

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

 NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 31, 2011

The House of Representatives convened at 3:00 p.m. and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by the Reverend Ralph Olsen, Woodbury, Minnesota.

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

The roll was called and the following members were present:

Abeler	Davnie	Hamilton	Koenen	Murdock	Simon
Anderson, B.	Dean	Hancock	Kriesel	Murphy, E.	Slawik
Anderson, D.	Dettmer	Hansen	Lanning	Murphy, M.	Slocum
Anderson, P.	Dill	Hausman	Leidiger	Murray	Stensrud
Anderson, S.	Dittrich	Hayden	LeMieur	Myhra	Swedzinski
Anzelc	Doepke	Hilstrom	Lenczewski	Nelson	Thissen
Atkins	Downey	Hilty	Lesch	Norton	Tillberry
Banaian	Drazkowski	Holberg	Liebling	O'Driscoll	Torkelson
Barrett	Eken	Hoppe	Lillie	Paymar	Urdahl
Beard	Erickson	Hornstein	Loeffler	Pelowski	Vogel
Benson, J.	Fabian	Hortman	Lohmer	Peppin	Wagenius
Benson, M.	Falk	Hosch	Loon	Petersen, B.	Ward
Bills	Franson	Howes	Mack	Peterson, S.	Wardlow
Brynaert	Fritz	Huntley	Mahoney	Poppe	Westrom
Buesgens	Garofalo	Johnson	Mariani	Quam	Winkler
Carlson	Gauthier	Kahn	Marquart	Rukavina	Woodard
Champion	Gottwalt	Kath	Mazorol	Runbeck	Spk. Zellers
Clark	Greene	Kelly	McDonald	Sanders	
Cornish	Greiling	Kieffer	McElpatrick	Scalze	
Crawford	Gruenhagen	Kiel	McFarlane	Schomacker	
Daudt	Gunther	Kiffmeyer	McNamara	Scott	
Davids	Hackbarth	Knuth	Mullery	Shimanski	

A quorum was present.

Laine, Moran, Morrow, Nornes, Persell and Smith were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

January 20, 2011

The Honorable Michelle Fischbach
President of the Senate
The State of Minnesota

The Honorable Kurt Zellers
Speaker of the House of Representatives
The State of Minnesota

Dear President Fischbach and Speaker Zellers:

I respectfully request the opportunity to address a joint meeting of the 87th Session of the Minnesota State Legislature on Wednesday, February 9, 2011, at 12:00 noon for the purpose of presenting my State of the State message.

Sincerely,

MARK DAYTON
Governor

Dean moved that an invitation be extended to the Governor to address a Joint Convention of the House of Representatives and the Senate to be held in the House Chamber at 12:00 noon, Wednesday, February 9, 2011; that the Chief Clerk be instructed to invite the Senate by message to meet in Joint Convention to convene at 11:45 a.m.; that the Governor be advised accordingly; and that the Speaker appoint a committee of five members of the House of Representatives to act with a similar committee to be appointed by the Senate to escort the Governor to the Joint Convention. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 2, A bill for an act relating to the state budget; creating priority-based budget process; establishing a sunset process for state agencies; appropriating money; amending Minnesota Statutes 2010, sections 3.885, by adding a subdivision; 3.97, by adding a subdivision; 3.971, by adding a subdivision; 16A.11, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
ZERO-BASED BUDGETING

Section 1. Minnesota Statutes 2010, section 16A.103, is amended to read:

16A.103 FORECASTS OF REVENUE AND EXPENDITURES.

Subdivision 1. **State revenue and expenditures.** In February and November each year, the commissioner shall prepare a forecast of state revenue and expenditures. The November forecast must be delivered to the legislature and governor no later than the end of the first week of December. The February forecast must be delivered to the legislature and governor by the end of February. Forecasts must be delivered to the legislature and governor on the same day. If requested by the Legislative Commission on Planning and Fiscal Policy, delivery to the legislature must include a presentation to the commission. The portion of each forecast dealing with state expenditures must forecast these expenditures only for the remainder of the current biennium.

Subd. 1a. **Forecast parameters.** The forecast must assume the continuation of current laws and reasonable estimates of projected growth in the national and state economies and affected populations. Revenue must be estimated for all sources provided for in current law. Expenditures for the remainder of the current biennium must be estimated for all obligations imposed by law and those projected to occur as a result of variables outside the control of the legislature. Expenditure estimates must not include an allowance for inflation.

~~Subd. 1b. **Forecast variable.** In determining the amount of state bonding as it affects debt service, the calculation of investment income, and the other variables to be included in the expenditure part of the forecast, the commissioner must consult with the chairs and lead minority members of the senate State Government Finance Committee and the house of representatives Ways and Means Committee, and legislative fiscal staff. This consultation must occur at least three weeks before the forecast is to be released. No later than two weeks prior to the release of the forecast, the commissioner must inform the chairs and lead minority members of the senate State Government Finance Committee and the house of representatives Ways and Means Committee, and legislative fiscal staff of any changes in these variables from the previous forecast.~~

Subd. 1c. **Expenditure data.** State agencies must submit any revisions in expenditure data for the remainder of the current biennium the commissioner determines necessary for the forecast to the commissioner at least four weeks prior to the release of the forecast. The information submitted by state agencies and any modifications to that information made by the commissioner must be made available to legislative fiscal staff no later than three weeks prior to the release of the forecast.

Subd. 1d. **Revenue data.** On a monthly basis, the commissioner must provide legislative fiscal staff with an update of the previous month's state revenues no later than 12 days after the end of that month.

Subd. 1e. **Economic information.** The commissioner must review economic information including economic forecasts with legislative fiscal staff no later than two weeks before the forecast is released. The commissioner must invite the chairs and lead minority members of the senate Finance Committee and the house of representatives Ways and Means Committee, and legislative fiscal staff to attend any meetings held with outside economic advisors. The commissioner must provide legislative fiscal staff with monthly economic forecast information received from outside sources.

Subd. 1f. **Personal income.** In addition, the commissioner shall forecast Minnesota personal income for each of the years covered by the forecast and include these estimates in the forecast documents.

Subd. 1g. **Period to be forecast.** A forecast prepared during the first fiscal year of a biennium must cover that biennium and the next biennium. A forecast prepared during the second fiscal year of a biennium must cover that biennium and the next two bienniums. However, each forecast must cover expenditures only for the remainder of the current biennium.

Subd. 2. **Local revenue.** In February and November of each year, the commissioner of revenue shall prepare and deliver to the governor and the legislature forecasts of revenue to be received by school districts as a group, counties as a group, and the group of cities and towns that have a population of more than 2,500. The forecasts must assume the continuation of current laws, projections of valuation changes in real property, and reasonable estimates of projected growth in the national and state economies and affected populations. Revenue must be estimated for property taxes, state and federal aids, local sales taxes, if any, and a single projection for all other revenue for each group of affected local governmental units.

~~Subd. 4. **Report on expenditure increases.** By January 10 of an odd numbered year, the commissioner of management and budget must report on those programs or components of programs for which expenditures for the next biennium according to the forecast issued the previous November are projected to increase more than 15 percent over the expenditures for that program in the current biennium. The report must include an analysis of the factors that are causing the increases in expenditures.~~

Sec. 2. **[16A.106] ZERO-BASED BUDGETING.**

(a) The proposed budget of each state agency and each entity in the legislative branch and judicial branch must be prepared in a manner such that the base budget of the agency or entity is assumed to be zero, and each proposed expenditure must be justified as if it were a new expenditure.

(b) The commissioner's budget preparation rules and instructions must contain requirements, deadlines, and technical assistance to facilitate implementation of this section. The instructions may establish parameters for the three alternative funding levels required in clause (3). The instructions must require each executive agency to submit the following information to the commissioner, and must also be contained in the detailed budget presented to the legislature:

(1) a description of each activity for which the agency or entity receives an appropriation in the current biennium or for which the agency or entity requests an appropriation in the next biennium;

(2) the legal basis for each activity;

(3) for each activity, three alternative funding levels, and a summary of the priorities that would be accomplished within each level, and the additional increments of value that would be added by the higher funding levels; and

(4) for each activity, one or more measures of cost efficiency and effectiveness of program delivery, which must include comparisons to other states or entities with similar programs.

Sec. 3. Minnesota Statutes 2010, section 16A.11, subdivision 3, is amended to read:

Subd. 3. **Part two: detailed budget.** (a) Part two of the budget, the detailed budget estimates both of expenditures and revenues, must contain any statements on the financial plan which the governor believes desirable or which may be required by the legislature. The detailed estimates shall include the governor's budget arranged in tabular form.

~~(b) Tables listing expenditures for the next biennium must show the appropriation base for each year. The appropriation base is the amount appropriated for the second year of the current biennium. The tables must separately show any adjustments to the base required by current law or policies of the commissioner of management~~

~~and budget. For forecasted programs, the tables must also show the amount of the forecast adjustments, based on the most recent forecast prepared by the commissioner of management and budget under section 16A.103. For all programs, the tables must show the amount of appropriation changes recommended by the governor, after adjustments to the base and forecast adjustments, and the total recommendation of the governor for that year.~~

~~(e)~~ (b) The detailed estimates must include a separate line listing the total cost of professional and technical service contracts for the prior biennium and the projected costs of those contracts for the current and upcoming biennium. They must also include a summary of the personnel employed by the agency, reflected as full-time equivalent positions.

~~(d)~~ (c) The detailed estimates for internal service funds must include the number of full-time equivalents by program; detail on any loans from the general fund, including dollar amounts by program; proposed investments in technology or equipment of \$100,000 or more; an explanation of any operating losses or increases in retained earnings; and a history of the rates that have been charged, with an explanation of any rate changes and the impact of the rate changes on affected agencies.

Sec. 4. **IMPLEMENTATION.**

The principles of zero-based budgeting required by Minnesota Statutes, section 16A.106, must be implemented for approximately one-half of the executive branch agencies for the biennium beginning July 1, 2011, and for the remaining agencies for the biennium beginning July 1, 2013. The governor must designate which agencies are in each category. For agencies subject to zero-based budgeting for the biennium beginning July 1, 2011, agencies must submit supplemental budget materials, in compliance with Minnesota statutes, section 16A.106, as soon as possible after enactment of this act.

Sec. 5. **REPEALER.**

Minnesota Statutes 2010, section 16A.103, subdivisions 1b and 4, are repealed.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment.

ARTICLE 2 MINNESOTA SUNSET ACT

Section 1. **[3D.01] SHORT TITLE.**

This chapter may be cited as the "Minnesota Sunset Act."

Sec. 2. **[3D.02] DEFINITIONS.**

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

Subd. 2. **Advisory committee.** "Advisory committee" means a committee, council, commission, or other entity created under state law whose primary function is to advise a state agency.

Subd. 3. **Commission.** "Commission" means the Sunset Advisory Commission.

Subd. 4. **State agency.** "State agency" means an agency expressly made subject to this chapter.

Sec. 3. **[3D.03] SUNSET ADVISORY COMMISSION.**

Subdivision 1. **Membership.** The Sunset Advisory Commission consists of 12 members appointed as follows:

(1) five senators and one public member, appointed according to the rules of the senate, with no more than three senators from the majority caucus; and

(2) five members of the house of representatives and one public member, appointed by the speaker of the house, with no more than three of the house members from the majority caucus.

Subd. 2. **Public member restrictions.** An individual is not eligible for appointment as a public member if the individual or the individual's spouse is:

(1) regulated by a state agency that the commission will review during the term for which the individual would serve;

(2) employed by, participates in the management of, or directly or indirectly has more than a ten percent interest in a business entity or other organization regulated by a state agency the commission will review during the term for which the individual would serve; or

(3) required to register as a lobbyist under chapter 10A because of the person's activities for compensation on behalf of a profession or entity related to the operation of an agency under review.

Subd. 3. **Removal.** (a) It is a ground for removal of a public member from the commission if the member does not have the qualifications required by subdivision 2 for appointment to the commission at the time of appointment or does not maintain the qualifications while serving on the commission. The validity of the commission's action is not affected by the fact that it was taken when a ground for removal of a public member from the commission existed.

(b) Except as provided in paragraph (a), a public member may be removed only as provided in section 15.0575, subdivision 4.

Subd. 4. **Terms.** Legislative members serve at the pleasure of the appointing authority. Public members serve two-year terms expiring the first Monday in January of each odd-numbered year.

Subd. 5. **Limits.** Members are subject to the following restrictions:

(1) after an individual serves four years on the commission, the individual is not eligible for appointment to another term or part of a term;

(2) a legislative member who serves a full term may not be appointed to an immediately succeeding term; and

(3) a public member may not serve consecutive terms, and, for purposes of this prohibition, a member is considered to have served a term only if the member has served more than one-half of the term.

Subd. 6. **Appointments.** Appointments must be made before the first Monday of January of each odd-numbered year.

Subd. 7. **Legislative members.** If a legislative member ceases to be a member of the legislative body from which the member was appointed, the member vacates membership on the commission.

Subd. 8. **Vacancies.** If a vacancy occurs, the appointing authority shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment.

Subd. 9. **Officers.** The commission shall have a chair and vice-chair as presiding officers.

Subd. 10. **Quorum; voting.** Seven members of the commission constitute a quorum. A final action or recommendation may not be made unless approved by a recorded vote of at least seven members. All other actions by the commission shall be decided by a majority of the members present and voting.

Subd. 11. **Compensation.** Each public member shall be reimbursed for expenses as provided in section 15.0575. Compensation for legislators is as determined by the members' legislative chamber.

Sec. 4. **[3D.04] STAFF.**

The Legislative Coordinating Commission shall provide staff and administrative services for the commission.

Sec. 5. **[3D.05] RULES.**

The commission may adopt rules necessary to carry out this chapter.

Sec. 6. **[3D.06] AGENCY REPORT TO COMMISSION.**

Before September 1 of the odd-numbered year before the year in which a state agency is sunset, the agency commissioner shall report to the commission:

(1) information regarding the application to the agency of the criteria in section 3D.10;

(2) a priority-based budget for the agency;

(3) an inventory of all boards, commissions, committees, and other entities related to the agency; and

(4) any other information that the agency commissioner considers appropriate or that is requested by the commission.

Sec. 7. **[3D.07] COMMISSION DUTIES.**

Before January 1 of the year in which a state agency subject to this chapter and its advisory committees are sunset, the commission shall:

(1) review and take action necessary to verify the reports submitted by the agency; and

(2) conduct a review of the agency based on the criteria provided in section 3D.10 and prepare a written report.

Sec. 8. **[3D.08] PUBLIC HEARINGS.**

Before February 1 of the year a state agency subject to this chapter and its advisory committees are sunset, the commission shall conduct public hearings concerning but not limited to the application to the agency of the criteria provided in section 3D.10.

Sec. 9. **[3D.09] COMMISSION REPORT.**

By February 1 of each even-numbered year, the commission shall present to the legislature and the governor a report on the agencies and advisory committees reviewed. In the report the commission shall include:

- (1) its findings regarding the criteria prescribed by section 3D.10;
- (2) its recommendations based on the matters prescribed by section 3D.11; and
- (3) other information the commission considers necessary for a complete review of the agency.

Sec. 10. **[3D.10] CRITERIA FOR REVIEW.**

The commission and its staff shall consider the following criteria in determining whether a public need exists for the continuation of a state agency or its advisory committees or for the performance of the functions of the agency or its advisory committees:

- (1) the efficiency and effectiveness with which the agency or the advisory committee operates;
- (2) an identification of the mission, goals, and objectives intended for the agency or advisory committee and of the problem or need that the agency or advisory committee was intended to address and the extent to which the mission, goals, and objectives have been achieved and the problem or need has been addressed;
- (3) an identification of any activities of the agency in addition to those granted by statute and of the authority for those activities and the extent to which those activities are needed;
- (4) an assessment of authority of the agency relating to fees, inspections, enforcement, and penalties;
- (5) whether less restrictive or alternative methods of performing any function that the agency performs could adequately protect or provide service to the public;
- (6) the extent to which the jurisdiction of the agency and the programs administered by the agency overlap or duplicate those of other agencies, the extent to which the agency coordinates with those agencies, and the extent to which the programs administered by the agency can be consolidated with the programs of other state agencies;
- (7) the promptness and effectiveness with which the agency addresses complaints concerning entities or other persons affected by the agency, including an assessment of the agency's administrative hearings process;
- (8) an assessment of the agency's rulemaking process and the extent to which the agency has encouraged participation by the public in making its rules and decisions and the extent to which the public participation has resulted in rules that benefit the public;
- (9) the extent to which the agency has complied with federal and state laws and applicable rules regarding equality of employment opportunity and the rights and privacy of individuals, and state law and applicable rules of any state agency regarding purchasing guidelines and programs for historically underutilized businesses;
- (10) the extent to which the agency issues and enforces rules relating to potential conflicts of interest of its employees;
- (11) the extent to which the agency complies with chapter 13 and follows records management practices that enable the agency to respond efficiently to requests for public information; and
- (12) the effect of federal intervention or loss of federal funds if the agency is abolished.

Sec. 11. **[3D.11] RECOMMENDATIONS.**

(a) In its report on a state agency, the commission shall:

(1) make recommendations on the abolition, continuation, or reorganization of each affected state agency and its advisory committees and on the need for the performance of the functions of the agency and its advisory committees;

(2) make recommendations on the consolidation, transfer, or reorganization of programs within state agencies not under review when the programs duplicate functions performed in agencies under review; and

(3) make recommendations to improve the operations of the agency, its policy body, and its advisory committees, including management recommendations that do not require a change in the agency's enabling statute.

(b) The commission shall include the estimated fiscal impact of its recommendations and may recommend appropriation levels for certain programs to improve the operations of the state agency.

(c) The commission shall have drafts of legislation prepared to carry out the commission's recommendations under this section, including legislation necessary to continue the existence of agencies that would otherwise sunset if the commission recommends continuation of an agency.

(d) After the legislature acts on the report under section 3D.09, the commission shall present to the legislative auditor the commission's recommendations that do not require a statutory change to be put into effect. Subject to the legislative audit commission's approval, the legislative auditor may examine the recommendations and include as part of the next audit of the agency a report on whether the agency has implemented the recommendations and, if so, in what manner.

Sec. 12. **[3D.12] MONITORING OF RECOMMENDATIONS.**

During each legislative session, the staff of the commission shall monitor legislation affecting agencies that have undergone sunset review and shall periodically report to the members of the commission on proposed changes that would modify prior recommendations of the commission.

Sec. 13. **[3D.13] REVIEW OF ADVISORY COMMITTEES.**

An advisory committee, the primary function of which is to advise a particular state agency, is subject to sunset on the date set for sunset of the agency unless the advisory committee is expressly continued by law.

Sec. 14. **[3D.14] CONTINUATION BY LAW.**

During the regular session immediately before the sunset of a state agency or an advisory committee that is subject to this chapter, the legislature may enact legislation to continue the agency or advisory committee for a period not to exceed 12 years. This chapter does not prohibit the legislature from:

(1) terminating a state agency or advisory committee subject to this chapter at a date earlier than that provided in this chapter; or

(2) considering any other legislation relative to a state agency or advisory committee subject to this chapter.

Sec. 15. **[3D.15] PROCEDURE AFTER TERMINATION.**

Subdivision 1. Termination. Unless otherwise provided by law:

(1) if after sunset review a state agency is abolished, the agency may continue in existence until June 30 of the following year to conclude its business;

(2) abolishment does not reduce or otherwise limit the powers and authority of the state agency during the concluding year;

(3) a state agency is terminated and shall cease all activities at the expiration of the one-year period; and

(4) all rules that have been adopted by the state agency expire at the expiration of the one-year period.

Subd. 2. Funds of abolished agency or advisory committee. (a) Any unobligated and unexpended appropriations of an abolished agency or advisory committee lapse on June 30 of the year after abolishment.

(b) Except as provided by subdivision 4 or as otherwise provided by law, all money in a dedicated fund of an abolished state agency or advisory committee on June 30 of the year after abolishment is transferred to the general fund. The part of the law dedicating the money to a specific fund of an abolished agency becomes void on June 30 of the year after abolishment.

Subd. 3. Property and records of abolished agency or advisory committee. Unless the governor designates an appropriate state agency as prescribed by subdivision 4, property and records in the custody of an abolished state agency or advisory committee on June 30 of the year after abolishment must be transferred to the commissioner of administration. If the governor designates an appropriate state agency, the property and records must be transferred to the designated state agency.

Subd. 4. Continuing obligations. (a) The legislature recognizes the state's continuing obligation to pay bonded indebtedness and all other obligations, including lease, contract, and other written obligations, incurred by a state agency or advisory committee abolished under this chapter, and this chapter does not impair or impede the payment of bonded indebtedness and all other obligations, including lease, contract, and other written obligations, in accordance with their terms. If an abolished state agency or advisory committee has outstanding bonded indebtedness or other outstanding obligations, including lease, contract, and other written obligations, the bonds and all other obligations, including lease, contract, and other written obligations, remain valid and enforceable in accordance with their terms and subject to all applicable terms and conditions of the laws and proceedings authorizing the bonds and all other obligations, including lease, contract, and other written obligations.

(b) The governor shall designate an appropriate state agency that shall continue to carry out all covenants contained in the bonds and in all other obligations, including lease, contract, and other written obligations, and the proceedings authorizing them, including the issuance of bonds, and the performance of all other obligations, including lease, contract, and other written obligations, to complete the construction of projects or the performance of other obligations, including lease, contract, and other written obligations.

(c) The designated state agency shall provide payment from the sources of payment of the bonds in accordance with the terms of the bonds and shall provide payment from the sources of payment of all other obligations, including lease, contract, and other written obligations, in accordance with their terms, whether from taxes, revenues, or otherwise, until the bonds and interest on the bonds are paid in full and all other obligations, including lease, contract, and other written obligations, are performed and paid in full. If the proceedings so provide, all funds established by laws or proceedings authorizing the bonds or authorizing other obligations, including lease, contract, and other written obligations, must remain with the comptroller or the previously designated trustees. If the proceedings do not provide that the funds remain with the comptroller or the previously designated trustees, the funds must be transferred to the designated state agency.

Sec. 16. **[3D.16] ASSISTANCE OF AND ACCESS TO STATE AGENCIES.**

The commission may request the assistance of state agencies and officers. When assistance is requested, a state agency or officer shall assist the commission. In carrying out its functions under this chapter, the commission or its designated staff member may inspect the records, documents, and files of any state agency.

Sec. 17. **[3D.17] RELOCATION OF EMPLOYEES.**

If an employee is displaced because a state agency or its advisory committee is abolished or reorganized, the state agency shall make a reasonable effort to relocate the displaced employee.

Sec. 18. **[3D.18] SAVING PROVISION.**

Except as otherwise expressly provided, abolition of a state agency does not affect rights and duties that matured, penalties that were incurred, civil or criminal liabilities that arose, or proceedings that were begun before the effective date of the abolition.

Sec. 19. **[3D.19] REVIEW OF PROPOSED LEGISLATION CREATING AN AGENCY.**

Each bill filed in a house of the legislature that would create a new state agency or a new advisory committee to a state agency shall be reviewed by the commission. The commission shall review the bill to determine if:

(1) the proposed functions of the agency or committee could be administered by one or more existing state agencies or advisory committees;

(2) the form of regulation, if any, proposed by the bill is the least restrictive form of regulation that will adequately protect the public;

(3) the bill provides for adequate public input regarding any regulatory function proposed by the bill; and

(4) the bill provides for adequate protection against conflicts of interest within the agency or committee.

Sec. 20. **[3D.20] GIFTS AND GRANTS.**

The commission may accept gifts, grants, and donations from any organization described in section 501(c)(3) of the Internal Revenue Code for the purpose of funding any activity under this chapter. All gifts, grants, and donations must be accepted in an open meeting by a majority of the voting members of the commission and reported in the public record of the commission with the name of the donor and purpose of the gift, grant, or donation. Money received under this section is appropriated to the commission.

Sec. 21. **[3D.21] EXPIRATION.**

Subdivision 1. **Group 1.** The following agencies are sunset and expire on June 30, 2012: Department of Health, Department of Human Rights, Department of Human Services, all health-related licensing boards listed in section 214.01, Council on Affairs of Chicano/Latino People, Council on Black Minnesotans, Council on Asian-Pacific Minnesotans, Indian Affairs Council, Council on Disabilities, and all advisory groups associated with these agencies.

Subd. 2. **Group 2.** The following agencies are sunset and expire on June 30, 2014: Department of Education, Board of Teaching, Minnesota Office of Higher Education, and all advisory groups associated with these agencies.

Subd. 3. **Group 3.** The following agencies are sunset and expire on June 30, 2016: Department of Commerce, Department of Employment and Economic Development, Department of Labor and Industry, all non-health-related licensing boards listed in section 214.01 except as otherwise provided in this section, Explore Minnesota Tourism, Public Utilities Commission, Iron Range Resources and Rehabilitation Board, Bureau of Mediation Services, Combative Sports Commission, Amateur Sports Commission, and all advisory groups associated with these agencies.

Subd. 4. **Group 4.** The following agencies are sunset and expire on June 30, 2018: Department of Corrections, Department of Public Safety, Department of Transportation, Peace Officer Standards and Training Board, Corrections Ombudsman, and all advisory groups associated with these agencies.

Subd. 5. **Group 5.** The following agencies are sunset and expire on June 30, 2020: Department of Agriculture, Department of Natural Resources, Pollution Control Agency, Board of Animal Health, Board of Water and Soil Resources, and all advisory groups associated with these agencies.

Subd. 6. **Group 6.** The following agencies are sunset and expire on June 30, 2022: Department of Administration, Department of Management and Budget, Department of Military Affairs, Department of Revenue, Department of Veterans Affairs, Arts Board, Minnesota Zoo, Office of Administrative Hearings, Campaign Finance and Public Disclosure Board, Capitol Area Architectural and Planning Board, Office of Enterprise Technology, Minnesota Racing Commission, and all advisory groups associated with these agencies.

Subd. 7. **Continuation.** Following sunset review of an agency, the legislature may act within the same legislative session in which the sunset report was received on Sunset Advisory Commission recommendations to continue or reorganize the agency.

Subd. 8. **Other groups.** The commission may review, under the criteria in section 3D.10, and propose to the legislature an expiration date for any agency, board, commission, or program not listed in this section."

Delete the title and insert:

"A bill for an act relating to state government; requiring zero-based budgeting; establishing a sunset advisory commission and sunset process for state agencies; amending Minnesota Statutes 2010, sections 16A.103; 16A.11, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 16A; proposing coding for new law as Minnesota Statutes, chapter 3D; repealing Minnesota Statutes 2010, section 16A.103, subdivisions 1b, 4."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 68, A bill for an act relating to crimes; providing that careless driving resulting in death is a gross misdemeanor; amending Minnesota Statutes 2010, section 169.13, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary Policy and Finance.

The report was adopted.

Erickson from the Committee on Education Reform to which was referred:

H. F. No. 92, A bill for an act relating to education; repealing the teacher contract deadline aid penalty; repealing Minnesota Statutes 2010, section 123B.05.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Education Finance.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 110, A bill for an act relating to state government; increasing the membership of the Legislative Commission on Pensions and Retirement; amending Minnesota Statutes 2010, section 3.85, subdivision 3.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

Erickson from the Committee on Education Reform to which was referred:

H. F. No. 115, A bill for an act relating to education; repealing the January 15 deadline by which school districts must reach a collective bargaining agreement or face a state aid penalty; repealing Minnesota Statutes 2010, section 123B.05.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Education Finance.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 166, A bill for an act relating to residential construction; providing for lead poisoning prevention; modifying effective dates; amending Laws 2010, chapter 321, sections 1; 2; 3.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 173, A bill for an act relating to state government; creating the Sunset Commission; providing for sunset and review of state agencies; proposing coding for new law as Minnesota Statutes, chapter 3D.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[3D.01] SHORT TITLE.**

This chapter may be cited as the Minnesota Sunset Act.

Sec. 2. **[3D.02] DEFINITIONS.**

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

Subd. 2. **Advisory committee.** "Advisory committee" means a committee, council, commission, or other entity created under state law whose primary function is to advise a state agency.

Subd. 3. **Commission.** "Commission" means the Sunset Commission.

Subd. 4. **State agency.** "State agency" means an agency expressly made subject to this chapter.

Sec. 3. **[3D.03] SUNSET COMMISSION.**

Subdivision 1. **Membership.** The Sunset Commission consists of four members appointed by the governor, two members appointed by the speaker of the house of representatives, two members appointed by the minority leader of the house of representatives, and two members appointed by the senate majority leader, and two members appointed by the senate minority leader. Appointing authorities should consider appointing members with experience in business operations, mergers, finance, and technology. A legislator may not be a member of the commission.

Subd. 2. **Member restrictions.** An individual is not eligible for appointment if the individual or the individual's spouse is:

(1) regulated by a state agency that the commission will review during the term for which the individual would serve;

(2) employed by, participates in the management of, or directly or indirectly has more than a ten percent interest in a business entity or other organization regulated by a state agency the commission will review during the term for which the individual would serve; or

(3) required to register as a lobbyist under chapter 10A because of the person's activities for compensation on behalf of a profession or entity related to the operation of an agency under review.

Subd. 3. **Removal.** Removal of members is governed by section 15.0575. It is cause for removal of a member from the commission if the member does not have the qualifications required by subdivision 2 for appointment to the commission at the time of appointment or does not maintain the qualifications while serving on the commission. The validity of the commission's action is not affected by the fact that it was taken when a ground for removal of a public member from the commission existed.

Subd. 4. **Terms.** Members serve two-year terms expiring September 1 of each odd-numbered year.

Subd. 5. **Limits.** Members are subject to the following restrictions:

(1) after an individual serves four years on the commission, the individual is not eligible for appointment to another term or part of a term; and

(2) a member may not serve consecutive terms, and, for purposes of this prohibition, a member is considered to have served a term only if the member has served more than half of the term.

Subd. 6. **Appointments.** The appointing authorities shall make appointments before September 1 of each odd-numbered year.

Subd. 7. **Vacancies.** If a vacancy occurs, the appointing authorities shall appoint a person to serve for the remainder of the unexpired term in the same manner as the original appointment.

Subd. 8. **Officers.** The commission shall have a chair and vice-chair as presiding officers. The chair and vice-chair must alternate every two years between a member appointed by the governor and a member appointed by a legislative appointing authority. The chair and vice-chair must be appointed by different appointing authorities.

Subd. 9. **Quorum; voting.** Seven members of the commission constitute a quorum. A final action or recommendation may not be made unless approved by a recorded vote of at least seven members. All other actions by the commission shall be decided by a majority of the members present and voting.

Subd. 10. **Compensation.** Each member of the commission is entitled to reimbursement for actual and necessary expenses incurred in performing commission duties as provided in section 15.0575, subdivision 3. Each member is entitled to reimbursement from funds appropriated to the commission.

Sec. 4. **[3D.04] STAFF.**

(a) The commission may employ an executive director to act as the executive head of the commission. The executive director may employ persons necessary to carry out this chapter. The commission must attempt to use donated staff services to the greatest extent practical before employing staff.

(b) The commission is in the legislative branch. Upon request of the commission, the Legislative Coordinating Commission shall provide administrative support.

Sec. 5. **[3D.05] RULES.**

The commission may adopt rules necessary to carry out this chapter.

Sec. 6. **[3D.06] AGENCY REPORT TO COMMISSION.**

Before September 1 of the odd-numbered year before the year in which a state agency is subject to sunset review, the agency commissioner shall report to the commission:

(1) information regarding the application to the agency of the criteria in section 3D.10;

(2) a priority-based budget for the agency;

(3) an inventory of all boards, commissions, committees, and other entities related to the agency; and

(4) any other information that the agency commissioner considers appropriate or that is requested by the commission.

Sec. 7. **[3D.07] COMMISSION DUTIES.**

Before January 1 of the year in which a state agency subject to this chapter and its advisory committees are subject to sunset review, the commission shall:

- (1) review and take action necessary to verify the reports submitted by the agency;
- (2) conduct a review of the agency based on the criteria provided in section 3D.10 and prepare a written report; and
- (3) review the implementation of commission recommendations contained in the reports presented to the legislature during the preceding legislative session and the resulting legislation.

Sec. 8. **[3D.08] PUBLIC HEARINGS.**

Before February 1 of the year a state agency subject to this chapter and its advisory committees are subject to sunset review, the commission shall conduct public hearings concerning but not limited to the application to the agency of the criteria provided in section 3D.10.

Sec. 9. **[3D.09] COMMISSION REPORT.**

By February 1 of each odd-numbered year, the commission shall present to the legislature and the governor a report on the agencies and advisory committees reviewed. In the report the commission shall include:

- (1) its findings regarding the criteria prescribed by section 3D.10;
- (2) its recommendations based on the matters prescribed by section 3D.11; and
- (3) other information the commission considers necessary for a complete review of the agency.

Sec. 10. **[3D.10] CRITERIA FOR REVIEW.**

The commission and its staff shall consider the following criteria in determining whether a public need exists for the continuation of a state agency or its advisory committees or for the performance of the functions of the agency or its advisory committees:

- (1) the efficiency and effectiveness with which the agency or the advisory committee operates;
- (2) an identification of the mission, goals, and objectives intended for the agency or advisory committee and of the problem or need that the agency or advisory committee was intended to address and the extent to which the mission, goals, and objectives have been achieved and the problem or need has been addressed;
- (3) an identification of any activities of the agency in addition to those granted by statute and of the authority for those activities and the extent to which those activities are needed;
- (4) an assessment of authority of the agency relating to fees, inspections, enforcement, and penalties;
- (5) whether less restrictive or alternative methods of performing any function that the agency performs could adequately protect or provide service to the public;

(6) the extent to which the jurisdiction of the agency and the programs administered by the agency overlap or duplicate those of other agencies, the extent to which the agency coordinates with those agencies, and the extent to which the programs administered by the agency can be consolidated with the programs of other state agencies;

(7) the promptness and effectiveness with which the agency addresses complaints concerning entities or other persons affected by the agency, including an assessment of the agency's administrative hearings process;

(8) an assessment of the agency's rulemaking process and the extent to which the agency has encouraged participation by the public in making its rules and decisions as well as the extent to which the public participation has resulted in rules that benefit the public;

(9) the extent to which the agency has complied with federal and state laws and applicable rules regarding equality of employment opportunity and the rights and privacy of individuals;

(10) the extent to which the agency has complied with state law and applicable rules of any state agency regarding purchasing guidelines and programs for historically underutilized businesses;

(11) the extent to which the agency issues and enforces rules relating to potential conflicts of interest of its employees;

(12) the extent to which the agency complies with chapter 13 and follows records management practices that enable the agency to respond efficiently to requests for public information; and

(13) the effect of federal intervention or loss of federal funds if the agency is abolished.

Sec. 11. **[3D.11] RECOMMENDATIONS.**

(a) In its report on a state agency required by section 3D.09, the commission shall:

(1) make recommendations on the abolition, continuation, or reorganization of each affected state agency and its advisory committees and on the need for the performance of the functions of the agency and its advisory committees;

(2) make recommendations on the consolidation, transfer, or reorganization of programs within state agencies not under review when the programs duplicate functions performed in agencies under review; and

(3) make recommendations to improve the operations of the agency, its policy body, and its advisory committees, including management recommendations that do not require a change in the agency's enabling statute.

(b) The commission shall include the estimated fiscal impact of its recommendations and may recommend appropriation levels for certain programs to improve the operations of the state agency.

(c) The commission must work with the revisor of statutes and other legislative staff to prepare and submit draft legislation to the appropriate chairs and lead minority members of legislative committees to carry out the commission's recommendations.

Sec. 12. **[3D.12] MONITORING OF RECOMMENDATIONS.**

During each legislative session, the staff of the commission shall monitor legislation affecting agencies that have undergone sunset review and shall periodically report to the members of the commission on proposed changes which would modify prior recommendations of the commission.

Sec. 13. **[3D.13] REVIEW OF ADVISORY COMMITTEES.**

An advisory committee, the primary function of which is to advise a particular state agency, is subject to sunset review on the date set for sunset review of the agency unless the advisory committee is expressly continued by law.

Sec. 14. **[3D.14] CONTINUATION BY LAW.**

During the regular session immediately before the sunset review of a state agency or an advisory committee that is subject to this chapter, the legislature may enact legislation to continue the agency or advisory committee for a period not to exceed 12 years. This chapter does not prohibit the legislature from:

(1) terminating a state agency or advisory committee subject to this chapter at a date earlier than that provided in this chapter; or

(2) considering any other legislation relative to a state agency or advisory committee subject to this chapter.

Sec. 15. **[3D.15] PROCEDURE AFTER TERMINATION.**

Subdivision 1. **Termination.** Unless otherwise provided by law:

(1) if after sunset review a state agency is abolished, the agency may continue in existence until June 30 of the following year to conclude its business;

(2) abolishment does not reduce or otherwise limit the powers and authority of the state agency during the concluding year;

(3) a state agency is terminated and shall cease all activities at the expiration of the one-year period; and

(4) all rules that have been adopted by the state agency expire at the expiration of the one-year period.

Subd. 2. **Funds of abolished agency or advisory committee.** (a) Any unobligated and unexpended appropriations of an abolished agency or advisory committee lapse on June 30 of the even-numbered year after abolishment.

(b) Except as provided in subdivision 4 or as otherwise provided by law, all money in a dedicated fund of an abolished state agency or advisory committee on June 30 of the even-numbered year after abolishment is transferred to the general fund. The part of the law dedicating the money to a specific fund of an abolished agency becomes void on June 30 of the even-numbered year after abolishment.

Subd. 3. **Property and records of abolished agency or advisory committee.** Unless the governor designates an appropriate state agency as prescribed by subdivision 4, property and records in the custody of an abolished state agency or advisory committee on June 30 of the even-numbered year after abolishment must be transferred to the commissioner of administration. If the governor designates an appropriate state agency, the property and records must be transferred to the designated state agency.

Subd. 4. **Continuing obligations.** (a) The legislature recognizes the state's continuing obligation to pay bonded indebtedness and all other obligations, including lease, contract, and other written obligations, incurred by a state agency or advisory committee abolished under this chapter, and this chapter does not impair or impede the payment of bonded indebtedness and all other obligations, including lease, contract, and other written obligations, in accordance with their terms. If an abolished state agency or advisory committee has outstanding bonded indebtedness or other outstanding obligations, including lease, contract, and other written obligations, the bonds and

all other obligations, including lease, contract, and other written obligations, remain valid and enforceable in accordance with their terms and subject to all applicable terms and conditions of the laws and proceedings authorizing the bonds and all other obligations, including lease, contract, and other written obligations.

(b) The governor shall designate an appropriate state agency that shall continue to carry out all covenants contained in the bonds and in all other obligations, including lease, contract, and other written obligations, and the proceedings authorizing them, including the issuance of bonds, and the performance of all other obligations, including lease, contract, and other written obligations, to complete the construction of projects or the performance of other obligations, including lease, contract, and other written obligations.

(c) The designated state agency shall provide payment from the sources of payment of the bonds in accordance with the terms of the bonds and shall provide payment from the sources of payment of all other obligations, including lease, contract, and other written obligations, in accordance with their terms, whether from taxes, revenues, or otherwise, until the bonds and interest on the bonds are paid in full and all other obligations, including lease, contract, and other written obligations, are performed and paid in full. If the proceedings so provide, all funds established by laws or proceedings authorizing the bonds or authorizing other obligations, including lease, contract, and other written obligations, must remain with the comptroller or the previously designated trustees. If the proceedings do not provide that the funds remain with the comptroller or the previously designated trustees, the funds must be transferred to the designated state agency.

Sec. 16. **[3D.16] ASSISTANCE OF AND ACCESS TO STATE AGENCIES.**

The commission may request the assistance of state agencies and officers. When assistance is requested, a state agency or officer shall assist the commission. In carrying out its functions under this chapter, the commission or its designated staff member may inspect the records, documents, and files of any state agency.

Sec. 17. **[3D.17] RELOCATION OF EMPLOYEES.**

If an employee is displaced because a state agency or its advisory committee is abolished or reorganized, the state agency shall make a reasonable effort to relocate the displaced employee.

Sec. 18. **[3D.18] SAVING PROVISION.**

Except as otherwise expressly provided, abolition of a state agency does not affect rights and duties that matured, penalties that were incurred, civil or criminal liabilities that arose, or proceedings that were begun before the effective date of the abolition.

Sec. 19. **[3D.19] REVIEW OF PROPOSED LEGISLATION CREATING AN AGENCY.**

Each bill filed in a house of the legislature that would create a new state agency or a new advisory committee to a state agency shall be reviewed by the commission. The commission shall review the bill to determine if:

(1) the proposed functions of the agency or committee could be administered by one or more existing state agencies or advisory committees;

(2) the form of regulation, if any, proposed by the bill is the least restrictive form of regulation that will adequately protect the public;

(3) the bill provides for adequate public input regarding any regulatory function proposed by the bill; and

(4) the bill provides for adequate protection against conflicts of interest within the agency or committee.

Sec. 20. **[3D.20] EXPIRATION AND SUNSET REVIEW.**

Subdivision 1. **Group 1.** The following agencies expire on June 30, 2013, and are subject to sunset review before June 30, 2013: Department of Health, Department of Human Rights, Department of Human Services, all health-related licensing boards listed in section 214.01, Council on Affairs of Chicano/Latino People, Council on Black Minnesotans, Council on Asian-Pacific Minnesotans, Indian Affairs Council, Council on Disabilities, and all advisory groups associated with these agencies.

Subd. 2. **Group 2.** The following agencies expire on June 30, 2015, and are subject to sunset review before June 30, 2015: Department of Education, Board of Teaching, Minnesota Office of Higher Education, and all advisory groups associated with these agencies.

Subd. 3. **Group 3.** The following agencies expire on June 30, 2017, and are subject to sunset review before June 30, 2017: Department of Commerce, Department of Employment and Economic Development, Department of Labor and Industry, all non-health-related licensing boards listed in section 214.01 except as otherwise provided in this section, Explore Minnesota Tourism, Public Utilities Commission, Iron Range Resources and Rehabilitation Board, Bureau of Mediation Services, Combative Sports Commission, Amateur Sports Commission, and all advisory groups associated with these agencies.

Subd. 4. **Group 4.** The following agencies expire on June 30, 2019, and are subject to sunset review before June 30, 2019: Department of Corrections, Department of Public Safety, Department of Transportation, Peace Officer Standards and Training Board, Corrections Ombudsman, and all advisory groups associated with these agencies.

Subd. 5. **Group 5.** The following agencies expire on June 30, 2021, and are subject to sunset review before June 30, 2021: Department of Agriculture, Department of Natural Resources, Pollution Control Agency, Board of Animal Health, Board of Water and Soil Resources, and all advisory groups associated with these agencies.

Subd. 6. **Group 6.** The following agencies expire on June 30, 2023, and are subject to sunset review before June 30, 2023: Department of Administration, Department of Management and Budget, Department of Military Affairs, Department of Revenue, Department of Veterans Affairs, Arts Board, Minnesota Zoo, Office of Administrative Hearings, Campaign Finance and Public Disclosure Board, Capitol Area Architectural and Planning Board, Office of Enterprise Technology, Minnesota Racing Commission, and all advisory groups associated with these agencies.

Subd. 7. **Other groups.** The commission may review, under the criteria in section 3D.10, and propose to the legislature an expiration date for any agency, board, commission, or program not listed in this section.

Sec. 21. **APPROPRIATION.**

\$100,000 for the fiscal year ending June 30, 2012, and \$100,000 for the fiscal year ending June 30, 2013, is appropriated from the general fund to the Legislative Coordinating Commission for purposes of the Sunset Commission."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on State Government Finance.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 166 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Benson, J., introduced:

H. F. No. 261, A bill for an act relating to natural resources; requiring rulemaking to allow mechanical control of narrow-leaved cattail without an aquatic plant management permit.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Mack, Hayden, Gruenhagen, Quam, Davids, Gottwalt, Abeler, Huntley, Eken, Kiffmeyer, Dean, Zellers, Ward, Persell, McElfpatrick, Lohmer, Barrett and McDonald introduced:

H. F. No. 262, A bill for an act relating to human services; adding community paramedics to the list of community health workers; amending Minnesota Statutes 2010, section 256B.0625, subdivision 49.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Beard and Dill introduced:

H. F. No. 263, A bill for an act relating to environment; requiring Pollution Control Agency to refund erroneous assessments, costs, and payments in the matter of the Baytown groundwater contamination Superfund site.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Urdahl; Hamilton; Gruenhagen; McElfpatrick; Gunther; Westrom; Murdock; Anderson, B.; Franson; Kiel; Swedzinski; Anderson, P.; Schomacker; Vogel; Koenen; Eken; Gottwalt; Lohmer; LeMieur; Scott; Dettmer and Shimanski introduced:

H. F. No. 264, A bill for an act relating to civil actions; prohibiting actions against certain persons for weight gain as a result of consuming certain foods; proposing coding for new law in Minnesota Statutes, chapter 604.

The bill was read for the first time and referred to the Committee on Civil Law.

Benson, M.; Liebling; Quam; Norton and Davids introduced:

H. F. No. 265, A bill for an act relating to capital improvements; modifying a previous appropriation related to the Southeastern Minnesota Regional Public Safety Training Center; amending Laws 2008, chapter 179, section 15, subdivision 8.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Morrow and Beard introduced:

H. F. No. 266, A bill for an act relating to transportation; appropriating money for rail service improvement program; authorizing sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Morrow introduced:

H. F. No. 267, A bill for an act relating to transportation; appropriating money for local road improvement program; authorizing sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Morrow, Falk and Kath introduced:

H. F. No. 268, A bill for an act relating to transportation; appropriating money for local bridge replacement and rehabilitation; authorizing sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Downey, Loon, Kelly, Mazorol and Scott introduced:

H. F. No. 269, A bill for an act relating to education; providing for a qualified economic offer in teacher contracts; amending Minnesota Statutes 2010, sections 122A.40, by adding a subdivision; 122A.41, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Education Reform.

Erickson and McElfatrick introduced:

H. F. No. 270, A bill for an act relating to game and fish; requiring certain meetings between Department of Natural Resources, Ojibwe bands, and Great Lakes Indian Fish and Wildlife Commission to be subject to open meeting law; proposing coding for new law in Minnesota Statutes, chapter 97A.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Liebling; Gauthier; Lesch; Tillberry; Hosch; Fritz; Murphy, E.; Lenczewski; Knuth and Simon introduced:

H. F. No. 271, A bill for an act relating to taxes; creating a Tax Expenditure Advisory Commission; providing for review and sunset of tax expenditures; proposing coding for new law as Minnesota Statutes, chapter 290D.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Nornes introduced:

H. F. No. 272, A bill for an act relating to human services; providing a nursing facility operating payment rate increase for certain facilities in Otter Tail County; amending Minnesota Statutes 2010, section 256B.434, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Woodard; Buesgens; Downey; Drazkowski; Scott; Swedzinski; Anderson, P.; Kieffer; Erickson; Kiffmeyer and Mazorol introduced:

H. F. No. 273, A bill for an act relating to education; establishing enrollment options for students at low-performing schools; proposing coding for new law in Minnesota Statutes, chapter 124D.

The bill was read for the first time and referred to the Committee on Education Reform.

Dauids introduced:

H. F. No. 274, A bill for an act relating to estate taxation; providing an exclusion for certain farm and business properties; amending Minnesota Statutes 2010, section 291.03, subdivision 1, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Taxes.

Dauids introduced:

H. F. No. 275, A bill for an act relating to estate taxation; conforming to the changes in the federal exemption; amending Minnesota Statutes 2010, sections 291.005, subdivision 1; 291.03, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

LeMieur and Ward introduced:

H. F. No. 276, A bill for an act relating to capital investment; appropriating money for acquisition and development of the Camp Ripley/Veterans State Trail; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Hansen and Kriesel introduced:

H. F. No. 277, A bill for an act relating to capital investment; appropriating money for a grant to the city of South St. Paul to replace the floodwall pumping station; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Hayden and Clark introduced:

H. F. No. 278, A bill for an act relating to health; creating medical homes for children with autism spectrum disorders.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Hayden and Clark introduced:

H. F. No. 279, A bill for an act relating to families; creating a Council on East African Minnesotans; providing for appointment of members; creating an ombudsperson for East African Minnesotans; appropriating money; amending Minnesota Statutes 2010, sections 257.0755, subdivision 1; 257.076, subdivision 3; 257.0768, subdivision 1; 257.0769, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 3.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Hayden introduced:

H. F. No. 280, A bill for an act relating to state government; modifying provisions governing eligibility for a postretirement option; amending Minnesota Statutes 2010, section 43A.346, subdivision 2.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Carlson and Peterson, S., introduced:

H. F. No. 281, A bill for an act relating to elections; increasing the time provided for canvassing state primary election returns; amending Minnesota Statutes 2010, section 204C.32.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

McFarlane, Erickson, Doepke, Murdock and Kiel introduced:

H. F. No. 282, A bill for an act relating to education; clarifying requirements for changing benefits in a group insurance contract for employees covered by a collective bargaining agreement; amending Minnesota Statutes 2010, section 471.6161, subdivision 5.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Fritz introduced:

H. F. No. 283, A bill for an act relating to capital investment; appropriating money for asset preservation at the Minnesota State Academies; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Education Finance.

Fritz introduced:

H. F. No. 284, A bill for an act relating to capital investment; appropriating money for classroom renovation and addition at South Central College in Faribault; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Higher Education Policy and Finance.

Fritz introduced:

H. F. No. 285, A bill for an act relating to capital investment; appropriating money for grave markers and memorials for deceased residents of state hospitals and regional treatment centers; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

LeMieur, Hamilton, Swedzinski and Shimanski introduced:

H. F. No. 286, A bill for an act relating to natural resources; authorizing registration and operation of mini trucks as all-terrain vehicles; amending Minnesota Statutes 2010, sections 84.92, subdivisions 8, 10; 84.922, subdivision 1a; 169.011, subdivision 40a; 169.045, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Hamilton and Schomacker introduced:

H. F. No. 287, A bill for an act relating to state government; Mitochondrial Disease Awareness Week; proposing coding for new law in Minnesota Statutes, chapter 10.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Downey, Winkler, Stensrud, Mazorol and Loon introduced:

H. F. No. 288, A bill for an act relating to taxation; insurance; providing a credit for investment in start-up and emerging Minnesota businesses; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 116J; 297I.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Lenczewski introduced:

H. F. No. 289, A bill for an act relating to taxation; eliminating property tax exemptions for certain airport property; eliminating the preferences for foreign source income; repealing the subtraction for foreign royalties; taxing certain development subsidies; expanding the definition of domestic corporations to include certain foreign corporations incorporated or doing business in tax havens; modifying JOBZ and biotechnology and health science industry zones; repealing international economic development zones; reducing the corporate franchise tax rates; repealing the research credit; repealing foreign operating corporations; repealing the special apportionment formula

for certain mail order businesses; amending Minnesota Statutes 2010, sections 275.025, subdivisions 1, 2; 289A.08, subdivision 3; 290.01, subdivisions 5, 19c, 19d, 29, by adding subdivisions; 290.06, subdivision 1; 290.0921, subdivision 1; 290.17, subdivision 4; 290.191, subdivisions 2, 3; repealing Minnesota Statutes 2010, sections 290.01, subdivision 6b; 290.06, subdivisions 24, 28, 29, 30, 31, 32; 290.068, subdivisions 1, 2, 3, 4, 5, 6a, 7; 290.0921, subdivision 7; 290.191, subdivision 4; 469.317; 469.318; 469.321; 469.322; 469.323; 469.324; 469.325; 469.326; 469.327; 469.328; 469.329; 469.337; 469.338; 469.339.

The bill was read for the first time and referred to the Committee on Taxes.

Lenczewski introduced:

H. F. No. 290, A bill for an act relating to taxation; conforming the individual income, corporate franchise, and property tax refund to certain provisions of federal law; reducing the corporate franchise tax rate; eliminating the preferences for foreign source income; repealing the subtraction for foreign royalties; repealing foreign operating corporations; amending Minnesota Statutes 2010, sections 289A.02, subdivision 7; 289A.08, subdivision 3; 290.01, subdivisions 19, 19a, 19c, 19d, 31; 290.06, subdivision 1; 290.0921, subdivision 1; 290.17, subdivision 4; 290A.03, subdivision 15; repealing Minnesota Statutes 2010, sections 290.01, subdivision 6b; 290.0921, subdivision 7.

The bill was read for the first time and referred to the Committee on Taxes.

McFarlane, Slawik and Lillie introduced:

H. F. No. 291, A bill for an act relating to capital improvements; appropriating money for a grant to the city of Maplewood to design, renovate, and equip Harriet Tubman Center East as a regional service center and learning institute; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Anderson, D.; Wardlow; Drazkowski; Mahoney; Gruenhagen; Franson; Shimanski and Holberg introduced:

H. F. No. 292, A bill for an act relating to families; requiring parenting plans; amending Minnesota Statutes 2010, section 518.1705, subdivisions 3, 4.

The bill was read for the first time and referred to the Committee on Civil Law.

Urdahl introduced:

H. F. No. 293, A bill for an act relating to capital investment; authorizing the sale and issuance of state bonds; appropriating money for the Annandale Tactical Training Center.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Kahn and Benson, J., introduced:

H. F. No. 294, A bill for an act relating to gambling; authorizing director of the State Lottery to operate slot machines at the Minneapolis-St. Paul International Airport; proposing coding for new law in Minnesota Statutes, chapter 349A.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Kahn, Clark, Hornstein, Davnie and Hayden introduced:

H. F. No. 295, A bill for an act relating to capital improvements; appropriating money for renovation and expansion of the Brian Coyle Center; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Kahn; Greiling; Benson, J., and Pelowski introduced:

H. F. No. 296, A bill for an act relating to state government; proposing an amendment to the Minnesota Constitution, article V, sections 1, 2, 5; abolishing the office of lieutenant governor.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Kahn, Downey, Winkler, Lanning, Peppin and Murphy, M., introduced:

H. F. No. 297, A bill for an act relating to state government; consolidating state agency information technology systems and services; transferring duties to the Office of Enterprise Technology; amending Minnesota Statutes 2010, section 16B.99; proposing coding for new law in Minnesota Statutes, chapter 16E.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Kahn introduced:

H. F. No. 298, A bill for an act relating to state government; streamlining state government; abolishing the Department of Employment and Economic Development and the Department of Labor and Industry; downsizing the Department of Commerce; establishing a task force; requiring establishment of an employee participation committee before agency restructuring; requiring reports.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Quam; Peppin; Downey; Nornes; Lanning; Davids; Benson, M.; McDonald; Shimanski; Banaian; LeMieur; Vogel; Kiel; Leidiger; Gruenhagen; Winkler; Simon; Franson; Scott; Dean; Gunther; Abeler and Hancock introduced:

H. F. No. 299, A bill for an act relating to state government; establishing a retained savings program for executive branch agencies; proposing coding for new law in Minnesota Statutes, chapter 15.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Erickson introduced:

H. F. No. 300, A bill for an act relating to education; recommending comprehensive eye exams; amending Minnesota Statutes 2010, section 121A.17, subdivisions 1, 3.

The bill was read for the first time and referred to the Committee on Education Reform.

Fabian and Schomacker introduced:

H. F. No. 301, A bill for an act relating to education finance; expanding the uses of operating capital revenue to include leasing vehicles, including school buses; amending Minnesota Statutes 2010, section 126C.10, subdivision 14.

The bill was read for the first time and referred to the Committee on Education Finance.

Kiffmeyer; Stensrud; Doepke; McFarlane; Barrett; Hancock; Lanning; Gruenhagen; Anderson, S.; Nornes; Fabian; Crawford and Anderson, D., introduced:

H. F. No. 302, A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot; providing for the issuance of identification cards at no charge; establishing a procedure for provisional balloting; specifying other election administration procedures; requiring use of electronic polling place rosters; enacting procedures related to recounts; appropriating money; amending Minnesota Statutes 2010, sections 135A.17, subdivision 2; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 7; 201.071, subdivision 3; 201.081; 201.091, subdivision 4; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.15, subdivision 1; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.38; 204D.24, subdivision 2; 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; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 204B.36, subdivision 5; 204C.34; 204C.35; 204C.36; 204C.361; Minnesota Rules, parts 8235.0200; 8235.0300; 8235.0400; 8235.0600; 8235.0700; 8235.0800; 8235.1100; 8235.1200.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Peppin, Kahn, Banaian, Vogel, Mazorol and Lohmer introduced:

H. F. No. 303, A bill for an act relating to the legislature; requiring that certain services be provided through a joint legislative office; amending Minnesota Statutes 2010, sections 3.06, subdivision 1; 3.303, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Peppin; Benson, M.; Vogel; Smith; Erickson; Kiffmeyer and Lohmer introduced:

H. F. No. 304, A bill for an act relating to state government; requiring the Department of Human Services to issue a request for proposals for a Medicaid fraud detection and business intelligence contract.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Persell introduced:

H. F. No. 305, A bill for an act relating to financial institutions; authorizing a detached facility in Northern Township under certain conditions.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Westrom, Nornes, Franson, Pelowski, Marquart, Murdock and Fabian introduced:

H. F. No. 306, A bill for an act relating to public safety; establishing Emily's law; lowering the age of adult certification and extended jurisdiction juvenile prosecution for juveniles; defining a violent juvenile offense; amending Minnesota Statutes 2010, sections 260B.007, by adding a subdivision; 260B.125, subdivision 1; 260B.130, subdivision 1; 260B.141, subdivision 4; 260B.198, subdivision 6; 609.055.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Clark and Howes introduced:

H. F. No. 307, A bill for an act relating to capital investment; appropriating money for renovation of the Phillips Community Center swimming pool in Minneapolis; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Garofalo introduced:

H. F. No. 308, A bill for an act relating to taconite; restoring the general education aid reduction for certain taconite distributions; amending Minnesota Statutes 2010, section 298.28, subdivisions 2, 4; repealing Laws 2009, chapter 88, article 12, section 23, paragraph (c).

The bill was read for the first time and referred to the Committee on Education Finance.

Anderson, S.; Zellers and Peterson, S., introduced:

H. F. No. 309, A bill for an act relating to highways; appropriating money for adding a lane to a portion of Interstate Highway 494; authorizing sale of trunk highway bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

MOTIONS AND RESOLUTIONS

Mariani moved that the name of Brynaert be added as an author on H. F. No. 3. The motion prevailed.

Koenen moved that the name of Falk be added as an author on H. F. No. 15. The motion prevailed.

Hancock moved that his name be stricken as an author on H. F. No. 64. The motion prevailed.

Lanning moved that the name of Murdock be added as an author on H. F. No. 77. The motion prevailed.

Liebling moved that the name of Quam be added as an author on H. F. No. 93. The motion prevailed.

Anzenc moved that the name of Falk be added as an author on H. F. No. 99. The motion prevailed.

Murray moved that the name of Gruenhagen be added as an author on H. F. No. 103. The motion prevailed.

Davids moved that the names of McFarlane, Atkins, Anzelc and Abeler be added as authors on H. F. No. 122. The motion prevailed.

McNamara moved that the name of Drazkowski be added as an author on H. F. No. 127. The motion prevailed.

Woodard moved that the name of Mariani be added as an author on H. F. No. 134. The motion prevailed.

Cornish moved that the name of Gauthier be added as an author on H. F. No. 141. The motion prevailed.

Buesgens moved that the name of Drazkowski be added as an author on H. F. No. 147. The motion prevailed.

Benson, J., moved that the name of Paymar be added as an author on H. F. No. 172. The motion prevailed.

Downey moved that the name of Drazkowski be added as an author on H. F. No. 178. The motion prevailed.

Gottwalt moved that the name of Greiling be added as an author on H. F. No. 200. The motion prevailed.

Greene moved that her name be stricken as an author on H. F. No. 203. The motion prevailed.

Kriesel moved that the name of Lohmer be added as an author on H. F. No. 232. The motion prevailed.

Franson moved that the names of Shimanski and Lohmer be added as authors on H. F. No. 238. The motion prevailed.

Murphy, E., moved that the name of Persell be added as chief author on H. F. No. 239. The motion prevailed.

Dettmer moved that the names of Shimanski and O'Driscoll be added as authors on H. F. No. 240. The motion prevailed.

Loeffler moved that the name of Dittrich be added as an author on H. F. No. 248. The motion prevailed.

Rukavina moved that the name of Persell be added as an author on H. F. No. 249. The motion prevailed.

Anderson, B., moved that the name of Shimanski be added as an author on H. F. No. 250. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 12:00 noon, Wednesday, February 2, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Wednesday, February 2, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives