

## ELEVENTH DAY

St. Paul, Minnesota, Thursday, February 12, 2009

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, Rev. Edwin DuBose.

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

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

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 communication was received.

January 23, 2009

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA POLLUTION CONTROL AGENCY  
COMMISSIONER

Paul H. Eger, 4086 Durham Ct., Eagan, in the county of Dakota, effective January 26, 2009, to complete a term that expires on January 3, 2011.

(Referred to the Committee on Environment and Natural Resources.)

Sincerely,  
Tim Pawlenty, Governor

**REPORTS OF COMMITTEES**

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

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

**S.F. No. 162:** A bill for an act relating to health; extending moratorium on radiation therapy facility construction in certain counties; amending Minnesota Statutes 2008, section 144.5509.

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

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

**S.F. No. 245:** A bill for an act relating to insurance; providing equal access to acupuncture and a memorial to Edith R. Davis, Minnesota's pioneer acupuncturist; requiring equal access to acupuncture services by certain group policies and subscriber contracts; requiring claim determinations regarding acupuncture services to be made or reviewed by acupuncture practitioners; requiring reporting on referrals to acupuncture practitioners and reimbursement rates; amending Minnesota Statutes 2008, section 62A.15, subdivision 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62D.

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

Page 1, line 13, delete everything after "services."

Page 1, delete lines 14 and 15

Page 1, line 16, delete "(b)"

Page 3, after line 10, insert:

**"Sec. 4. CITATION FOR EQUAL ACCESS TO A LICENSED ACUPUNCTURE PRACTITIONER.**

Minnesota Statutes, section 62A.15, subdivisions 3b and 4, paragraph (c), and Minnesota Statutes, section 62D.107, may be cited as the Equal Access to Acupuncture Act and as a memorial to Edith R. Davis, Minnesota's pioneer acupuncturist."

Amend the title as follows:

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

Page 1, line 3, delete everything before the semicolon

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

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

**S.F. No. 401:** A bill for an act relating to health; modifying the definition of doula services; requiring health care providers to provide information on pain relief and medical interventions as part of prenatal care; amending Minnesota Statutes 2008, section 148.995, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Page 1, delete section 1

Page 1, line 20, after the second comma insert "or"

Page 1, line 21, delete ", or any additional organizations recognized by the commissioner of health"

Re-number the sections in sequence

Amend the title as follows:

Page 1, line 2, delete everything after the second semicolon

Page 1, delete line 3

Page 1, line 4, delete everything before "amending"

Amend the title numbers accordingly

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

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

**S.F. No. 213:** A bill for an act relating to health; providing that WIC coupons may be used to purchase organic food; proposing coding for new law in Minnesota Statutes, chapter 145.

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

Delete everything after the enacting clause and insert:

"Section 1. [145.899] WIC VOUCHERS FOR ORGANICS.

Notwithstanding federal requirements or laws, vouchers for the special supplemental nutrition program for women, infants, and children (WIC) may be used to purchase cost-neutral organic WIC

allowable food. The commissioner of health shall regularly evaluate the list of WIC allowable food in accordance with federal requirements and shall add to the list any organic WIC allowable foods determined to be cost neutral.

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

Amend the title accordingly

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

**Senator Scheid from the Committee on Commerce and Consumer Protection, to which was re-referred**

**S.F. No. 118:** A bill for an act relating to health; guaranteeing that all necessary health care is available and affordable for every Minnesotan; establishing the Minnesota Health Plan, Minnesota Health Board, Minnesota Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy, and inspector general for the Minnesota Health Plan; appropriating money; amending Minnesota Statutes 2008, sections 14.03, subdivisions 2, 3; 15A.0815, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 62V.

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

Page 7, line 24, after "consumers" insert "in Minnesota"

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

**S.F. No. 233:** A bill for an act relating to state government; proposing a constitutional amendment to change the method for amending the Minnesota Constitution.

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

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

**S.F. No. 307:** A bill for an act relating to local government; changing out-of-state travel policy requirements; amending Minnesota Statutes 2008, section 471.661.

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

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

**S.F. No. 26:** A bill for an act relating to public safety; clarifying law on inattentive driving and failure to exercise due care; providing for enhanced criminal penalties for certain traffic violations that result in personal injury or property damage; requiring commissioner of public safety to include

information on inattentive driving in driver's manual; requiring distribution of traffic law summary to peace officers; amending Minnesota Statutes 2008, sections 169.89, by adding subdivisions; 171.13, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Page 1, line 11, delete "INATTENTIVE DRIVING;"

Page 1, delete line 14 and insert "street or highway without"

Page 1, line 20, delete "2009" and insert "2011"

Page 2, line 2, after "driver" insert ", great bodily harm as defined in section 609.02, subdivision 8, or death to a person other than the driver,"

Page 2, line 3, delete "but less than \$5,000"

Page 2, lines 6, 25, and 28, delete "2009" and insert "2011"

Page 2, delete section 3

Page 2, line 20, delete "Inattentive driving;"

Page 2, line 22, delete "inattentive driving and"

Page 2, line 23, delete everything before the comma

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "inattentive driving and"

Page 1, line 5, delete "inattentive driving" and insert "failure to exercise due care"

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 was re-referred**

**S.F. No. 230:** A bill for an act relating to occupations and professions; creating licensure for physician assistants; amending Minnesota Statutes 2008, sections 144.1501, subdivision 1; 144E.001, subdivisions 3a, 9c; 147.09; 147A.01; 147A.02; 147A.03; 147A.04; 147A.05; 147A.06; 147A.07; 147A.08; 147A.09; 147A.11; 147A.13; 147A.16; 147A.18; 147A.19; 147A.20; 147A.21; 147A.23; 147A.24; 147A.26; 147A.27; 169.345, subdivision 2; 253B.02, subdivision 7; 253B.05, subdivision 2; 256B.0625, subdivision 28a; 256B.0751, subdivision 1; repealing Minnesota Statutes 2008, section 147A.22.

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

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

**S.F. No. 91:** A bill for an act relating to state government; requiring a Web site with a searchable database of state expenditures; proposing coding for new law in Minnesota Statutes, chapter 16A; repealing Minnesota Statutes 2008, section 16C.046.

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

Page 1, line 12, after the period, insert "The Web site must not include information that is not public data, as defined in section 13.02, subdivision 8a."

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 re-referred**

**S.F. No. 107:** A bill for an act relating to state government; clarifying and strengthening laws prohibiting misuse of state funds; amending Minnesota Statutes 2008, sections 3.975; 16A.139; proposing coding for new law in Minnesota Statutes, chapter 43A.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2008, section 3.971, subdivision 6, is amended to read:

Subd. 6. **Financial audits.** The legislative auditor shall audit the financial statements of the state of Minnesota required by section 16A.50 and, as resources permit, shall audit Minnesota State Colleges and Universities, the University of Minnesota, state agencies, departments, boards, commissions, courts, and other state organizations subject to audit by the legislative auditor, including the State Agricultural Society, Agricultural Utilization Research Institute, Enterprise Minnesota, Inc., Minnesota Historical Society, Labor Interpretive Center, Minnesota Partnership for Action Against Tobacco, Metropolitan Sports Facilities Commission, Metropolitan Airports Commission, and Metropolitan Mosquito Control District. Financial audits must be conducted according to generally accepted government auditing standards. The legislative auditor shall see that all provisions of law respecting the appropriate and economic use of public funds are complied with and may, as part of a financial audit or separately, investigate allegations of noncompliance ~~by employees of departments and agencies of the state government and the other organizations listed in this subdivision.~~

Page 1, delete section 2 and insert:

"Sec. 3. Minnesota Statutes 2008, section 16A.139, is amended to read:

**16A.139 MISAPPROPRIATION OF MONEY.**

~~It is illegal for any~~ (a) No official or head of any state department, or any employee thereof of a state department, to may intentionally use moneys money appropriated by law, or fees collected knowing that the use is for any other a purpose other than the purpose for which the moneys have been money was appropriated, and Any such act by any. Unless a greater penalty is specified elsewhere in law, a person who violates this paragraph is guilty of a gross misdemeanor.

(b) A violation of paragraph (a) by a head of a department, or any state official, is cause for

immediate removal of the official or head of a state department from the position held with the government of this state. A criminal conviction under paragraph (a) is not a prerequisite for removal.

**EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to crimes committed on or after that date."

Page 2, delete line 8 and insert "The commissioner of finance must"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, before "amending" insert "prescribing criminal penalties;"

Amend the title numbers accordingly

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

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

**S.F. No. 82:** A bill for an act relating to state government; establishing the Minnesota False Claims Act; assessing penalties; proposing coding for new law as Minnesota Statutes, chapter 15C.

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

Delete everything after the enacting clause and insert:

"Section 1. **[15C.01] DEFINITIONS.**

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

Subd. 2. **Claim.** "Claim" includes a request or demand, whether under a contract or otherwise, for money or property that is made to a contractor, grantee, or other recipient if the state has provided or will provide a portion of the money or property that is requested or demanded, or if the state has reimbursed or will reimburse the contractor, grantee, or other recipient for a portion of the money or property that is requested or demanded.

Subd. 3. **Knowing and knowingly.** "Knowing" and "knowingly" mean that a person, with respect to information:

- (1) has actual knowledge of the information;
- (2) acts in deliberate ignorance of the truth or falsity of the information; or
- (3) acts in reckless disregard of the truth or falsity of the information.

No proof of specific intent to defraud is required.

Subd. 4. **Original source.** "Original source" means a person who has direct and independent knowledge of information that is probative of an essential element of the allegations in an action brought under this chapter that was not obtained from a public source and who either voluntarily provided the information to the state before bringing an action based on the information or whose

information provided the basis for or caused an investigation, hearing, audit, or report that led to the public disclosure of the allegations or transactions upon which an action brought under this chapter is based.

Subd. 5. **Person.** "Person" means a natural person, partnership, corporation, association or other legal entity, including the state and any department, agency, or political subdivision of the state.

Subd. 6. **State.** "State" means the state of Minnesota and includes a department, agency, or political subdivision of the state.

Sec. 2. **[15C.02] LIABILITY FOR CERTAIN ACTS.**

(a) A person who commits any act described in clauses (1) to (8) is liable to the state for a civil penalty of not less than \$5,500 and not more than \$11,000 per false or fraudulent claim, plus three times the amount of damages that the state sustains because of the act of that person, except as otherwise provided in paragraph (b):

(1) knowingly presents, or causes to be presented, to an officer or employee of the state a false or fraudulent claim for payment or approval;

(2) knowingly makes or uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the state;

(3) knowingly conspires to either present a false or fraudulent claim to the state for payment or approval or makes, uses, or causes to be made or used a false record or statement to obtain payment or approval of a false or fraudulent claim;

(4) has possession, custody, or control of public property or money used, or to be used, by the state and knowingly delivers or causes to be delivered to the state less money or property than the amount for which the person receives a receipt;

(5) is authorized to prepare or deliver a receipt for money or property used, or to be used, by the state and knowingly prepares or delivers a receipt that falsely represents the money or property;

(6) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the state who lawfully may not sell or pledge the property;

(7) is a beneficiary of an inadvertent submission of a false claim and, after discovering the falsity of the claim, knowingly fails to disclose the falsity to the state within a reasonable time; or

(8) knowingly makes or uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the state.

(b) The court may assess not less than two times the amount of damages that the state sustains because of the act of the person if:

(1) the person committing a violation under paragraph (a) furnished officials of the state responsible for investigating the false or fraudulent claim violation with all information known to the person about the violation within 30 days after the date on which the person first obtained the information;

(2) the person fully cooperated with any state investigation of the violation; and



(3) at the time the person furnished the state with information about the violation, no criminal prosecution, civil action, or administrative action had been commenced under this chapter with respect to the violation and the person did not have actual knowledge of the existence of an investigation into the violation.

(c) A person violating this section is also liable to the state for the costs of a civil action brought to recover any penalty or damages.

(d) Except for conduct described in paragraph (a), clause (7), a person is not liable under this section for mere inadvertence or mistake with respect to activities involving a false or fraudulent claim.

### Sec. 3. [15C.03] EXCLUSION.

This chapter does not apply to claims, records, or statements made under portions of Minnesota Statutes relating to taxation.

### Sec. 4. [15C.04] RESPONSIBILITIES OF ATTORNEY GENERAL.

The attorney general may investigate violations of section 15C.02. If the attorney general finds that a person has violated or is violating section 15C.02, the attorney general may bring a civil action under this section against the person to enjoin an act in violation of section 15C.02 and to recover damages and penalties.

### Sec. 5. [15C.05] PRIVATE REMEDIES; COMPLAINT UNDER SEAL; COPY OF COMPLAINT AND WRITTEN DISCLOSURE OF EVIDENCE TO BE SENT TO ATTORNEY GENERAL.

(a) Except as otherwise provided in this section, a person may maintain an action under this chapter on the person's own account and that of the state if money, property, or services provided by the state are involved; the person's own account and that of a political subdivision if money, property, or services provided by the political subdivision are involved; or on the person's own account and that of both the state and a political subdivision if both are involved. After an action is commenced, it may be voluntarily dismissed only if the court and the attorney general give written consent to the dismissal and their reasons for consenting.

(b) If an action is brought under this section, no other person may bring another action under this section based on the same facts that are the subject of the pending action.

(c) An action may not be maintained by a person under this section:

(1) against the legislature, the judiciary, an executive department of the state, or a political subdivision, and their members or employees;

(2) if the action is based upon allegations or transactions that are the subject of a civil action or an administrative proceeding for a monetary penalty to which the state or a political subdivision of the state is already a party; or

(3) unless the action is brought by an original source of the information or the attorney general initiates or intervenes in the action, if the action is based upon the public disclosure of allegations or transactions: (i) in a criminal, civil, or administrative hearing; (ii) in an investigation, report, hearing, or audit conducted by or at the request of the house of representatives or the senate; (iii) by

an auditor or the governing body of a political subdivision; or (iv) by the news media.

(d) A complaint in an action under this section must be commenced by filing the complaint with the court in chambers and the court must place it under seal for at least 60 days. No service may be made upon the defendant until the complaint is unsealed.

(e) If a complaint is filed under this section, the plaintiff shall serve a copy of the complaint on the attorney general in accordance with the Minnesota Rules of Civil Procedure and at the same time shall serve a written disclosure of substantially all material evidence and information the plaintiff possesses.

**Sec. 6. [15C.06] ATTORNEY GENERAL INTERVENTION; MOTION TO EXTEND TIME; UNSEALING OF COMPLAINT.**

(a) Within 60 days after receiving a complaint and disclosure under section 15C.05, the attorney general shall intervene or decline intervention or, for good cause shown, move the court to extend the time for doing so. The motion may be supported by affidavits or other submissions in chambers.

(b) The complaint must be unsealed after the attorney general decides whether or not to intervene.

(c) Notwithstanding the attorney general's decision regarding intervention in an action brought by a plaintiff under section 15C.05, the attorney general may pursue the claim through any alternate remedy available to the state, including an administrative proceeding to determine a civil monetary penalty. If the attorney general pursues an alternate remedy in another proceeding, the person initiating the action has the same rights in that proceeding as if the action had continued under section 15C.05. A finding of fact or conclusion of law made in the other proceeding that has become final is conclusive on all parties to an action under section 15C.05. For purposes of this paragraph, a finding or conclusion is final if it has been finally determined on appeal to the appropriate state court, if the time for filing an appeal has expired, or if the finding or conclusion is not subject to judicial review.

**Sec. 7. [15C.07] SERVICE OF UNSEALED COMPLAINT AND RESPONSE BY DEFENDANT.**

When unsealed, the complaint must be served on the defendant pursuant to Rule 3 of the Minnesota Rules of Civil Procedure. The defendant must respond to the complaint within 20 days after it is served on the defendant.

**Sec. 8. [15C.08] ATTORNEY GENERAL AND PRIVATE PARTY ROLES.**

(a) Except as otherwise provided by this section, if the attorney general does not intervene at the outset in an action brought by a person under section 15C.05, the person has the same rights in conducting the action as the attorney general would have. A copy of each pleading or other paper filed in the action and a copy of the transcript of each deposition taken must be mailed to the attorney general if the attorney general so requests and pays the cost of doing so.

(b) If the attorney general elects not to intervene at the outset of the action, the attorney general may intervene subsequently, upon timely application and good cause shown. If the attorney general so intervenes, the attorney general subsequently has primary responsibility for conducting the action.

(c) If the attorney general elects at the outset of the action to intervene, the attorney general has

the primary responsibility for prosecuting the action. The person who initially brought the action remains a party but the person's acts do not bind the attorney general.

(d) Whether or not the attorney general intervenes in the action, the attorney general may move to dismiss the action for good cause. The person who brought the action must be notified of the filing of the motion and may oppose it and present evidence at the hearing. The attorney general may also settle the action. If the attorney general intends to settle the action, the attorney general shall notify the person who brought the action. The state may settle the action with the defendant notwithstanding the objections of the person initiating the action if the court determines, after a hearing, that the proposed settlement is fair, adequate, and reasonable under all the circumstances. Upon a showing of good cause, the hearing may be held in chambers.

**Sec. 9. [15C.09] STAY OF DISCOVERY; EXTENSION.**

(a) The court may stay discovery by a person who brought an action under section 15C.05 for not more than 60 days if the attorney general shows that the proposed discovery would interfere with the investigation or prosecution of a civil or criminal matter arising out of the same facts, whether or not the attorney general participates in the action.

(b) The court may extend the stay upon a further showing that the attorney general has pursued the civil or criminal investigation or proceeding with reasonable diligence and that the proposed discovery would interfere with its continuation. Discovery may not be stayed for a total of more than six months over the objection of the person who brought the action, except for good cause shown by the attorney general.

(c) A showing made pursuant to this section must be made in chambers.

**Sec. 10. [15C.10] COURT-IMPOSED LIMITATION UPON PARTICIPATION OF PRIVATE PLAINTIFF IN ACTION.**

Upon a showing by the attorney general in an action in which the attorney general has intervened that unrestricted participation by a person under this chapter would interfere with or unduly delay the conduct of the action, or would be repetitious, irrelevant, or solely for harassment, the court may limit the person's participation by limiting the number of witnesses, the length of the testimony of the witnesses, the cross-examination of witnesses by the person, or by other measures.

**Sec. 11. [15C.11] LIMITATION OF ACTIONS; REMEDIES.**

(a) An action under this chapter may not be commenced more than three years after the date of discovery of the fraudulent activity by the attorney general or more than six years after the fraudulent activity occurred, whichever occurs later, but in no event more than ten years after the date on which the violation is committed.

(b) A finding of guilt in a criminal proceeding charging a false statement or fraud, whether upon a verdict of guilty or a plea of guilty or nolo contendere, stops the person found guilty from denying an essential element of that offense in an action under this chapter based upon the same transaction as the criminal proceeding.

(c) In an action under this chapter, the state and any plaintiff under section 15C.05 must prove the essential elements of the cause of action, including damages, by a preponderance of the evidence.

**Sec. 12. [15C.12] AWARD OF EXPENSES AND ATTORNEY FEES.**

If the attorney general or a person who brought an action under section 15C.05 prevails in or settles an action under this chapter, the court may authorize the person to recover reasonable costs, reasonable attorney fees, and the reasonable fees of expert consultants and expert witnesses. These expenses must be awarded against the defendant and are not allowed against the state or a political subdivision. If the attorney general does not intervene in the action and the person bringing the action conducts the action and the defendant prevails in the action, the court shall award to the defendant reasonable expenses and attorney fees against the party or parties who participated in the action if it finds that the action was clearly frivolous or vexatious or brought solely for harassment.

**Sec. 13. [15C.13] DISTRIBUTION TO PRIVATE PLAINTIFF IN CERTAIN ACTIONS.**

If the attorney general intervenes at the outset in an action brought by a person under section 15C.05, the person is entitled to receive not less than 15 percent or more than 25 percent of any recovery in proportion to the person's contribution to the conduct of the action. If the attorney general does not intervene in the action at any time, the person is entitled to receive not less than 25 percent or more than 30 percent of any recovery of the civil penalty and damages, or settlement, as the court determines is reasonable. If the attorney general does not intervene in the action at the outset but subsequently intervenes, the person is entitled to receive not less than 15 percent or more than 30 percent of any recovery, as the court determines is reasonable based on the person's participation in the action before the attorney general intervened.

**Sec. 14. [15C.14] EMPLOYER RESTRICTIONS; LIABILITY.**

(a) An employer must not adopt or enforce any rule or policy forbidding an employee to disclose information to the state, a political subdivision, or a law enforcement agency, or to act in furtherance of an action under this chapter, including investigation for, bringing, or testifying in the action.

(b) An employer must not discharge, demote, suspend, threaten, harass, deny promotion to, or otherwise discriminate against an employee in the terms or conditions of employment because of lawful acts done by the employee on the employee's behalf or on behalf of others in disclosing information to the state, a political subdivision, or a law enforcement agency in furtherance of an action under this chapter, including investigation for bringing or testifying in the action.

(c) An employer who violates this section is liable to the affected employee in a civil action for damages and other relief, including reinstatement, twice the amount of lost compensation, interest on the lost compensation, any special damage sustained as a result of the discrimination, and punitive damages if appropriate. The employer is also liable for expenses recoverable under section 15C.12, including costs and attorney fees."

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 Prettner Solon from the Committee on Energy, Utilities, Technology and Communications, to which was referred**

**S.F. No. 512:** A bill for an act relating to taxation; income taxes; providing for a small wind turbine investment tax credit; proposing coding for new law in Minnesota Statutes, chapter 290.

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

Page 1, line 8, after "service" insert "in the state of Minnesota"

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

**Senator Prettner Solon from the Committee on Energy, Utilities, Technology and Communications, to which was referred**

**S.F. No. 316:** A bill for an act relating to taxation; providing a tax credit for certain small wind power generator installations; proposing coding for new law in Minnesota Statutes, chapter 290.

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

**Senator Prettner Solon from the Committee on Energy, Utilities, Technology and Communications, to which was referred**

**S.F. No. 400:** A bill for an act relating to economic development; authorizing Mountain Iron economic development authority to form a limited liability company.

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

Page 1, line 12, after the period, insert "A project authorized by this section may not sell, transmit, or distribute the electrical energy at retail or provide for end use of the electrical energy to an off-site facility. Nothing in this section modifies the exclusive service territories or exclusive right to serve as provided in Minnesota Statutes, sections 216B.37 to 216B.43."

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 162, 401, 213, 307 and 230 were read the second time.

**MOTIONS AND RESOLUTIONS**

Senator Dille moved that his name be stricken as a co-author to S.F. No. 122. The motion prevailed.

Senator Berglin moved that the name of Senator Lourey be added as a co-author to S.F. No. 245. The motion prevailed.

Senator Dahle moved that the name of Senator Sheran be added as a co-author to S.F. No. 249. The motion prevailed.

Senator Dille moved that his name be stricken as a co-author to S.F. No. 359. The motion prevailed.

Senator Skoe moved that the name of Senator Olseen be added as a co-author to S.F. No. 386. The motion prevailed.

Senator Hann moved that his name be stricken as a co-author to S.F. No. 405. The motion prevailed.

Senator Murphy moved that the name of Senator Saxhaug be added as a co-author to S.F. No. 463. The motion prevailed.

Senator Marty moved that the name of Senator Fischbach be added as a co-author to S.F. No. 475. The motion prevailed.

Senator Clark moved that the name of Senator Fobbe be added as a co-author to S.F. No. 488. The motion prevailed.

Senator Erickson Ropes moved that the name of Senator Sheran be added as a co-author to S.F. No. 498. The motion prevailed.

Senator Koering moved that the name of Senator Sheran be added as a co-author to S.F. No. 543. The motion prevailed.

Senator Metzen moved that S.F. No. 293 be withdrawn from the Committee on Finance and returned to its author. The motion prevailed.

**Senators Hann, Gimse and Gerlach introduced –**

**Senate Resolution No. 33:** A Senate resolution honoring the Department of Transportation.

Referred to the Committee on Rules and Administration.

**Senators Pappas, Anderson and Moua introduced –**

**Senate Resolution No. 34:** A Senate resolution honoring Steve Gordon for his service on the Neighborhood STAR Board.

Referred to the Committee on Rules and Administration.

## CALENDAR

**S.F. No. 335:** A bill for an act relating to highways; designating the Speaker Irvin N. Anderson Memorial Highway; amending Minnesota Statutes 2008, section 161.14, subdivision 18, by adding a subdivision.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Anderson

Berglin

Betzold

Bonoff

Carlson

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

So the bill passed and its title was agreed to.

**S.F. No. 119:** A bill for an act relating to game and fish; providing support for the Lessard Outdoor Heritage Council; appropriating money.

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 9, as follows:

Those who voted in the affirmative were:

Anderson	Dille	Koering	Olson, M.	Sieben
Berglin	Doll	Kubly	Pappas	Skoe
Betzold	Erickson Ropes	Langseth	Pogemiller	Skogen
Bonoff	Fischbach	Lourey	Prettner Solon	Sparks
Carlson	Fobbe	Lynch	Robling	Stumpf
Chaudhary	Foley	Marty	Rosen	Torres Ray
Clark	Frederickson	Metzen	Saltzman	Vickerman
Cohen	Gimse	Michel	Saxhaug	Wiger
Dahle	Higgins	Moua	Scheid	
Day	Ingebrigtsen	Olseen	Senjem	
Dibble	Kelash	Olson, G.	Sheran	

Those who voted in the negative were:

Gerlach	Johnson	Koch	Murphy	Vandever
Hann	Jungbauer	Limmer	Rest	

So the bill passed and its title was agreed to.

### GENERAL ORDERS

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

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

S.F. No. 47, 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.

**Senators Ingebrigtsen, Rosen, Gimse and Hann introduced—**

**S.F. No. 569:** A bill for an act relating to public safety; controlled substances; adding *Salvia divinorum* to Schedule I of the controlled substance schedules; amending Minnesota Statutes 2008, section 152.02, subdivision 2.

Referred to the Committee on Judiciary.

**Senator Dahle introduced—**

**S.F. No. 570:** A bill for an act relating to higher education; appropriating money for the Minnesota campus compact and service learning grants.

Referred to the Committee on Finance.

**Senators Murphy and Pariseau introduced—**

**S.F. No. 571:** A bill for an act relating to landfills; modifying provisions of landfill cleanup program; amending Minnesota Statutes 2008, sections 115B.39, subdivision 2; 115B.40, subdivision 6.

Referred to the Committee on Environment and Natural Resources.

**Senator Kubly introduced—**

**S.F. No. 572:** A bill for an act relating to capital investment; authorizing the sale and issuance of state bonds; appropriating money for a grant to Dawson-Boyd school district for a geothermal heating system.

Referred to the Committee on Finance.

**Senator Dahle introduced—**

**S.F. No. 573:** A bill for an act relating to utilities; providing for audio electronic recordings; making technical corrections regarding the cold weather rule; amending Minnesota Statutes 2008, sections 216A.03, subdivision 6; 216C.11.

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

**Senator Dahle introduced—**

**S.F. No. 574:** A bill for an act relating to utilities; authorizing Public Utilities Commission to order refunds of unlawful utility rate revenues; amending Minnesota Statutes 2008, sections 216B.23, by adding a subdivision; 237.081, by adding a subdivision; 237.74, by adding a subdivision.



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

**Senator Scheid introduced—**

**S.F. No. 575:** A bill for an act relating to early education; modifying the child care assistance program; appropriating money; amending Minnesota Statutes 2008, section 119B.13, subdivision 1.

Referred to the Committee on Finance.

**Senator Betzold introduced—**

**S.F. No. 576:** A bill for an act relating to game and fish; expanding game and fish lottery and drawing preferences for service members; amending Minnesota Statutes 2008, section 97A.465, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

**Senator Ingebrigtsen introduced—**

**S.F. No. 577:** A bill for an act relating to state government; designating English as the official language; amending Minnesota Statutes 2008, sections 171.04, subdivision 1; 171.13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 1; repealing Minnesota Statutes 2008, section 15.441.

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

**Senator Betzold introduced—**

**S.F. No. 578:** A bill for an act relating to retirement; specifying a new process for computing Teachers Retirement Association service credit; authorizing deduction of other benefits received from Teachers Retirement Association refunds; expanding postretirement option program eligibility to include all state employees with Public Employees Retirement Association coverage; revising Public Employees Retirement Association erroneous receipts provision to provide interest on employee contribution overpayments; creating Teachers Retirement Association full actuarial value uncredited military service provision; making administrative revisions and technical corrections in various retirement provisions; amending Minnesota Statutes 2008, sections 43A.346, subdivisions 2, 6; 352B.02, subdivisions 1a, 1c; 353.01, subdivision 16; 353.0161, subdivision 1; 353.27, subdivisions 2, 3, 7; 353.33, subdivisions 1, 11, 12, by adding a subdivision; 353.65, subdivisions 2, 3; 353A.08, subdivision 6a; 354.05, by adding subdivisions; 354.091; 354.42, subdivision 2; 354.44, subdivisions 4, 5; 354.47, subdivision 1; 354.48, subdivisions 4, 6; 354.49, subdivision 2; 354.52, subdivisions 2a, 4b, 6, by adding a subdivision; 354.55, subdivision 11; 354.66, subdivision 3; 354A.096; 354A.12, subdivision 2a, by adding a subdivision; 354A.36, subdivision 6; 356.401, subdivision 2; 356.465, subdivision 1, by adding a subdivision; 356.611, subdivisions 3, 4; 356.635, subdivisions 6, 7; 356.96, subdivision 5; proposing coding for new law in Minnesota Statutes, chapter 354; repealing Minnesota Statutes 2008, sections 354.06, subdivision 6; 354.55, subdivision 14.

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

**Senators Lynch, Koering, Clark, Metzen and Tomassoni introduced—**

**S.F. No. 579:** A bill for an act relating to higher education; modifying certain requirements for an associate of applied science degree at Minnesota State Colleges and Universities.

Referred to the Committee on Higher Education.

**Senator Day introduced—**

**S.F. No. 580:** A bill for an act relating to taxation; authorizing the city of Medford to impose a local sales and use tax.

Referred to the Committee on Taxes.

**Senator Rest introduced—**

**S.F. No. 581:** A bill for an act relating to taxation; sales and use; repealing June accelerated tax payment; amending Minnesota Statutes 2008, sections 289A.18, subdivision 4; 289A.20, subdivision 4; 297F.09, subdivisions 1, 2; 297F.25, subdivision 2; repealing Minnesota Statutes 2008, sections 289A.60, subdivision 15; 297F.09, subdivision 10; 297G.09, subdivision 9.

Referred to the Committee on Taxes.

**Senators Ingebrigtsen and Pariseau introduced—**

**S.F. No. 582:** A bill for an act relating to constitutional amendments; proposing an amendment to the Minnesota Constitution, article I; providing that the right of citizens to bear arms for certain purposes is fundamental and shall not be abridged.

Referred to the Committee on Judiciary.

**Senators Gimse, Gerlach, Ingebrigtsen and Hann introduced—**

**S.F. No. 583:** A bill for an act relating to human services; modifying MFIP electronic benefit transfers; directing commissioner to apply for demonstration project to give bonus for buying Minnesota-grown foods; amending Minnesota Statutes 2008, section 256J.39, by adding subdivisions.

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

**Senators Ingebrigtsen, Limmer and Pariseau introduced—**

**S.F. No. 584:** A bill for an act relating to firearms; extending time period for renewal of permit to purchase firearm from federally licensed dealer; amending Minnesota Statutes 2008, section 624.7131, subdivision 6.

Referred to the Committee on Judiciary.

**Senators Gerlach, Ingebrigtsen, Vandev eer, Gimse and Jungbauer introduced–**

**S.F. No. 585:** A bill for an act relating to the legislature; limiting per diem payments; proposing coding for new law in Minnesota Statutes, chapter 3.

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

**Senator Olseen introduced–**

**S.F. No. 586:** A bill for an act relating to utilities; modifying provisions relating to deadline for rate determination by Public Utilities Commission; making clarifying correction; amending Minnesota Statutes 2008, section 216B.16, subdivisions 2, 7b.

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

**Senators Hann, Gerlach, Koch, Vandev eer and Michel introduced–**

**S.F. No. 587:** A bill for an act relating to the legislature; prohibiting per diem payments to members during certain special sessions; amending Minnesota Statutes 2008, section 3.099, subdivision 1.

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

**Senator Betzold, by request, introduced–**

**S.F. No. 588:** A bill for an act relating to government data practices; restricting access to data that identify victims or witnesses in active criminal investigations; amending Minnesota Statutes 2008, section 13.82, subdivision 17.

Referred to the Committee on Judiciary.

**Senator Betzold, by request, introduced–**

**S.F. No. 589:** A bill for an act relating to government data practices; rejecting a statutory interpretation found in an advisory opinion issued by commissioner of administration in 2008.

Referred to the Committee on Judiciary.

**Senators Chaudhary, Bakk and Tomassoni introduced–**

**S.F. No. 590:** A bill for an act relating to natural resources; directing Department of Natural Resources to enter into a cooperative wild rice management plan for Big Rice Lake.

Referred to the Committee on Environment and Natural Resources.

**Senators Hann and Michel introduced–**

**S.F. No. 591:** A bill for an act relating to agriculture; repealing the ethanol producer payment program and the minimum ethanol content requirement; repealing Minnesota Statutes 2008, sections 41A.09, subdivisions 1a, 2a, 3a, 4, 10; 239.791, subdivisions 1, 1a, 10, 11, 12, 13, 14, 15.

Referred to the Committee on Agriculture and Veterans.

**Senators Hann, Gerlach and Vandever introduced—**

**S.F. No. 592:** A resolution memorializing Congress; claiming sovereignty under the Tenth Amendment to the Constitution of the United States over certain powers; serving notice to the federal government to cease and desist certain mandates; and directing distribution.

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

**Senators Bonoff, Dibble, Rest, Carlson and Marty introduced—**

**S.F. No. 593:** A bill for an act relating to traffic regulations; modifying provisions governing operation of wireless communications device while operating motor vehicle; amending Minnesota Statutes 2008, sections 169.475; 171.05, subdivision 2b; 171.055, subdivision 2; repealing Minnesota Statutes 2008, section 169.443, subdivision 9.

Referred to the Committee on Transportation.

**Senators Higgins, Scheid, Fischbach and Marty introduced—**

**S.F. No. 594:** A bill for an act relating to occupational safety and health; requiring safe patient handling plans in clinical settings; amending Minnesota Statutes 2008, sections 182.6551; 182.6552, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 182.

Referred to the Committee on Business, Industry and Jobs.

**Senators Moua, Pappas, Rummel and Pogemiller introduced—**

**S.F. No. 595:** A bill for an act relating to state government; establishing the Minnesota Institute for Public Policy to assist legislators and other policy makers in creating public policy; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 3D.

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

**Senator Pappas introduced—**

**S.F. No. 596:** A bill for an act relating to the environment; restricting the manufacture and sale of certain polybrominated diphenyl ethers; authorizing participation in multistate clearinghouse; amending Minnesota Statutes 2008, sections 325E.386, by adding subdivisions; 325E.387, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senator Pappas introduced—**

**S.F. No. 597:** A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; changing the state and local election voting age from 18 to 16.

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

**Senator Fischbach introduced—**

**S.F. No. 598:** A bill for an act relating to taxation; property; expanding the definition of agricultural products in certain cases; amending Minnesota Statutes 2008, section 273.13, subdivision 23.

Referred to the Committee on Taxes.

**Senator Rest introduced—**

**S.F. No. 599:** A bill for an act relating to traffic regulations; expanding requirement of display of vehicle lighting; amending Minnesota Statutes 2008, section 169.48.

Referred to the Committee on Transportation.

**Senator Torres Ray introduced—**

**S.F. No. 600:** A bill for an act relating to education finance; appropriating money for the statewide science, technology, engineering, and math initiative.

Referred to the Committee on Finance.

**Senators Tomassoni, Day and Bakk introduced—**

**S.F. No. 601:** A bill for an act relating to traffic regulation; modifying speed limit when passing; amending Minnesota Statutes 2008, section 169.14, by adding a subdivision.

Referred to the Committee on Transportation.

**Senator Tomassoni introduced—**

**S.F. No. 602:** A bill for an act relating to capital improvements; appropriating money for municipal water and wastewater treatment facilities; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Tomassoni introduced—**

**S.F. No. 603:** A bill for an act relating to capital improvements; appropriating money for renovation of a water treatment facility in the city of Aurora.

Referred to the Committee on Finance.

**Senators Ingebrigtsen and Scheid introduced—**

**S.F. No. 604:** A bill for an act relating to alcohol; modifying provisions relating to farm wineries; amending Minnesota Statutes 2008, sections 340A.301, subdivision 4; 340A.315, subdivisions 2, 3, 7; 340A.418, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

**Senator Jungbauer introduced—**

**S.F. No. 605:** A bill for an act relating to retirement; aeronautics; modifying provisions relating to disability or retirement of Department of Transportation pilots; amending Minnesota Statutes 2008, section 352.86.

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

**Senator Rest introduced—**

**S.F. No. 606:** A bill for an act relating to elections; authorizing certain persons who are 17 years old to vote in a primary; amending Minnesota Statutes 2008, section 201.014, by adding a subdivision.

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

**Senators Anderson, Vickerman, Pariseau, Frederickson and Chaudhary introduced—**

**S.F. No. 607:** A bill for an act relating to state government; appropriating money for environment and natural resources; modifying membership terms of the Legislative-Citizen Commission on Minnesota Resources; amending Minnesota Statutes 2008, section 116P.05, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Senators Dibble, Rosen and Marty introduced—**

**S.F. No. 608:** A bill for an act relating to human services; establishing the adult mental health fatality review team; providing criminal penalties for disclosure of certain data; requiring reports; appropriating money.

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

**Senator Dahle introduced—**

**S.F. No. 609:** A bill for an act relating to taxation; increasing the city aid base for certain cities; amending Minnesota Statutes 2008, section 477A.011, subdivision 36.

Referred to the Committee on Taxes.

**Senator Pappas introduced—**

**S.F. No. 610:** A bill for an act relating to higher education; eliminating requirement that meetings to nominate candidates for regent of the University of Minnesota be one week apart; amending Minnesota Statutes 2008, section 137.0246.

Referred to the Committee on Higher Education.

**Senators Sparks, Metzen, Michel, Lourey and Scheid introduced—**

**S.F. No. 611:** A bill for an act relating to labor and industry; modifying requirements of the State Building Code; amending Minnesota Statutes 2008, section 326B.106, subdivision 4.

Referred to the Committee on Business, Industry and Jobs.

**Senators Latz, Betzold, Michel, Foley and Ortman introduced—**

**S.F. No. 612:** A bill for an act relating to judgments; enacting the Uniform Foreign-Country Money Judgments Recognition Act adopted and recommended for passage by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law in Minnesota Statutes, chapter 548; repealing Minnesota Statutes 2008, section 548.35.

Referred to the Committee on Judiciary.

**Senators Skogen, Gerlach and Scheid introduced—**

**S.F. No. 613:** A bill for an act relating to insurance; authorizing and regulating the issuance of certificates of insurance; amending Minnesota Statutes 2008, section 60K.46, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 60A.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Fischbach, Moua and Higgins introduced—**

**S.F. No. 614:** A bill for an act relating to crimes; expanding definition of secured treatment facility for purposes of fourth degree assault to include locked psychiatric hospitals; amending Minnesota Statutes 2008, section 609.2231, subdivision 3a.

Referred to the Committee on Judiciary.

**Senators Prettner Solon, Berglin, Koering, Lourey and Higgins introduced—**

**S.F. No. 615:** A bill for an act relating to health; providing an exception to the hospital construction moratorium; amending Minnesota Statutes 2008, section 144.551, subdivision 1.

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

**Senators Rest, Dibble, Higgins, Marty and Senjem introduced—**

**S.F. No. 616:** A bill for an act relating to taxation; modifying tax preparation services law; amending Minnesota Statutes 2008, section 270C.445.

Referred to the Committee on Taxes.

**Senators Rummel, Doll, Carlson and Frederickson introduced—**

**S.F. No. 617:** A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for grants for the design of renewable energy projects in K-12

public schools.

Referred to the Committee on Finance.

**Senators Saltzman, Skoe, Bonoff, Frederickson and Skogen introduced—**

**S.F. No. 618:** A bill for an act relating to the environment; creating an advisory council on development and regulation of consumer products; establishing a comprehensive framework for consumer products that protect, support, and enhance human health, the environment, and economic development; providing appointments; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Scheid, Dahle, Sparks, Skogen and Gerlach introduced—**

**S.F. No. 619:** A bill for an act relating to insurance; clarifying the definition of health carrier; amending Minnesota Statutes 2008, section 62A.011, subdivision 2.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Kelash, Carlson, Fobbe and Stumpf introduced—**

**S.F. No. 620:** A bill for an act relating to education finance; modifying health and safety revenue to include elevator repair costs; amending Minnesota Statutes 2008, section 123B.57, subdivisions 2, 6.

Referred to the Committee on Finance.

**Senators Sheran, Prettner Solon, Pappas, Anderson and Rosen introduced—**

**S.F. No. 621:** A bill for an act relating to capital investment; modifying standards for higher education asset preservation; amending Minnesota Statutes 2008, section 135A.046, subdivision 2.

Referred to the Committee on Finance.

**Senator Day introduced—**

**S.F. No. 622:** A bill for an act relating to highways; appropriating money for reconstructing marked Trunk Highway 14 between Dodge Center and Owatonna.

Referred to the Committee on Finance.

**Senator Day introduced—**

**S.F. No. 623:** A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a veterans home in Owatonna.

Referred to the Committee on Finance.



**Senator Vickerman introduced–**

**S.F. No. 624:** A bill for an act relating to railroads; forgiving state loans made to Rock and Nobles Counties.

Referred to the Committee on Transportation.

**Senators Ingebrigtsen, Vickerman and Gimse introduced–**

**S.F. No. 625:** A bill for an act relating to the military; appropriating money for a grant to Operation Happy Note.

Referred to the Committee on Finance.

**Senators Olseen, Dahle, Kelash and Olson, G. introduced–**

**S.F. No. 626:** A bill for an act relating to taxation; individual income; creating a subtraction for voluntary firefighter pensions; amending Minnesota Statutes 2008, sections 290.01, subdivision 19b; 290.091, subdivision 2.

Referred to the Committee on Taxes.

**Senators Metzen, Carlson, Chaudhary, Cohen and Gerlach introduced–**

**S.F. No. 627:** A bill for an act relating to capital improvements; appropriating money for repair and infrastructure projects at the Minnesota Zoo; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Wiger introduced–**

**S.F. No. 628:** A bill for an act relating to commerce; eliminating the ability of financial institutions to make payday loans; amending Minnesota Statutes 2008, section 47.59, by adding a subdivision; repealing Minnesota Statutes 2008, section 47.60.

Referred to the Committee on Commerce and Consumer Protection.

**Senator Koch introduced–**

**S.F. No. 629:** A bill for an act relating to revenue sharing with local governments; repealing the city local government aid program; creating the Minnesota fair plan; amending Minnesota Statutes 2008, sections 477A.014, subdivision 1; 477A.03, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapter 477A.

Referred to the Committee on Taxes.

**Senator Koch introduced–**

**S.F. No. 630:** A bill for an act relating to ethics in government; prohibiting certain uses of public funds; prohibiting certain government contracts; providing penalties; proposing coding for new law

in Minnesota Statutes, chapter 15.

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

**Senators Saxhaug and Koering introduced—**

**S.F. No. 631:** A bill for an act relating to game and fish; eliminating slot limits for northern pike while spearing; amending Minnesota Statutes 2008, section 97C.385, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

**Senator Langseth introduced—**

**S.F. No. 632:** A bill for an act relating to capital investment; specifying information to be reported for local capital improvement requests; amending Minnesota Statutes 2008, section 16A.86, subdivision 2, by adding a subdivision; repealing Minnesota Statutes 2008, section 16A.86, subdivision 3.

Referred to the Committee on Finance.

**Senators Berglin, Sheran, Erickson Ropes, Lynch and Rosen introduced—**

**S.F. No. 633:** A bill for an act relating to human services; authorizing medical assistance coverage of primary care health care providers performing primary caries prevention services as part of the child and teen checkup program; amending Minnesota Statutes 2008, section 256B.0625, subdivision 14.

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

**Senator Moua introduced—**

**S.F. No. 634:** A bill for an act relating to human services; establishing collaborative services for high-risk children; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Finance.

**Senator Stumpf introduced—**

**S.F. No. 635:** A bill for an act relating to animal health; modifying a prior appropriation to allow certain payments.

Referred to the Committee on Finance.

**Senator Tomassoni introduced—**

**S.F. No. 636:** A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the issuance of state bonds; appropriating money for a grant to the city of Floodwood for business park development.

Referred to the Committee on Finance.

**Senators Erickson Ropes, Vickerman, Fobbe, Pogemiller and Dille introduced–**

**S.F. No. 637:** A bill for an act relating to state procurement; veterans; designating businesses owned by disabled veterans as targeted group businesses for purposes of awarding certain state and metropolitan agency contracts; amending Minnesota Statutes 2008, section 16C.16, subdivision 5.

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

**Senators Scheid, Dahle, Tomassoni, Metzen and Day introduced–**

**S.F. No. 638:** A bill for an act relating to construction; requiring prompt payment to construction subcontractors; amending Minnesota Statutes 2008, section 337.10, subdivision 3.

Referred to the Committee on Business, Industry and Jobs.

**Senators Carlson, Sieben, Metzen, Doll and Jungbauer introduced–**

**S.F. No. 639:** A bill for an act relating to crimes; providing penalty for careless driving resulting in death; providing for revocation of violator's driver's license; amending Minnesota Statutes 2008, sections 169.13, by adding a subdivision; 171.17, subdivision 1; 171.30, subdivision 2a.

Referred to the Committee on Transportation.

**Senators Kelash, Fobbe, Chaudhary and Skogen introduced–**

**S.F. No. 640:** A bill for an act relating to waters; providing for temporary drawdown of public waters; proposing coding for new law in Minnesota Statutes, chapter 103G.

Referred to the Committee on Environment and Natural Resources.

**Senators Prettner Solon; Fischbach; Olson, M.; Stumpf and Senjem introduced–**

**S.F. No. 641:** A bill for an act relating to health; establishing licensure and practice limitations for dental therapist; establishing fees for dental therapist; amending Minnesota Statutes 2008, sections 150A.01, by adding a subdivision; 150A.05, subdivision 2, by adding a subdivision; 150A.06, subdivisions 2d, 5, 6, by adding a subdivision; 150A.08, subdivisions 1, 3a, 5; 150A.09, subdivisions 1, 3; 150A.091, subdivisions 2, 3, 5, 8, 10; 150A.10, subdivisions 1, 2, 3; 150A.11, subdivision 4; 150A.12; 151.01, subdivision 23; proposing coding for new law in Minnesota Statutes, chapter 150A; repealing Minnesota Statutes 2008, section 150A.061.

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

**Senators Murphy, Langseth, Kubly, Dibble and Ortman introduced–**

**S.F. No. 642:** A bill for an act relating to capital improvements; appropriating money for rail service improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senators Sheran, Rosen, Kubly and Vickerman introduced—**

**S.F. No. 643:** A bill for an act relating to unemployment compensation; providing eligibility for benefits under certain training programs.

Referred to the Committee on Business, Industry and Jobs.

**Senators Dille and Tomassoni introduced—**

**S.F. No. 644:** A bill for an act relating to higher education; removing policy requirement; allowing the Board of Trustees to determine credit requirements; amending Laws 2007, chapter 144, article 1, section 4, subdivision 3; repealing Minnesota Statutes 2008, section 136F.301.

Referred to the Committee on Higher Education.

**Senators Ortman, Higgins, Moua and Latz introduced—**

**S.F. No. 645:** A bill for an act relating to public safety; modifying and expanding the conditional release program for nonviolent drug offenders; extending the program's sunset; modifying the mandatory minimum sentence for repeat fifth-degree controlled substance offenders; amending Minnesota Statutes 2008, sections 152.025, subdivision 3; 244.055, subdivisions 2, 3, 5, 11, by adding a subdivision; repealing Minnesota Statutes 2008, section 244.055, subdivision 6.

Referred to the Committee on Judiciary.

**Senators Betzold, by request, Scheid, Moua, Ortman and Limmer introduced—**

**S.F. No. 646:** A bill for an act relating to commerce; regulating business screening services; modifying a definition; amending Minnesota Statutes 2008, section 332.70, subdivision 1.

Referred to the Committee on Judiciary.

**Senator Metzen introduced—**

**S.F. No. 647:** A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for Robert Street corridor transitway in Dakota County.

Referred to the Committee on Finance.

**Senator Vickerman introduced—**

**S.F. No. 648:** A bill for an act relating to human services; providing for relocation of an ICF/MR facility in Cottonwood County; amending Minnesota Statutes 2008, section 252.291, by adding a subdivision.

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

**Senator Fischbach introduced—**

**S.F. No. 649:** A bill for an act relating to taxation; property; modifying adjusted levy limit base;

amending Minnesota Statutes 2008, section 275.71, subdivision 4.

Referred to the Committee on Taxes.

**Senator Olson, M. introduced—**

**S.F. No. 650:** A bill for an act relating to insurance; limiting the frequency of medical examinations that a physician may perform for motor vehicle insurers; amending Minnesota Statutes 2008, sections 65B.56, subdivision 1; 72A.201, subdivision 6.

Referred to the Committee on Commerce and Consumer Protection.

**Senator Pappas introduced—**

**S.F. No. 651:** A bill for an act relating to education; requiring high school students to have education and career plans; allowing for college readiness assessments; providing for postsecondary credits; amending Minnesota Statutes 2008, section 124D.10, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 120B.

Referred to the Committee on Education.

**Senators Lynch, Rosen, Erickson Ropes and Lourey introduced—**

**S.F. No. 652:** A bill for an act relating to health; modifying certain nursing home and home care regulations; amending Minnesota Statutes 2008, sections 144A.04, subdivision 11, by adding subdivisions; 144A.45, by adding a subdivision; 144A.4605, subdivision 2.

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

**Senator Scheid introduced—**

**S.F. No. 653:** A bill for an act relating to taxation; individual income; modifying the dependent care credit; amending Minnesota Statutes 2008, sections 290.067, subdivision 2; 290.0674, subdivision 2, by adding a subdivision; repealing Minnesota Statutes 2008, section 290.067, subdivisions 2a, 2b.

Referred to the Committee on Taxes.

**Senators Erickson Ropes, Lourey and Rosen introduced—**

**S.F. No. 654:** A bill for an act relating to human services; permitting non-Medicare home care agencies to provide alternative care services; eliminating the customized living rate cap; amending Minnesota Statutes 2008, sections 256B.0913, subdivision 5a; 256B.0915, subdivision 3e.

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

**Senators Gimse and Dille introduced—**

**S.F. No. 655:** A bill for an act relating to animals; eliminating a restriction on assistance by counties and cities to certain societies for the prevention of cruelty to animals; amending Minnesota

Statutes 2008, section 275.70, subdivision 5; repealing Minnesota Statutes 2008, section 343.11.

Referred to the Committee on Taxes.

**Senator Prettner Solon introduced—**

**S.F. No. 656:** A bill for an act relating to energy; directing Legislative Energy Commission to analyze state energy standards for certain appliances.

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

**Senators Prettner Solon and Dibble introduced—**

**S.F. No. 657:** A bill for an act relating to energy; providing direction for the use of federal stimulus funding for energy programs.

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

**Senators Sieben, Higgins, Wiger and Rest introduced—**

**S.F. No. 658:** A bill for an act relating to elections; imposing additional requirements on polling place challengers; amending Minnesota Statutes 2008, section 204C.07, subdivisions 3a, 4.

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

**Senators Olseen, Sieben, Rest and Carlson introduced—**

**S.F. No. 659:** A bill for an act relating to elections; clarifying the restrictions on service of election judges; modifying the creation of election judge appointment lists; limiting requirements for use of lists of election judges prepared by major political parties; authorizing the appointment of additional election judges; eliminating requirements for election judges to initial ballots before use; amending Minnesota Statutes 2008, sections 204B.19, subdivision 2; 204B.21, subdivisions 1, 2; 204C.09; 204C.13, subdivision 5; 204C.18, subdivision 2.

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

**Senators Marty, Sieben, Pappas and Rest introduced—**

**S.F. No. 660:** A bill for an act relating to elections; requiring certain public officials to provide additional data to the secretary of state for use in maintaining the voter registration system; providing for automatic voter registration of applicants for a driver's license, instruction permit, or identification card; amending Minnesota Statutes 2008, sections 201.13, by adding a subdivision; 201.14; 201.15, subdivisions 1, 2; 201.155; 201.161; proposing coding for new law in Minnesota Statutes, chapter 201.

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

**Senators Pappas, Sieben, Marty and Rest introduced—**

**S.F. No. 661:** A bill for an act relating to elections; expanding requirements for postsecondary

institutions to report resident student information to the secretary of state for voter registration purposes; requiring enhanced access to voter registration records and records of returned absentee ballots on the World Wide Web; amending Minnesota Statutes 2008, sections 135A.17, subdivision 2; 201.061, subdivisions 1, 3; 201.071, subdivision 1; 201.091, by adding a subdivision; 203B.08, subdivision 3.

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

**Senators Carlson and Rest introduced—**

**S.F. No. 662:** A bill for an act relating to elections; preventing candidates in an election from determining validity of an absentee ballot envelope; clarifying write-in votes may not serve as identifying marks on ballots; shortening duration of the general election canvass; eliminating automatic recounts and allowing certain candidates to request a state-funded recount; amending Minnesota Statutes 2008, sections 204B.44; 204C.18, subdivision 2; 204C.33, subdivisions 1, 3; 204C.35, subdivisions 1, 2.

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

**Senators Erickson Ropes, Rest and Sieben introduced—**

**S.F. No. 663:** A bill for an act relating to elections; changing certain provisions concerning military and overseas voting; amending Minnesota Statutes 2008, sections 203B.16, subdivision 2; 203B.17, subdivision 1; 203B.21, subdivision 2; 203B.22; 203B.225, subdivision 1; 203B.227.

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

**Senator Pogemiller introduced—**

**S.F. No. 664:** A bill for an act relating to capital improvements; appropriating money for the Northtown Rail Yard Bridge in Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senators Lourey and Dibble introduced—**

**S.F. No. 665:** A bill for an act relating to human services; modifying provisions related to children aging out of foster care; amending Minnesota Statutes 2008, section 256B.055, by adding a subdivision.

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

**Senators Marty and Dibble introduced—**

**S.F. No. 666:** A bill for an act relating to human services; modifying provisions related to children aging out of foster care; proposing coding for new law in Minnesota Statutes, chapter 260C.

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

**Senator Pogemiller introduced—**

**S.F. No. 667:** A bill for an act relating to capital improvements; appropriating money for Father Hennepin Regional Park in the city of Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Pogemiller introduced—**

**S.F. No. 668:** A bill for an act relating to capital improvements; appropriating money for the Grand Rounds National Scenic Byway in the city of Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Betzold introduced—**

**S.F. No. 669:** A bill for an act relating to retirement; permitting certain employees of the Minneapolis Firefighters Relief Association and Police Relief Association to be members of the Public Employees Retirement Association; amending Minnesota Statutes 2008, section 353.01, subdivision 6.

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

**Senator Dahle introduced—**

**S.F. No. 670:** A bill for an act relating to energy; mandating inclusion of strategic tree planting as eligible for direct expenditures as energy conservation improvement; amending Minnesota Statutes 2008, section 216B.241, by adding a subdivision.

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

**Senators Sieben, Torres Ray, Metzen and Chaudhary introduced—**

**S.F. No. 671:** A bill for an act relating to natural resources; modifying the Critical Areas Act of 1973; requiring rulemaking; amending Minnesota Statutes 2008, sections 116G.03, by adding subdivisions; 116G.15.

Referred to the Committee on Environment and Natural Resources.

**Senators Skogen, Stumpf and Bonoff introduced—**

**S.F. No. 672:** A bill for an act relating to education finance; simplifying and repealing mandates on districts; amending Minnesota Statutes 2008, sections 16E.18, subdivision 2; 120A.24, subdivision 4; 120A.26, subdivision 5; 120A.32; 120B.11, subdivision 5; 122A.09, subdivision 7; 122A.50; 122A.61, subdivision 1; 123B.10, subdivision 1; 123B.71, subdivisions 1, 8, 12; 124D.10, subdivision 13; 124D.19, subdivision 3; 125A.57, subdivision 2; 125A.61, subdivision 1; 237.065, subdivision 2; 237.066, subdivision 2; repealing Minnesota Statutes 2008, sections 120A.26, subdivision 4; 120A.41; 120B.11, subdivisions 6, 7, 8; 120B.39; 122A.32; 122A.628; 122A.75.



Referred to the Committee on Finance.

**Senators Stumpf and Anderson introduced–**

**S.F. No. 673:** A bill for an act relating to energy; appropriating money to city of Kennedy for energy conversion of former school building; promoting green economy.

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

**Senators Marty, Sieben, Murphy, Doll and Carlson introduced–**

**S.F. No. 674:** A bill for an act relating to environment; enacting the Minnesota Clean Car Act; requiring decreased emission of criteria air pollutants and greenhouse gas pollution from new motor vehicles; requiring adoption of low emission standards for motor vehicles; providing for updates as necessary to comply with the federal Clean Air Act; requiring reports; requiring rulemaking; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

**Senators Kubly, Fischbach, Sheran, Erickson Ropes and Lourey introduced–**

**S.F. No. 675:** A bill for an act relating to health; making technical changes for emergency medical services; amending Minnesota Statutes 2008, section 144E.101, subdivisions 6, 7.

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

**Senators Torres Ray and Marty introduced–**

**S.F. No. 676:** A bill for an act relating to human services; authorizing certain retroactive payments; authorizing certain additional elderly waiver services; establishing time frames for determining medical assistance eligibility; amending Minnesota Statutes 2008, sections 256B.0645; 256B.0915, by adding a subdivision; 256B.19, by adding a subdivision.

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

**Senators Skoe, Langseth and Stumpf introduced–**

**S.F. No. 677:** A bill for an act relating to motor vehicles; requiring probable cause for spot inspection of motor vehicles by state troopers; repealing provision for implied consent to inspection; amending Minnesota Statutes 2008, section 169.771, subdivision 2; repealing Minnesota Statutes 2008, section 169.771, subdivision 4.

Referred to the Committee on Transportation.

**Senators Skoe, Langseth and Stumpf introduced–**

**S.F. No. 678:** A bill for an act relating to transportation; exempting trailers hauling farm products from rear-end protection requirement; amending Minnesota Statutes 2008, section 221.031, subdivision 2a.

Referred to the Committee on Transportation.

**Senator Olson, M. introduced—**

**S.F. No. 679:** A bill for an act relating to capital investment; authorizing the sale and issuance of state bonds; appropriating money to reconstruct or replace a culvert under Trunk Highway 64 in Eleventh Crow Wing Lake in Akeley.

Referred to the Committee on Finance.

**MEMBERS EXCUSED**

Senators Bakk and Latz were excused from the Session of today. Senators Ortman and Pariseau were excused from the Session of today from 11:00 to 11:20 a.m.

**ADJOURNMENT**

Senator Pogemiller moved that the Senate do now adjourn until 11:00 a.m., Monday, February 16, 2009. The motion prevailed.

Peter S. Wattson, Secretary of the Senate (Legislative)

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