

FORTY-FOURTH DAY

St. Paul, Minnesota, Wednesday, April 27, 2011

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

CALL OF THE SENATE

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

Prayer was offered by Senator Michael J. Jungbauer.

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

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

Benson	Gerlach	Kruse	Nienow	Sheran
Berglin	Gimse	Kubly	Olson	Sieben
Bonoff	Goodwin	Langseth	Ortman	Skoe
Brown	Hall	Lillie	Pappas	Sparks
Carlson	Hann	Limmer	Parry	Stumpf
Chamberlain	Harrington	Lourey	Pederson	Thompson
Cohen	Higgins	Magnus	Pogemiller	Tomassoni
Dahms	Hoffman	Marty	Reinert	Torres Ray
Daley	Howe	McGuire	Rest	Vandever
DeKruif	Ingebrigtsen	Michel	Robling	Wiger
Dibble	Jungbauer	Miller	Rosen	Wolf
Fischbach	Kelash	Nelson	Saxhaug	
Gazelka	Koch	Newman	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.

April 18, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear President Fischbach:

Pursuant to Rule 10.5 of the Rules of the Senate, we hereby make the following changes in committee structure:

Committee on Energy, Utilities and Telecommunications - delete Anderson and add McGuire.
Committee on Local Government and Elections - delete Anderson and add McGuire.

Thank you for your attention to this matter.

Sincerely,
Amy Koch, Chair
Committee on Rules and Administration
Senate District 19

Thomas Bakk
DFL Caucus Leader
Senate District 6

April 20, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of the State, S.F. No. 551.

Sincerely,
Mark Dayton, Governor

April 20, 2011

The Honorable Kurt Zellers
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2011 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2011	Date Filed 2011
	323	15	2:56 p.m. April 20	April 20
551		16	2:58 p.m. April 20	April 20

Sincerely,
Mark Ritchie
Secretary of State

REPORTS OF COMMITTEES

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

Senator Parry from the Committee on State Government Innovation and Veterans, to which was referred

S.F. No. 247: A bill for an act relating to insurance; requiring local government employees to approve participation in or withdrawal from the public employees insurance program; amending Minnesota Statutes 2010, sections 43A.316, subdivision 5; 471.61, subdivision 2b; 471.611, subdivision 2.

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

Page 1, line 21, delete everything after "employees"

Page 1, delete lines 22 and 23

Page 1, line 24, delete everything before the period and insert "unless (1) the eligible employer and the exclusive representative of the employees of an appropriate bargaining unit certified under section 179A.12 agree to the change, and (2) it is approved by a majority of all insurance eligible employees of the appropriate bargaining unit"

Page 1, line 25, after "employees" insert "of the appropriate bargaining unit"

Page 2, delete section 2

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 1026: A bill for an act relating to human services; establishing a sex offender civil commitment petition screening panel for purposes of determining whether the civil commitment of certain sex offenders is appropriate; requiring county payment of certain expenses; providing for the identification and development of alternative treatment facilities; providing for reduction in custody petitions for patients in alternative programs or assisted living units; requiring implementation of the statewide judicial panel for commitment proceedings regarding sexual psychopathic personalities and sexually dangerous persons; providing for consideration of alternatives to commitment or alternative treatment programs in certain cases; including provisions governing a stay of commitment; amending Minnesota Statutes 2010, sections 244.05, subdivision 7; 246B.10;

253B.095, subdivisions 1, 2, 3; 253B.185, subdivisions 1, 4, 8, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 246B; 253B.

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

Page 3, line 2, delete "stay of commitment under section 253B.095" and insert "conditional release under section 253B.185, subdivision 1d,"

Page 3, line 3, before the semicolon, insert "or 253B.185, subdivision 1c"

Page 3, line 14, delete "whose commitment is stayed" insert "who receive a conditional release under section 253B.185, subdivision 1d"

Pages 3 to 4, delete sections 5 to 7

Page 5, line 12, delete "determination" and insert "recommendation"

Page 5, line 13, delete "may" and insert "should" and delete "under section 253B.185"

Page 5, line 15, delete "determination" and insert "recommendation"

Page 5, line 17, delete "determination" and insert "recommendation" and delete "If"

Page 5, delete line 18 and insert "The"

Page 5, line 19, after "documentation" insert "for its recommendation"

Page 5, lines 30 to 35, delete the new language

Page 6, line 1, delete the new language

Page 6, line 24, delete "a stay of"

Page 6, line 25, delete everything before "the"

Page 6, line 26, before the period, insert "or a conditional release under subdivision 1d is appropriate"

Page 7, line 9, delete "stay of commitment under section 253B.095" and insert "conditional release under subdivision 1d"

Page 7, after line 12, insert:

"Sec. 8. Minnesota Statutes 2010, section 253B.185, is amended by adding a subdivision to read:

Subd. 1d. **Conditional release.** (a) The court may order the conditional release of a proposed patient if:

(1) the proposed patient does not have a conviction as an adult for a sex offense, as defined in section 609.3457, subdivision 4;

(2) the proposed patient qualifies for an alternative program under subdivision 1c; or

(3) the court finds that, based on the nature and circumstances of the behavior and the mental or emotional condition that forms the basis for the commitment, the proposed patient is not likely

to engage in harmful sexual conduct if placed on a conditional release with appropriate terms and conditions.

(b) If the court finds that the conditional release of a proposed patient is appropriate, the court shall notify the Minnesota sex offender program, which must prepare a plan that identifies the treatment and services that the patient will receive in the community and includes recommendations regarding the conditions of the release. The plan must be presented to the court for its approval within 60 days after the court finds that a conditional release is appropriate, unless the program and the patient request additional time to develop the plan.

(c) An order for conditional release places the patient in the custody and control of the commissioner of human services for the provision of treatment, services, and supervision under the Minnesota sex offender program and the patient is subject to the conditions set by the court and the program. At a minimum, these conditions must include requirements that the patient:

(1) report to or appear before an individual or agency as directed by the court or the program;

(2) comply with any applicable registration requirements under section 243.166;

(3) not commit a crime or possess a firearm or other dangerous weapon;

(4) not leave the state without the consent of the court or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the consent of the program;

(5) attend and fully participate in assessment, treatment, and behavior monitoring, including medical, psychological or psychiatric treatment specific to sex offenders, or chemical dependency treatment, based on the plan approved by the court under paragraph (b);

(6) submit to the search of the patient's person, residence, vehicle, or any personal or real property under the patient's control at any time by the program;

(7) refrain from having any contact, including written or oral communications, directly or indirectly, with certain specified individuals, including a victim of a crime committed by the patient or the victim's family; and

(8) not establish any living arrangement or residence without prior approval of the program.

(d) If the program determines that a patient released under this subdivision has violated a condition of release or is exhibiting behavior that may be dangerous to self or others or that the interests of public safety requires that the conditional release be revoked, the program may request the court to issue an emergency ex parte order directing a law enforcement agency to take the person into custody and transport the person to a Department of Corrections or county correctional or detention facility or a secure treatment facility. The county attorney or the program shall submit a statement showing probable cause for the detention and submit a petition to revoke the conditional release order within 48 hours after the detention. The court shall hear the petition within 30 days, unless the hearing or deadline is waived by the patient. If the court determines that a condition of release has been violated or that the safety of the patient or others requires that the conditional release be revoked, the court shall revoke the conditional release and order an appropriate commitment placement under this section.

(e) This subdivision does not affect or replace any applicable registration requirements under section 243.166 or notice requirements under sections 244.052 and 244.053."

Page 7, line 31, delete "determination" and insert "recommendation"

Page 7, line 33, delete "that the county"

Page 7, line 34, delete the new language

Page 8, line 2, after the period, insert "If the sex offender screening panel does not recommend a commitment under this section and the county attorney proceeds with the petition, the petition must articulate the basis for the county attorney's determination that a petition is appropriate."

Renumber the sections in sequence

Amend the title numbers accordingly

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

Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 26: A bill for an act relating to insurance; requiring surcharge disclosure for homeowner's insurance; proposing coding for new law in Minnesota Statutes, chapter 65A.

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

Delete everything after the enacting clause and insert:

"Section 1. **[65A.291] SURCHARGE DISCLOSURE.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms defined in this section have the meanings given them.

(b) "Policy" means a policy providing homeowner's insurance as defined in section 65A.27, subdivision 4.

(c) "Surcharge" means an increase in policy premium due to claims reported, incurred, or paid during a period of time that the policy was in effect, including the loss of a claim-free discount.

(d) "Surcharge plan" means a rating plan under which an insurer may apply a surcharge.

Subd. 2. **Disclosure to applicants.** Before accepting the initial premium payment, an insurer shall provide a disclosure statement to any person who applies for a policy that is effective on or after January 1, 2012. The insurer may provide the disclosure statement on its Web site. If the insurer provides the disclosure statement on its Web site, the insurer may notify the applicant, either in writing or orally, of its availability for review on that site before accepting the initial payment, in lieu of providing a disclosure statement to the applicant in writing. An oral notice regarding the availability of the disclosure statement on the insurer's Web site shall be presumed delivered if the insurer makes a contemporaneous notation in the applicant's record of the notice having been delivered or if the insurer retains an audio recording of the notification provided to the applicant. An insurer shall advise the applicant of the availability of a written disclosure statement.

Subd. 3. **Disclosure to policyholders.** An insurer or its agent shall mail or deliver a disclosure statement or written notice of the statement's availability on the insurer's Web site to the named insured either before or with the first notice to renew a policy on or after January 1, 2012. If a disclosure statement or written Web site notice has been provided under subdivision 2, no disclosure statement is required to be mailed or delivered to the same named insured under this subdivision.

Subd. 4. **Notification of change.** No insurer may change its surcharge plan unless a disclosure statement or written notice of the statement's availability on the insurer's Web site is mailed or delivered to the named insured before the change is made. A disclosure statement reflecting a change applicable on the renewal of a policy may be mailed with an offer to renew the policy. Surcharges cannot be applied to claims that occurred before a change in a surcharge plan except to the extent provided under the prior plan.

Subd. 5. **Penalty.** Failure to comply with this section constitutes a violation of section 70A.04."

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

Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 1208: A bill for an act relating to insurance; modifying a definition; regulating life insurance and title insurance reserves; regulating certain accounts and funding agreements; repealing obsolete and conflicting provisions; making conforming changes; amending Minnesota Statutes 2010, sections 60A.60, subdivision 9; 60C.03, subdivision 6; 61A.25, subdivision 4; 61A.282, subdivision 2; 68A.03, subdivision 3; 72A.31, subdivision 1; repealing Minnesota Statutes 2010, sections 61A.275; 61A.276, subdivision 4; 67A.27; 67A.28; 67A.29; 67A.30, subdivisions 1, 3; 67A.31; 67A.32; 67A.34; 67A.35; 67A.36; 67A.37; 67A.38; 67A.39.

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

Page 4, line 31, strike "following items:" and insert "total of subitems (A) and (B). After January 1, 2010, a sum equal to a minimum of 6.5 percent of the total of subitems (A) and (B):"

Page 5, lines 1 and 2, delete the new language

Page 7, after line 18, insert:

"Sec. 7. **RULE REPEALER; RESTRICTING THE CAPITALIZATION OF PERMANENT IMPROVEMENTS TO OTHER REAL ESTATE OWNED BY A BANK.**

Minnesota Rules, part 2675.2170, item F, is repealed.

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

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the second semicolon, insert "repealing a bank rule;"

Amend the title numbers accordingly

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

Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 380: A bill for an act relating to occupational licensure; stating a right to engage in an occupation; specifying conditions for government regulation of occupations; amending Minnesota Statutes 2010, section 214.01; proposing coding for new law as Minnesota Statutes, chapter 213.

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

Page 2, line 9, before the period, insert "as established in section 179.10"

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

Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred

S.F. No. 918: A bill for an act relating to liquor; authorizing on-sale liquor license for private, nonprofit college with certain conditions; amending Minnesota Statutes 2010, section 340A.404, 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 2010, section 340A.101, is amended by adding a subdivision to read:

Subd. 16a. **Microdistillery.** "Microdistillery" is a distillery operated within the state producing premium, distilled spirits in total quantity not to exceed 40,000 proof gallons in a calendar year.

Sec. 2. Minnesota Statutes 2010, section 340A.101, is amended by adding a subdivision to read:

Subd. 24a. **Proof gallon.** A "proof gallon" is one liquid gallon of distilled spirits that is 50 percent alcohol at 60 degrees Fahrenheit.

Sec. 3. Minnesota Statutes 2010, section 340A.301, subdivision 4, is amended to read:

Subd. 4. **Bond.** The commissioner may not issue a license under this section to a person who has not filed a bond with corporate surety, or cash, or United States government bonds payable to the state. The proof of financial responsibility must be approved by the commissioner before the license is issued. The bond must be conditioned on the licensee obeying all laws governing the business and paying when due all taxes, fees, penalties and other charges, and must provide that it is forfeited to the state on a violation of law. This subdivision does not apply to a Minnesota farm winery, licensed under section 340A.315, that is in existence as of January 1, 2010. Bonds must be in the following amounts:

Manufacturers and wholesalers of intoxicating liquor except as provided in this subdivision	\$ 10,000
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Manufacturers and wholesalers of wine up to 25 percent alcohol by weight	\$	5,000
Manufacturers and wholesalers of beer of more than 3.2 percent alcohol by weight	\$	1,000
<u>Manufacturers and wholesalers of fewer than 20,000 proof gallons</u>	<u>\$</u>	<u>2,000</u>
<u>Manufacturers and wholesalers of 20,000 to 40,000 proof gallons</u>	<u>\$</u>	<u>3,000</u>

Sec. 4. Minnesota Statutes 2010, section 340A.301, is amended by adding a subdivision to read:

Subd. 6b. **Brewer taproom license.** (a) A municipality may issue the holder of a brewer's license under subdivision 6, clause (c), (i), or (j), a brewer taproom license. A brewer taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. Nothing in this subdivision precludes the holder of a brewer taproom license from also holding a license to operate a restaurant at the brewery. Section 340A.409 shall apply to a license issued under this subdivision. All provisions of this chapter that apply to a retail liquor license shall apply to a license issued under this subdivision unless the provision is explicitly inconsistent with this subdivision.

(b) A brewer may only have one taproom license under this subdivision, and may not have an ownership interest in a brewery licensed under subdivision 6, clause (d).

(c) A municipality may not issue a brewer taproom license to a brewer if the brewer seeking the license, or any person having an economic interest in the brewer seeking the license or exercising control over the brewer seeking the license, is a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually.

(d) The municipality shall impose a licensing fee on a brewer holding a brewer taproom license under this subdivision, subject to limitations applicable to license fees under section 340A.408, subdivision 2, paragraph (a).

(e) A municipality shall, within ten days of the issuance of a license under this subdivision, inform the commissioner of the licensee's name and address and trade name, and the effective date and expiration date of the license. The municipality shall also inform the commissioner of a license transfer, cancellation, suspension, or revocation during the license period.

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

Sec. 5. Minnesota Statutes 2010, section 340A.301, is amended by adding a subdivision to read:

Subd. 6c. **Microdistillery fee.** The commissioner shall establish a fee for licensing microdistilleries that adequately covers the cost of issuing the license and other inspection requirements. The fees shall be deposited in an account in the special revenue fund and are appropriated to the commissioner for the purposes of this subdivision.

Sec. 6. Minnesota Statutes 2010, section 340A.404, is amended by adding a subdivision to read:

Subd. 1b. **Cities; auto racing facilities.** A city may issue an on-sale intoxicating liquor license to

an auto racing facility located in the city. The license may authorize sales both to persons attending any and all events at the facility, and sales in a restaurant, bar, or banquet facility located on the premises of the auto racing facility. The license authorizes sales on all days of the week. The license may be issued for a space that is not compact and contiguous, provided that the licensed premises may include only the space within a defined area as described in the application for the license.

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

Sec. 7. Minnesota Statutes 2010, section 340A.404, is amended by adding a subdivision to read:

Subd. 5a. **Wine festival.** A municipality with the approval of the commissioner may issue a temporary license to a bona fide association of owners and operators of wineries sponsoring an annual festival to showcase wines produced by members of the association. The license issued under this subdivision authorizes the sale of table, sparkling, or fortified wines produced by the wineries at on-sale by the glass, or off-sale by the bottle, and the dispensing of free samples of the wines offered for sale within designated premises of the festival. Off-sales of wine under this subdivision shall be limited to two bottles or less per customer. A license issued under this subdivision is subject to all laws and ordinances governing the sale, possession, and consumption of table, sparkling, or fortified wines. For purposes of this subdivision, a "bona fide association of owners and operators of wineries" means an association of more than ten wineries that has been in existence for more than two years at the time of application for the temporary license.

Sec. 8. Minnesota Statutes 2010, section 340A.404, is amended by adding a subdivision to read:

Subd. 10a. **Temporary on-sale licenses; farm winery.** The governing body of a municipality may issue to a farm winery licensed under section 340A.315 a temporary license for the on-sale at a county fair located within the municipality of intoxicating liquor produced by the farm winery. The licenses are subject to the terms, including a license fee, imposed by the issuing municipality and all laws and ordinances governing the sale of intoxicating liquor not inconsistent with this section. Licenses under this subdivision are not valid unless first approved by the commissioner of public safety.

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

Sec. 9. Minnesota Statutes 2010, section 340A.404, is amended by adding a subdivision to read:

Subd. 14. **Private college.** Notwithstanding any other law, local ordinance, or charter provision, the governing body of a municipality may issue an on-sale intoxicating liquor license to a private, nonprofit college located within the municipality, or to any entity holding a caterer's permit and a contract with the private, nonprofit college for catering on the premises of the private, nonprofit college, or for any portion of the premises as described in the approved license application. The license authorized by this subdivision may be issued for space that is not compact and contiguous, provided that all such space is included in the description of the licensed premises on the approved license application. The license authorizes sales on all days of the week to persons attending events at the private, nonprofit college. All other provisions of this chapter not inconsistent with this section apply to the license authorized under this section.

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

Sec. 10. Minnesota Statutes 2010, section 340A.412, subdivision 4, is amended to read:

Subd. 4. **Licenses prohibited in certain areas.** (a) No license to sell intoxicating liquor may be issued within the following areas:

(1) where restricted against commercial use through zoning ordinances and other proceedings or legal processes regularly had for that purpose, except licenses may be issued to restaurants in areas which were restricted against commercial uses after the establishment of the restaurant;

(2) within the Capitol or on the Capitol grounds, except as provided under Laws 1983, chapter 259, section 9, or Laws 1999, chapter 202, section 13;

(3) on the State Fairgrounds, except as provided under section 37.21, subdivision 2;

(4) on the campus of the College of Agriculture of the University of Minnesota;

(5) within 1,000 feet of a state hospital, training school, reformatory, prison, or other institution under the supervision or control, in whole or in part, of the commissioner of human services or the commissioner of corrections;

(6) in a town or municipality in which a majority of votes at the last election at which the question of license was voted upon were not in favor of license under section 340A.416, or within one-half mile of any such town or municipality, except that intoxicating liquor manufactured within this radius may be sold to be consumed outside it; and

~~(7) within 1,500 feet of a state university, except that:~~

~~(i) the minimum distance in the case of Winona and Southwest State University is 1,200 feet, measured by a direct line from the nearest corner of the administration building to the main entrance of the licensed establishment;~~

~~(ii) within 1,500 feet of St. Cloud State University one on-sale wine and two off-sale intoxicating liquor licenses may be issued, measured by a direct line from the nearest corner of the administration building to the main entrance of the licensed establishment;~~

~~(iii) at Mankato State University the distance is measured from the front door of the student union of the Highland campus;~~

~~(iv) a temporary license under section 340A.404, subdivision 10, may be issued to a location on the grounds of a state university for an event sponsored or approved by the state university; and~~

~~(v) this restriction does not apply to the area surrounding the premises of Metropolitan State University in Minneapolis; and~~

~~(8)~~ (7) within 1,500 feet of any public school that is not within a city.

(b) The restrictions of this subdivision do not apply to a manufacturer or wholesaler of intoxicating liquor or to a drugstore or to a person who had a license originally issued lawfully prior to July 1, 1967.

Sec. 11. WHITE BEAR TOWNSHIP; AUTHORITY TO ISSUE LICENSES.

Notwithstanding any law or ordinance to the contrary, White Bear Township may issue on-sale and off-sale liquor licenses for establishments within its jurisdiction. Only establishments eligible for a license under authority granted to Ramsey County by Minnesota Statutes, chapter 340A,

may be issued a license under this section. All provisions of Minnesota Statutes, chapter 340, not inconsistent with this section shall apply to the licenses authorized under this section.

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

Delete the title and insert:

"A bill for an act relating to liquor; authorizing microdistilleries; authorizing various licenses; amending Minnesota Statutes 2010, sections 340A.101, by adding subdivisions; 340A.301, subdivision 4, by adding subdivisions; 340A.404, by adding subdivisions; 340A.412, subdivision 4."

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

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

S.F. No. 346: A bill for an act relating to the Mississippi River Parkway Commission; changing its expiration date; amending Minnesota Statutes 2010, section 161.1419, subdivision 8.

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

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

S.F. No. 1149: A bill for an act relating to data practices; clarifying definition of "personnel data"; classifying data obtained for design-build transportation projects; classifying certain data related to adopt-a-highway program; classifying data related to mileage-based road users; modifying provisions related to traffic accident data; amending Minnesota Statutes 2010, sections 13.43, subdivision 1; 13.72, subdivision 11, by adding subdivisions; 169.09, subdivision 13.

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

Page 1, delete section 1

Page 2, line 19, after the first semicolon, insert "alternative technical concepts; preapproved elements;"

Page 2, line 27, after "and" insert "the dollar amounts in the"

Page 2, line 29, after the semicolon, insert "alternative technical concepts; preapproved elements;"

Page 2, line 32, after "awarded" insert ", with the exception of trade secret data as defined and classified in section 13.37"

Amend the title as follows:

Page 1, line 2, delete "clarifying definition of "personnel data";"

Amend the title numbers accordingly

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

Public Safety. Amendments adopted. Report adopted.

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

S.F. No. 1148: A bill for an act relating to transportation; prohibiting certain activities on rail bank property; imposing misdemeanor penalty; amending Minnesota Statutes 2010, section 222.63, subdivision 9.

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

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

S.F. No. 775: A bill for an act relating to health; making changes to dental licensing provisions; amending Minnesota Statutes 2010, sections 150A.06, subdivisions 1c, 3, 4, 6, by adding a subdivision; 150A.09, subdivision 3; 150A.091, subdivisions 2, 3, 4, 5, 8, by adding a subdivision; 150A.105, subdivision 7; 150A.106, subdivision 1; 150A.14.

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

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

S.F. No. 288: A bill for an act relating to health; regulating dental laboratories; proposing coding for new law as Minnesota Statutes, chapter 150B.

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

Delete everything after the enacting clause and insert:

"Section 1. [150A.24] DEFINITIONS.

Subdivision 1. **Scope.** For the purposes of sections 150A.24 to 150A.30, the following terms have the meaning given.

Subd. 2. **Dental laboratory.** "Dental laboratory" means a corporation, partnership, or sole proprietor engaged in the manufacture or repair of dental prosthetic appliances. This definition includes a dental laboratory that is located within a dental practice if the practice employs or contracts with dental technicians to perform dental laboratory work.

Subd. 3. **Certified dental technician.** "Certified dental technician" means a dental technician who has met the standards set by the National Board for Certification in Dental Laboratory Technology or its equivalent as established by the Board of Dentistry.

Subd. 4. **Work order.** "Work order" means a written instrument prescribed by a dentist licensed under this chapter directing a registered dental laboratory to manufacture, fabricate, or repair a dental prosthetic appliance for an individual patient.

Subd. 5. **Work authorization.** "Work authorization" means a written instrument by which a registered dental laboratory subcontracts to another registered dental laboratory all or part of the fabrication or repair of a dental prosthetic appliance authorized by a work order by a dentist licensed

under this chapter.

Sec. 2. [150A.25] REGISTRATION FOR DENTAL LABORATORIES.

Subdivision 1. **General.** Beginning January 1, 2012, no dental laboratory shall manufacture, fabricate, or repair a dental prosthetic appliance pursuant to a work order prescribed by a dentist licensed under this chapter or accept work from another dental laboratory pursuant to a work authorization unless the dental laboratory is registered with the Board of Dentistry.

Subd. 2. **Registration requirements.** An application for an initial registration and for renewal must be submitted to the board on a form provided by the board accompanied with the registration fee required under section 150A.30. The application must contain:

(1) the name(s) of the laboratory;

(2) the physical address of the laboratory;

(3) verification that the laboratory meets the infectious disease control requirements under Occupational Safety and Health Administration (OSHA) and the Centers for Disease Control and Prevention (CDC) of the United States Public Health Service;

(4) verification that the laboratory meets one of the following:

(i) National Board for Certification in Dental Laboratory Technology (NBC) certification;

(ii) ISO certification;

(iii) Dental Appliance Manufacturers Audit System (DAMAS) certification; or

(iv) the employment of certified dental technicians (CDT) in the laboratory; and

(5) any other relevant information deemed necessary by the board.

Subd. 3. **Unique registration number.** Upon approval, the board shall issue a registration and a unique registration number to the dental laboratory.

Subd. 4. **Registration term; renewal.** (a) Registration shall be valid for two years from the date of issuance and may be renewed upon submitting the information required in subdivision 2 and the registration renewal fee required in section 150A.30.

(b) At renewal, a registered dental laboratory must submit an affidavit to the board, on a form prescribed by the board, that each dental technician employed by or under contract with the laboratory has met the continuing education requirements specified in section 150A.29.

Subd. 5. **Inspections.** (a) The board shall have the authority to inspect a registered dental laboratory and to review any records necessary to ensure that the requirements of sections 150A.24 to 150A.30 are met.

(b) The board shall have the authority to enter the premises to make an inspection. Refusal to permit an inspection constitutes valid grounds for registration denial or revocation.

Sec. 3. [150A.26] WORK ORDER REQUIRED.

No registered dental laboratory shall perform any dental technological work for a dentist licensed

under this chapter without a valid work order from the licensed dentist, unless the work is being performed by the licensed dentist within the dentist's office. A work order may be handwritten and may be faxed or sent electronically using an electronic signature.

Sec. 4. [150A.27] MATERIAL CONTENT NOTICE.

(a) A registered dental laboratory shall inform the dentist who issued the work order of:

(1) the country of origin where the technological work was performed in whole or in part; and

(2) the name, physical address, and registration number of the laboratory or laboratories authorized to manufacture or repair the dental prosthesis, either directly or through a work authorization.

(b) A registered dental laboratory shall disclose to the dentist the complete material content of the dental prosthetic appliance in a manner that can be easily entered into a patient record. Upon receipt of the material content notice, the dentist must include the information in the record of the patient for whom the prosthesis is intended.

(c) A registered dental laboratory must comply with section 150A.21.

Sec. 5. [150A.28] PROHIBITION AGAINST THE USE OF A NONREGISTERED DENTAL LABORATORY.

(a) A dentist licensed under this chapter must use a dental laboratory registered under sections 150A.24 to 150A.30 for any dental laboratory work that is performed outside of the office of a licensed dentist. If a dental technician performs dental laboratory work within the dentist's office, the dentist must register with the board and must comply with the requirements in sections 150A.24 to 150A.30.

(b) No registered dental laboratory shall subcontract all or part of any dental laboratory work that is prescribed by a work order to another dental laboratory unless the laboratory is registered by the board in accordance with sections 150A.24 to 150A.30.

Sec. 6. [150A.29] CONTINUING EDUCATION REQUIREMENTS.

(a) A registered dental laboratory must maintain on file documentation certifying that each dental technician employed by or under contract with the laboratory has completed eight hours of continuing education biennially. The documentation for each dental technician must include the date, location, sponsor, subject matter, and attendance hours of each completed continuing education course as well as any receipts, vouchers, or certificates as may be necessary to document completion of the continuing education requirement. The documentation must be retained for each dental technician for at least two registration renewal cycles.

(b) A continuing education course must contribute directly to the education of the dental technician to improve dental health care delivery, and must address one or more of the following areas of professional development:

(1) laboratory and technological subjects, including, but not limited to, laboratory techniques, procedures, materials, and equipment; and

(2) oral health, infection control, and patient safety.

(c) The board shall develop criteria that must be met by a continuing education course in order for the course to be approved.

Sec. 7. [150A.30] FEES.

(a) The fee for the initial registration and biennial registration renewal is \$300.

(b) The fee specified in this section is nonrefundable and shall be deposited in the state government special revenue fund.

Sec. 8. APPROPRIATIONS.

\$...... is appropriated for fiscal year 2012 and \$...... is appropriated for fiscal year 2013 from the state government special revenue fund for the purpose of implementing Minnesota Statutes, sections 150A.24 to 150A.30."

Delete the title and insert:

"A bill for an act relating to health; regulating dental laboratories; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 150A."

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

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

S.F. No. 471: A bill for an act relating to drivers' licenses; allowing counties to participate in driver's license reinstatement diversion pilot program; extending diversion pilot program; amending Laws 2009, chapter 59, article 3, section 4, as amended.

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

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

S.F. No. 172: A bill for an act relating to natural resources; modifying certain requirements for titling watercraft; amending Minnesota Statutes 2010, sections 86B.825, subdivision 3; 86B.830, subdivision 2; 86B.850, subdivision 1; 86B.885; repealing Minnesota Statutes 2010, section 86B.850, subdivision 2.

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

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

S.F. No. 1115: A bill for an act relating to natural resources; modifying nonnative species provisions; modifying certain requirements for public waters work permits; modifying requirements for permits to control or harvest aquatic plants; providing criminal penalties and civil penalties; amending Minnesota Statutes 2010, sections 84D.01, subdivisions 8a, 16, 21, by adding subdivisions; 84D.02, subdivision 6; 84D.03, subdivisions 3, 4; 84D.08; 84D.09; 84D.10,

subdivisions 1, 3, 4; 84D.11, subdivision 2a; 84D.13, subdivisions 3, 4, 5, 6, 7; 84D.15, subdivision 2; 103G.311, subdivision 5; 103G.615, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 84D; 86B; repealing Minnesota Statutes 2010, section 84D.02, subdivision 4.

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

Page 1, delete line 17 and insert "species using the "Recommended Uniform Minimum Protocols and Standards for Watercraft Interception Programs for Dreissenid Mussels in the Western United States" (September 2009) prepared for the Western Regional Panel on Aquatic Nuisance Species, or other protocols developed by the commissioner."

Page 8, line 25, delete "or stopped at" and insert a comma and before "location" insert "public" and after "state" insert ", or a private location where the watercraft or water equipment is in plain view,"

Page 14, line 9, delete everything after "effective" and insert "June 13, 2011, and apply to violations committed on or after that date."

Page 14, delete line 10

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

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

S.F. No. 1044: A bill for an act relating to state government; modifying provisions relating to state agency responses to natural disasters; amending Minnesota Statutes 2010, sections 12A.05; 12A.06, subdivision 1; 12A.07, subdivisions 1, 2; 12A.09, subdivision 4; 12A.10, by adding a subdivision; 12A.12, subdivisions 2, 3, by adding a subdivision; 12A.15, by adding a subdivision; 12A.16.

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

Page 3, line 13, delete "and license fees must not be waived"

Page 3, line 16, strike "state's" and insert "state and local"

Page 5, after line 5, insert:

"Sec. 12. **EFFECTIVE DATE.**

Sections 1 to 11 are effective the day following final enactment."

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

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

S.F. No. 680: A bill for an act relating to crime; creating the crime of organized retail theft;

adding organized retail theft to list of designated offenses; amending Minnesota Statutes 2010, sections 609.531, subdivision 1; 609.902, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Pages 1 to 2, delete sections 1 to 2

Renumber the sections in sequence

Amend the title as follows:

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

Page 1, line 3, delete everything before the semicolon and insert "expanding the definition of "criminal act" in the racketeering crime"

Amend the title numbers accordingly

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

Senator Koch from the Committee on Rules and Administration, to which was re-referred

S.F. No. 509: A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot in most situations; providing for the issuance of voter identification cards at no charge; establishing a procedure for provisional balloting; creating challenged voter eligibility list; specifying other election administration procedures; allowing use of electronic polling place rosters; setting standards for use of electronic polling place rosters; creating legislative task force on electronic roster implementation; enacting procedures related to recounts; appropriating money; amending Minnesota Statutes 2010, sections 13.69, subdivision 1; 135A.17, subdivision 2; 171.01, by adding a subdivision; 171.06, subdivisions 1, 2, 3, by adding a subdivision; 171.061, subdivisions 1, 3, 4; 171.07, subdivisions 1a, 4, 9, 14, by adding a subdivision; 171.071; 171.11; 171.14; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 4, 7; 201.071, subdivision 3; 201.081; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.04, subdivisions 1, 2; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.32; 204C.33, subdivision 1; 204C.37; 204C.38; 204D.24, subdivision 2; 205.065, subdivision 5; 205.185, subdivision 3; 205A.03, subdivision 4; 205A.10, subdivision 3; 206.86, subdivisions 1, 2; 209.021, subdivision 1; 209.06, subdivision 1; 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; 299A; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 203B.04, subdivision 3; 204C.34; 204C.35; 204C.36; 204C.361.

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

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

H.F. No. 978 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
978	919				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 978 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 978, the second engrossment; and insert the language after the enacting clause of S.F. No. 919, the first engrossment; further, delete the title of H.F. No. 978, the second engrossment; and insert the title of S.F. No. 919, the first engrossment.

And when so amended H.F. No. 978 will be identical to S.F. No. 919, and further recommends that H.F. No. 978 be given its second reading and substituted for S.F. No. 919, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 1208, 471, 172, 680 and 509 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 978 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Rest introduced—

S.F. No. 1306: A bill for an act relating to probate; authorizing courts to modify certain provisions; amending Minnesota Statutes 2010, section 524.2-712.

Referred to the Committee on Judiciary and Public Safety.

Senators Hann, Limmer, Kruse, Brown and Parry introduced—

S.F. No. 1307: A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article XIII; recognizing marriage as only a union between one man and one woman.

Referred to the Committee on Judiciary and Public Safety.

Senators Limmer, Thompson, Nienow, Hall and Wolf introduced–

S.F. No. 1308: A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article XIII; recognizing marriage as only a union between one man and one woman.

Referred to the Committee on Judiciary and Public Safety.

Senators Gazelka, Limmer, Hoffman and Ingebrigtsen introduced–

S.F. No. 1309: A bill for an act proposing an amendment to the Minnesota Constitution; adding a section to article XIII; recognizing marriage as only a union between one man and one woman.

Referred to the Committee on Judiciary and Public Safety.

Senators Parry, Sheran and Daley introduced–

S.F. No. 1310: A bill for an act relating to drivers' licenses; modifying and clarifying provisions relating to instruction permits; amending Minnesota Statutes 2010, section 171.05, subdivision 2.

Referred to the Committee on Transportation.

Senator Metzen introduced–

S.F. No. 1311: A bill for an act relating to human services; modifying child care assistance provider rate differential for accreditation; amending Minnesota Statutes 2010, section 119B.13, subdivision 3a.

Referred to the Committee on Health and Human Services.

Senators Kelash and Gerlach introduced–

S.F. No. 1312: A bill for an act relating to natural resources; appropriating money from the parks and trails fund for metropolitan regional parks.

Referred to the Committee on Environment and Natural Resources.

Senators Benson and Howe introduced–

S.F. No. 1313: A bill for an act relating to energy; modifying conservation improvement program; amending Minnesota Statutes 2010, section 216B.241, subdivision 1c.

Referred to the Committee on Energy, Utilities and Telecommunications.

Senator Torres Ray introduced–

S.F. No. 1314: A bill for an act relating to insurance; requiring health insurance to cover routine health care received while participating in a qualified clinical trial under certain circumstances; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Commerce and Consumer Protection.

Senator Marty introduced–

S.F. No. 1315: A bill for an act relating to crime prevention; providing for an aggressive initiative against chemical dependency; increasing the tax on alcoholic beverages to fund this initiative; eliminating obsolete language and making technical corrections; appropriating money; amending Minnesota Statutes 2010, sections 169A.275, subdivision 5; 169A.284, subdivision 1; 169A.54, subdivision 11; 169A.70, subdivisions 2, 3, 7, by adding subdivisions; 254B.01, subdivision 2; 254B.02, subdivision 1; 254B.04, subdivisions 1, 3; 254B.06, subdivision 1; 297G.03, subdivisions 1, 2; 297G.04, subdivisions 1, 2; 609.115, subdivision 8; 609.135, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 254A; 373; 609; repealing Minnesota Statutes 2010, section 254B.03, subdivision 4.

Referred to the Committee on Judiciary and Public Safety.

Senators Michel and Rest introduced–

S.F. No. 1316: A joint resolution relating to redistricting; establishing districting principles for legislative and congressional plans.

Referred to the Committee on Rules and Administration.

Senators Michel and Rest introduced–

S.F. No. 1317: A bill for an act relating to redistricting; establishing districting principles for legislative and congressional plans; proposing coding for new law in Minnesota Statutes, chapter 2.

Referred to the Committee on Rules and Administration.

Senators Carlson, Rest, Dahms, Vandever and Sieben introduced–

S.F. No. 1318: A bill for an act relating to elections; changing certain recount requirements and procedures; amending Minnesota Statutes 2010, sections 204C.35, subdivision 1, by adding a subdivision; 204C.36, subdivision 1; 206.89, subdivision 3.

Referred to the Committee on Local Government and Elections.

Senator Daley introduced–

S.F. No. 1319: A bill for an act relating to veterans homes; veterans homes special revenue account; amending Minnesota Statutes 2010, section 198.003, by adding a subdivision.

Referred to the Committee on State Government Innovation and Veterans.

Senator Daley introduced–

S.F. No. 1320: A bill for an act relating to veterans homes; expanding permitted uses of certain funds; amending Minnesota Statutes 2010, section 198.261.

Referred to the Committee on State Government Innovation and Veterans.

Senator Daley introduced—

S.F. No. 1321: A bill for an act relating to veterans; authorizing commissioner of veterans affairs to accept funds for certain purposes; proposing coding for new law in Minnesota Statutes, chapter 296.

Referred to the Committee on State Government Innovation and Veterans.

Senator Gimse introduced—

S.F. No. 1322: A bill for an act relating to education; allowing a limited exception to the 180-day good faith effort required before asking the Minnesota State High School League to arrange an interscholastic conference membership.

Referred to the Committee on Education.

Senator Hann introduced—

S.F. No. 1323: A bill for an act relating to state government; providing for the governor to appoint the executive directors of specified state councils; amending Minnesota Statutes 2010, sections 3.922, subdivision 5; 3.9223, subdivision 5; 3.9225, subdivision 5; 3.9226, subdivision 5.

Referred to the Committee on State Government Innovation and Veterans.

Senator Magnus introduced—

S.F. No. 1324: A bill for an act relating to agriculture; changing certain programs, requirements, fees, and duties; appropriating money; amending Minnesota Statutes 2010, sections 18B.065, by adding a subdivision; 18B.316, subdivision 6; 18G.07, subdivision 1; 18G.10, subdivisions 5, 7, by adding a subdivision; 18H.07, subdivisions 2, 3; 18H.10; 18H.14; 18J.01; 18J.02; 18J.03; 18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 18J.08, subdivision 2; 21.82, subdivisions 7, 8; 35.0661, subdivisions 2, 3; 223.17, subdivisions 6, 9; 231.36; 231.38; 231.39; 232.22, subdivisions 3, 4, 5; 232.23, subdivisions 5, 10; 232.24, subdivisions 1, 2; 236.02, subdivision 5, by adding a subdivision; repealing Minnesota Statutes 2010, sections 27.19, subdivisions 2, 3; 27.20; 223.18; 231.035; 231.28; 232.24, subdivision 3; 232.25; 236.09; Minnesota Rules, parts 1505.0780; 1505.0810; 1562.0100, subparts 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25; 1562.0200; 1562.0700, subparts 1b, 3; 1562.0900; 1562.1300.

Referred to the Committee on Agriculture and Rural Economies.

MOTIONS AND RESOLUTIONS

Senator Limmer moved that the name of Senator Vandever be added as a co-author to S.F. No. 406. The motion prevailed.

Senator Cohen moved that the name of Senator Pappas be added as a co-author to S.F. No. 1242. The motion prevailed.

Senator Benson moved that the name of Senator Rest be added as a co-author to S.F. No. 1283.

The motion prevailed.

Senator McGuire moved that her name be stricken as chief author, and the name of Senator Pappas be added as chief author to S.F. No. 1304. The motion prevailed.

Senator Hann moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Newman be added as chief author to S.F. No. 1285. The motion prevailed.

Senator Hann moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Newman be added as chief author to S.F. No. 1289. The motion prevailed.

Senator Metzen introduced –

Senate Resolution No. 76: A Senate resolution honoring Specialist Joseph Kennedy of Inver Grove Heights, who was killed in the line of duty in Afghanistan.

Referred to the Committee on Rules and Administration.

Senator Vandever introduced –

Senate Resolution No. 77: A Senate resolution honoring Katie Miron of Hugo, Minnesota, for being crowned the 57th Princess Kay of the Milky Way.

Referred to the Committee on Rules and Administration.

Senator Reinert introduced –

Senate Resolution No. 78: A Senate resolution congratulating the University of Minnesota-Duluth men's hockey team, 2011 national champions.

Referred to the Committee on Rules and Administration.

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

CONFIRMATION

Senator Vandever moved that the report from the Committee on Local Government and Elections, reported February 21, 2011, pertaining to appointments to the Campaign Finance and Public Disclosure Board, be taken from the table. The motion prevailed.

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

Senator Vandever moved that in accordance with the report from the Committee on Local Government and Elections, reported February 21, 2011, the Senate, having given its advice, do now consent to and confirm the appointment of:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

David P. Swenson, 800 LaSalle Ave., Suite 2800, Minneapolis, Hennepin County, effective December 20, 2010, to complete a term expiring on January 2, 2012.

The motion prevailed. So the appointment was confirmed.

RECESS

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

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

APPOINTMENTS

Senator Koch from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

S.F. No. 626: Senators Rosen, Hoffman and Sheran.

Senator Koch moved that the foregoing appointments be approved. The motion prevailed.

MEMBERS EXCUSED

Senators Bakk, Latz, Metzen and Scheid were excused from the Session of today.

ADJOURNMENT

Senator Koch moved that the Senate do now adjourn until 10:30 a.m., Thursday, April 28, 2011. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate