training services.

Referred to the Committee on Business, Industry and Jobs.

Senators Ingebrigtsen, Hann, Vickerman, Sieben and Day introduced—

S.F. No. 1359: A bill for an act relating to state observances; designating May 1 as Silver Star Families of America Day; proposing coding for new law in Minnesota Statutes, chapter 10.

Referred to the Committee on Agriculture and Veterans.

Senators Skogen, Chaudhary, Saxhaug and Ingebrigtsen introduced—

S.F. No. 1360: A bill for an act relating to game and fish; adding legislative members to the Game and Fish Oversight Committee; amending Minnesota Statutes 2006, section 97A.055, subdivision 4b.

Referred to the Committee on Environment and Natural Resources.

Senator Betzold introduced–

S.F. No. 1361: A bill for an act relating to finance; restoring full funding for the Land Management Information Center; appropriating money.

Referred to the Committee on Finance.

Senators Marty; Torres Ray; Berglin; Olson, M. and Prettner Solon introduced–

S.F. No. 1362: A bill for an act relating to health insurance; requiring all health plans to provide coverage for mental health services; proposing coding for new law in Minnesota Statutes, chapter 62A; repealing Minnesota Statutes 2006, section 62A.152.

Referred to the Committee on Commerce and Consumer Protection.

Senator Carlson introduced–

S.F. No. 1363: A bill for an act relating to utilities; modifying payment arrangements for current and past due bills and undercharges; amending Minnesota Statutes 2006, sections 216B.098, subdivisions 3, 4; 504B.215, subdivision 3.

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

Senators Erickson Ropes and Murphy introduced–

S.F. No. 1364: A bill for an act relating to human services; requiring the commissioner of human services to grant licenses to certain programs for youth with disabilities; requiring the commissioner to recommend modifications to existing licensure standards; requiring reports.

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

Senator Wergin introduced–

S.F. No. 1365: A bill for an act relating to real property; amending property appraisals requirements for Department of Transportation; reducing market value for certain properties; amending Minnesota Statutes 2006, sections 117.036, subdivisions 2, 3, by adding a subdivision; 273.11, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Clark, Rest, Bonoff, Larson and Koch introduced–

S.F. No. 1366: A bill for an act relating to elections; changing special primary and special election requirements and provisions; amending Minnesota Statutes 2006, sections 204D.19, subdivision 2, by adding a subdivision; 204D.21, by adding a subdivision; 204D.22, subdivision 3; 204D.24, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 206.

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

Senator Koering introduced–

S.F. No. 1367: A bill for an act relating to child care; exempting preschool programs operated by schools from child care licensure; amending Minnesota Statutes 2006, section 245A.03, subdivision 2.

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

Senator Neuville introduced–

S.F. No. 1368: A bill for an act relating to planning and zoning; providing that ownership of contiguous parcels of property is not relevant for certain purposes; amending Minnesota Statutes 2006, sections 394.36, by adding a subdivision; 462.357, subdivision 1e.

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

Senators Pappas, Cohen, Bakk, Rest and Koering introduced–

S.F. No. 1369: A bill for an act relating to state employees; requiring that health insurance benefits be made available to domestic partners of state employees if they are also made available to spouses; amending Minnesota Statutes 2006, sections 43A.02, by adding a subdivision; 43A.24, subdivision 1.

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

Senators Marty, Saltzman, Metzen and Gimse introduced–

S.F. No. 1370: A bill for an act relating to amusement rides; modifying provisions regulating amusement rides; defining terms; amending Minnesota Statutes 2006, sections 184B.01, subdivision 4, by adding subdivisions; 184B.02; 184B.03; 184B.05; 184B.07; proposing coding for new law in Minnesota Statutes, chapter 184B; repealing Minnesota Statutes 2006, section 184B.06.

Referred to the Committee on Business, Industry and Jobs.

Senator Clark introduced–

S.F. No. 1371: A bill for an act relating to taxation; adjusting long-term care insurance credit; amending Minnesota Statutes 2006, section 290.0672, subdivision 2.

Referred to the Committee on Taxes.

Senators Clark and Wergin introduced–

S.F. No. 1372: A bill for an act relating to local government aid; increasing the city aid base for certain cities; amending Minnesota Statutes 2006, section 477A.011, subdivision 36.

Referred to the Committee on Taxes.

Senators Fischbach, Johnson, Koch, Vickerman and Koering introduced—

S.F. No. 1373: A bill for an act relating to health; changing an abortion provision; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Senators Rest and Bonoff introduced—

S.F. No. 1374: A bill for an act relating to education finance; authorizing a high five kindergarten program; amending Minnesota Statutes 2006, section 126C.05, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 2006, section 126C.10, subdivision 31.

Referred to the Committee on Education.

Senators Rest, Betzold and Pappas introduced—

S.F. No. 1375: A bill for an act relating to state government; appropriating money to the Capitol Area Architectural and Planning Board from money received by the board from other public bodies; appropriating money for decennial comprehensive planning and zoning review; amending Minnesota Statutes 2006, section 15B.17, subdivision 1.

Referred to the Committee on Finance.

Senators Ortman, Senjem, Scheid and Rest introduced—

S.F. No. 1376: A bill for an act relating to motor vehicles; modifying vehicle title and transfer provisions; modifying definition of "motorized foot scooter"; amending Minnesota Statutes 2006, sections 168A.05, subdivisions 3, 5; 168A.10, subdivision 1; 168A.101; 169.01, subdivision 4c; 325F.665, by adding a subdivision; repealing Minnesota Statutes 2006, sections 168A.05, subdivision 5a; 325E.0951, subdivision 3a.

Referred to the Committee on Transportation.

Senators Rest, Robling, Betzold and Pappas introduced—

S.F. No. 1377: A bill for an act relating to state government; revising certain laws governing state boards and advisory groups; amending Minnesota Statutes 2006, sections 15.059, subdivision 5; 15.0597, by adding a subdivision; 16B.181, subdivision 2; 16C.17; 21.112; 43A.318, subdivision 1; 62J.693, subdivision 2; 92.35; 129D.04, subdivision 1; 240.18, subdivision 4; 245.71; 245.91, subdivision 1; 245.94, subdivision 1; 245.96; 252.282, subdivision 5; 299A.62, subdivision 2; 299A.63, subdivision 2; 353D.01, subdivision 1; 354C.12, subdivision 4; 356A.02, subdivision 1; Laws 1976, chapter 199, section 14, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 2006, sections 16B.055; 16B.65, subdivision 5; 16B.76; 18B.305, subdivision 3; 43A.318, subdivision 3; 62J.692, subdivision 2; 115.54; 115A.9651, subdivision 5; 116C.93; 116O.091, subdivision 7; 125B.21; 127A.30; 145.9266, subdivisions 6, 7; 175.008; 241.021, subdivision 4b; 242.56, subdivision 3; 245.699; 245.97; 252.282, subdivision 4; 256B.0625, subdivision 13a; 256B.77, subdivision 23; 256C.28;

299A.293; 299A.331; 299M.02; 326.41; 352.98, subdivision 6; 354B.25, subdivision 1a; 611A.25; 611A.361.

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

Senators Bakk, Senjem, Sieben and Ortman introduced—

S.F. No. 1378: A bill for an act relating to taxation; providing for the disposition of contraband cigarettes; amending Minnesota Statutes 2006, section 297F.21, subdivision 3.

Referred to the Committee on Taxes.

Senators Anderson, Saxhaug and Chaudhary introduced—

S.F. No. 1379: A bill for an act relating to natural resources; proposing an amendment to the Minnesota Constitution, article XI, by adding a section; increasing the sales tax rate by one-fourth of one percent and dedicating the receipts for natural resources and clean water purposes; establishing a clean water and great outdoors fund; creating a Great Outdoors Council; creating a natural resources grant program; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2006, sections 10A.01, subdivision 35; 114D.30, subdivisions 1, 5; 114D.45, subdivisions 1, 2; 297A.62, subdivision 1; 297A.94; 297B.02, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 84.

Referred to the Committee on Environment and Natural Resources.

Senators Olson, M. and Koering introduced—

S.F. No. 1380: A bill for an act relating to health; appropriating money for a statewide deaf and hard-of-hearing mentor program for families of infants and children that have a hearing loss.

Referred to the Committee on Finance.

Senators Metzen, Tomassoni, Sparks, Gerlach and Koering introduced—

S.F. No. 1381: A bill for an act relating to human services; appropriating money for the Commission Serving Deaf and Hard-of-Hearing People.

Referred to the Committee on Finance.

Senator Betzold introduced—

S.F. No. 1382: A bill for an act relating to finance; providing for staff retention and audits of the JOBZ program by the state auditor; appropriating money.

Referred to the Committee on Finance.

Senators Saltzman, Sieben and Vickerman introduced—

S.F. No. 1383: A bill for an act relating to capital improvements; appropriating money for improvements to Big Marine Park Reserve; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Rummel, Olseen, Lourey, Langseth and Pappas introduced—

S.F. No. 1384: A bill for an act relating to capital improvements; appropriating money for the Rush Line Corridor; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Sparks introduced—

S.F. No. 1385: A bill for an act relating to real estate appraisers; requiring consistent use of the State Building Code's definition of a "story above grade"; amending Minnesota Statutes 2006, section 82B.20, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

MEMBERS EXCUSED

Senators Bakk, Jungbauer, Marty and Skoe were excused from the Session of today. Senator Hann was excused from the Session of today from 11:00 to 11:30 a.m. Senators Gerlach and Larson were excused from the Session of today from 11:00 a.m. to 12:00 noon. Senator Day was excused from the Session of today at 11:30 a.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 1, 2007. The motion prevailed.

Patrick E. Flahaven, Secretary of the Senate

INDEX TO DAILY JOURNAL

Wednesday, February 28, 2007

EXECUTIVE AND OFFICIAL COMMUNICATIONS

Pages 517 to 518

CHAPTER LAWS

S.F. Nos.	H.F. Nos.	Session Laws Chapter No.	Page
4		3	518

MESSAGES FROM THE HOUSE AND FIRST READING OF HOUSE FILES

S.F. Nos.	Message Page	H.F. Nos.	Message Page	1st Reading Page
		293	518	518

REPORTS OF COMMITTEES AND SECOND READINGS

S.F. Nos.	Report Page	2nd Reading Page	H.F. Nos.	Report Page	2nd Reading Page
6	525				
81	528	566			
108	519	565			
148	534				
279	521				
294	528				
414	528				
447	519				
480	524				

515	.....	524	
572	.....	520	565
727	.....	534	
780	.....	533	
804	.....	524	
887	.....	525	
1117	.....	534	

MOTIONS AND RESOLUTIONS

S.F. Nos.	Page	H.F. Nos.	Page
81		566
140		565
200		565
209		565
342		565
717		565
725		565
733		565
787		566
1028		565
1043		565
1106		565
1135		565
1153		565
1159		565
1168		566
1177		566
1186		566
1186		566
Sen. Res.			
No. 51		566
Sen. Res.			
No. 52		566
Sen. Res.			
No. 53		566

CALENDAR

S.F. Nos.	Page	H.F. Nos.	Page
226		566
458		567

483 567

GENERAL ORDERS

S.F. Nos.	Page	H.F. Nos.	Page
60	..... 573		

INTRODUCTION AND FIRST READING OF SENATE BILLS

S.F Nos. 1317 to 1385 Pages 573 to 585