

SIXTIETH DAY

St. Paul, Minnesota, Monday, February 8, 2010

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. David D. Colby.

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

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

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

January 25, 2010

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF THE ARTS

Peggy Burnet, 392 S. Ferndale Rd., Wayzata, in the county of Hennepin, effective February 1, 2010, for a term that expires on January 6, 2014.

Pamela Perri Weaver, 402 Rice St., Anoka, in the county Anoka, effective February 1, 2010, for a term that expires on January 6, 2014.

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

Sincerely,
Tim Pawlenty, Governor

REPORTS OF COMMITTEES

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

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

S.F. No. 2360: A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; establishing new programs and modifying existing programs; authorizing the sale of state bonds; canceling and modifying previous appropriations; appropriating money; amending Minnesota Statutes 2008, section 240A.09; Laws 2005, chapter 20, article 1, sections 19, subdivision 4; 23, subdivision 12, as amended; Laws 2006, chapter 258, sections 8, subdivision 4; 17, subdivision 5; Laws 2008, chapter 179, section 5, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Laws 2009, chapter 93, article 1, section 45.

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

Page 2, line 5, delete "11,950,000" and insert "12,950,000"

Page 2, line 8, delete "129,447,000" and insert "153,677,000"

Page 2, line 14, delete "144,342,000" and insert "143,342,000"

Page 2, line 20, delete "1,096,478,000" and insert "1,120,708,000"

Page 2, line 25, delete "6,960,000" and insert "31,190,000"

Page 27, line 13, delete everything after the comma and insert "as required by the Board of Water and Soil Resources"

Page 27, line 14, delete everything before the third comma

Page 28, line 29, delete "the polar bear and gorilla"

Page 29, line 23, delete "11,950,000" and insert "12,950,000"

Page 30, after line 31, insert:

"Subd. 5. Southwest Regional Amateur Sports Center - Marshall

1,000,000

For a grant to the city of Marshall to design, construct, furnish, and equip the Southwest Regional Amateur Sports Center at Marshall.

This appropriation is not available until the commissioner has determined that at least an equal amount has been committed to the project from nonstate sources. The match may include in-kind contributions, and may include contributions made since January 1, 2007."

Page 30, line 32, delete "5" and insert "6"

Page 34, line 21, after the period, insert "Amounts committed to this project from nonstate sources since June 2, 2006, may be counted for the nonstate match."

Page 34, line 23, delete "129,447,000" and insert "153,677,000"

Page 37, line 8, delete "2,200,000" and insert "26,430,000"

Page 37, line 11, after "design" insert ", construct, furnish, and equip"

Page 37, line 28, after "rehabilitate" insert "and make capital improvements to"

Page 44, line 21, delete "the polar bear"

Page 44, line 22, delete "and gorilla"

Page 49, delete lines 23 to 29 and insert:

"Subd. 3. ARMER Radio System Migration

3,529,000

To design, construct, furnish, and equip the Allied Radio Matrix for Emergency Response (ARMER) system migration into all state correctional facilities, including, but not limited to, building and radio site improvements, installation of fixed antenna systems and repeaters, and installation of master control dispatch console equipment."

Page 49, line 32, delete "144,342,000" and insert "143,342,000"

Page 50, line 6, delete "20,000,000" and insert "19,000,000"

Page 51, after line 18, insert:

"Notwithstanding Minnesota Statutes, section 16A.642, grant number RDGP-06-0007-0-FY07, awarded in September 2006 to the city of Tower from an appropriation to the redevelopment account in Laws 2005, chapter 20, article 1, section 23, subdivision 11, is available until June 30, 2013."

Page 60, line 12, delete "2012" and insert "2011"

Page 61, line 12, delete "\$6,960,000" and insert "\$31,190,000"

Page 66, after line 13, insert:

"Sec. 30. Minnesota Statutes 2008, section 174.50, is amended by adding a subdivision to read:

Subd. 5a. **Grant agreement not required for political subdivisions.** Notwithstanding section 16A.695, subdivision 9, a grant made from the fund to a subdivision of the state does not require a grant agreement.

Sec. 31. Minnesota Statutes 2008, section 174.52, is amended by adding a subdivision to read:

Subd. 5a. **Grant agreement not required for political subdivisions.** Notwithstanding section 16A.695, subdivision 9, a grant made from the fund to a subdivision of the state does not require a grant agreement."

Page 69, after line 32, insert:

"Sec. 37. Laws 2008, chapter 152, article 2, section 3, subdivision 2, is amended to read:

Subd. 2. State Road Construction

1,717,694,000

(a) For the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts and consultant usage to support these activities. This includes the cost of actual payments to landowners for lands acquired for highway rights-of-way, payments to lessees, interest subsidies, and relocation expenses. This appropriation is in the following amounts:

(1) \$417,694,000 in fiscal year 2009, and the commissioner may use up to \$71,008,000 of this amount for program delivery;

(2) \$500,000,000 in fiscal year 2010, and the commissioner may use up to \$85,000,000 of

this amount for program delivery; and

(3) \$200,000,000 in each fiscal year for fiscal years 2011 and 2012, and the commissioner may use up to \$34,000,000 of the amount in each fiscal year for program delivery; and

(4) \$100,000,000 in each fiscal year for fiscal years ~~2011 through 2018~~ 2013 through 2016, and the commissioner may use up to \$17,000,000 of the amount in each fiscal year for program delivery.

(b) Of the amount in fiscal year 2009, \$40,000,000 is for construction of interchanges involving a trunk highway, where the interchange will promote economic development, increase employment, relieve growing traffic congestion, and promote traffic safety. The amount under this paragraph must be allocated 50 percent to the department's metropolitan district, and 50 percent to districts in greater Minnesota.

(c) Of the amount in fiscal years 2009 and 2010, the commissioner shall use \$300,000,000 each year for predesign, design, preliminary engineering, right-of-way acquisition, construction, reconstruction, and maintenance of bridges in the trunk highway bridge improvement program under Minnesota Statutes, section 165.14.

(d) Of the total appropriation under this subdivision, the commissioner shall use at least \$50,000,000 for accelerating transit facility improvements on or adjacent to trunk highways.

(e) Of the total appropriation under this subdivision provided to the Department of Transportation's district 7, the commissioner shall first expend funds as necessary to accelerate all projects that (1) are on a trunk highway classified as a medium priority interregional corridor, (2) are included in the district's long-range transportation plan, but are not included in the state transportation improvement program or the ten-year

highway work plan, and (3) expand capacity from a two-lane highway to a freeway or expressway, as defined in Minnesota Statutes, section 160.02, subdivision 19. The commissioner shall establish as the highest priority under this paragraph any project that currently has a final environmental impact statement completed. The requirement under this paragraph does not change the department's funding allocation process or the amount otherwise allocated to each transportation district.

(f) The appropriation in this subdivision cancels as specified under Minnesota Statutes, section 16A.642, except that the commissioner of management and budget shall count the start of authorization for issuance of state bonds as the first day of the fiscal year specified under paragraph (a), clause (1), (2), (3), or (4), respectively, and not as the date of final enactment of this subdivision.

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

Renumber the sections in sequence

Amend the title numbers accordingly

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

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

S.F. No. 351: A bill for an act relating to lobbyists; prohibiting former legislators, constitutional officers, and agency heads from lobbying for legislative or administrative action for two years after leaving office; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

Page 1, line 8, after "lobbyist" insert "as defined in section 10A.01, subdivision 21, paragraph (a), clause (1),"

Page 1, line 11, delete "or"

Page 1, line 12, delete "head of any state department or agency." and insert "assistant commissioner, chief administrative officer, or deputy chief administrative officer of a department of the state; or"

Page 1, after line 12, insert:

"(4) member, chief administrative officer, or deputy chief administrative officer of a state board or commission that has either the power to adopt, amend, or repeal rules under chapter 14, or the power to adjudicate contested cases or appeals under chapter 14.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective August 1, 2010, and applies to individuals leaving the offices or positions listed in section 1 after August 1, 2010."

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

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

S.F. No. 2251: A bill for an act relating to elections; changing the date of the state primary; changing certain primary-related dates and provisions; amending Minnesota Statutes 2008, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 203B.06, subdivision 1; 203B.081; 203B.11, subdivision 2; 203B.13, subdivision 2; 203B.17, subdivision 1; 203B.22; 203B.225, subdivision 1; 203B.23, subdivision 2; 204B.09, subdivision 1; 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.45, subdivision 2; 204C.26, subdivision 3; 204D.03, subdivision 1; 204D.09, subdivision 1; 204D.17; 204D.19; 204D.28, subdivisions 5, 6, 8, 9, 10; 205.065, subdivisions 1, 2; 205.13, subdivision 1a; 205.16, subdivision 4; 205A.03, subdivisions 1, 2; 205A.05, subdivision 3; 205A.06, subdivision 1a; 205A.07, subdivision 3; 205A.11, subdivision 2a; 208.03; 211B.045; 447.32, subdivision 4; Minnesota Statutes 2009 Supplement, section 206.82, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 204D.

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 2008, section 10A.31, subdivision 6, is amended to read:

Subd. 6. **Distribution of party accounts.** As soon as the board has obtained from the secretary of state the results of the primary election, but no later than one week after certification by the State Canvassing Board of the results of the primary, the board must distribute the available money in each party account, as certified by the commissioner of revenue ~~on September 1~~ one week before the state primary, to the candidates of that party who have signed a spending limit agreement under section 10A.322 and filed the affidavit of contributions required by section 10A.323, who were opposed in either the primary election or the general election, and whose names are to appear on the ballot in the general election, according to the allocations set forth in subdivisions 5 and 5a. The public subsidy from the party account may not be paid in an amount greater than the expenditure limit of the candidate or the expenditure limit that would have applied to the candidate if the candidate had not been freed from expenditure limits under section 10A.25, subdivision 10. ~~If a candidate files the affidavit required by section 10A.323 after September 1 of the general election year, the board must pay the candidate's allocation to the candidate at the next regular payment date for public subsidies for that election cycle that occurs at least 15 days after the candidate files the affidavit.~~

Sec. 2. Minnesota Statutes 2008, section 10A.321, is amended to read:

10A.321 ESTIMATES OF MINIMUM AMOUNTS TO BE RECEIVED.

Subdivision 1. **Calculation and certification of estimates.** The commissioner of revenue must calculate and certify to the board one week before July 1 the first day for filing for office in each election year an estimate of the total amount in the state general account of the state elections campaign fund and the amount of money each candidate who qualifies, as provided in section 10A.31, subdivisions 6 and 7, may receive from the candidate's party account in the state elections campaign fund. This estimate must be based upon the allocations and formulas in section 10A.31, subdivisions 5 and 5a, any necessary vote totals provided by the secretary of state to apply the formulas in section 10A.31, subdivisions 5 and 5a, and the amount of money expected to be available after 100 percent of the tax returns have been processed.

Subd. 2. **Publication, certification, and notification procedures.** Before the first day of filing for office, the board must publish and forward to all filing officers the estimates calculated and certified under subdivision 1 along with a copy of section 10A.25, subdivision 10. Within seven days one week after the last day for filing for office, the secretary of state must certify to the board the name, address, office sought, and party affiliation of each candidate who has filed with that office an affidavit of candidacy or petition to appear on the ballot. The auditor of each county must certify to the board the same information for each candidate who has filed with that county an affidavit of candidacy or petition to appear on the ballot. By August 15 Within two weeks after the last day for filing for office, the board must notify all candidates of their estimated minimum amount. The board must include with the notice a form for the agreement provided in section 10A.322 along with a copy of section 10A.25, subdivision 10.

Sec. 3. Minnesota Statutes 2008, section 10A.322, subdivision 1, is amended to read:

Subdivision 1. **Agreement by candidate.** (a) As a condition of receiving a public subsidy, a candidate must sign and file with the board a written agreement in which the candidate agrees that the candidate will comply with sections 10A.25; 10A.27, subdivision 10; 10A.31, subdivision 7, paragraph (c); 10A.324; and 10A.38.

(b) Before the first day of filing for office, the board must forward agreement forms to all filing officers. The board must also provide agreement forms to candidates on request at any time. The candidate must file the agreement with the board by September 1 preceding the candidate's general election or a special election held at the general election at least three weeks before the candidate's state primary. An agreement may not be filed after that date. An agreement once filed may not be rescinded.

(c) The board must notify the commissioner of revenue of any agreement signed under this subdivision.

(d) Notwithstanding paragraph (b), if a vacancy occurs that will be filled by means of a special election and the filing period does not coincide with the filing period for the general election, a candidate may sign and submit a spending limit agreement not later than the day after the candidate files the affidavit of candidacy or nominating petition for the office.

Sec. 4. Minnesota Statutes 2008, section 10A.323, is amended to read:

10A.323 AFFIDAVIT OF CONTRIBUTIONS.

In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy

under section 10A.31 a candidate or the candidate's treasurer must file an affidavit with the board stating that during that calendar year between January 1 of the election year and the cutoff date for transactions included in the report of receipts and expenditures due before the primary election the candidate has accumulated contributions from persons eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor:

- (1) candidates for governor and lieutenant governor running together, \$35,000;
- (2) candidates for attorney general, \$15,000;
- (3) candidates for secretary of state and state auditor, separately, \$6,000;
- (4) candidates for the senate, \$3,000; and
- (5) candidates for the house of representatives, \$1,500.

The affidavit must state the total amount of contributions that have been received from persons eligible to vote in this state, disregarding the portion of any contribution in excess of \$50.

The candidate or the candidate's treasurer must submit the affidavit required by this section to the board in writing by the ~~cutoff date~~ deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4.

A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must submit the affidavit required by this section to the board within five days after filing the affidavit of candidacy.

Sec. 5. Minnesota Statutes 2008, section 203B.06, subdivision 1, is amended to read:

Subdivision 1. **Printing and delivery of forms.** Each county auditor and municipal clerk shall prepare and print a sufficient number of blank application forms for absentee ballots. The county auditor or municipal clerk shall deliver a blank application form to any voter who requests one pursuant to section 203B.04. Blank application forms must be mailed to eligible voters who have requested an application pursuant to section 203B.04, subdivision 5 or 6, at least 60 days before:

- (1) each regularly scheduled primary for federal, state, county, city, or school board office;
 - (2) each regularly scheduled general election for city or school board office for which a primary is not held; and
 - (3) a special primary to fill a federal office vacancy or special election to fill a federal office vacancy, if no major party has more than one candidate after the time for withdrawal has expired;
- or at least 45 days before any other primary or other election for which a primary is not held.

Sec. 6. Minnesota Statutes 2008, section 203B.081, is amended to read:

203B.081 LOCATIONS FOR ABSENTEE VOTING IN PERSON.

An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before a regularly scheduled election for federal, state, county, city, or school board office or a special election for a federal office, and during the 30 days before the any other election in the office of the county auditor and at any other

~~polling place designated by the county auditor.~~ The county auditor shall make such designations at least ~~90 days~~ 14 weeks before the election. At least one voting booth in each polling place must be made available by the county auditor for this purpose. The county auditor must also make available at least one electronic ballot marker in each polling place that has implemented a voting system that is accessible for individuals with disabilities pursuant to section 206.57, subdivision 5.

Sec. 7. Minnesota Statutes 2008, section 203B.11, subdivision 2, is amended to read:

Subd. 2. **Twenty Thirty days before an election.** During the ~~20~~ 30 days preceding an election, the election judges shall deliver absentee ballots only to an eligible voter who has applied for absentee ballots to the county auditor or municipal clerk under section 203B.04, subdivision 1.

Sec. 8. Minnesota Statutes 2008, section 203B.13, subdivision 2, is amended to read:

Subd. 2. **Duties.** The absentee ballot board may examine all return absentee ballot envelopes and accept or reject absentee ballots in the manner provided in section 203B.12.

The absentee ballot board may begin the process of examining the return envelopes and marking them "accepted" or "rejected" at any time during the ~~30~~ 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board shall provide the voter with a replacement absentee ballot and return envelope in place of the spoiled ballot.

Sec. 9. Minnesota Statutes 2008, section 203B.17, subdivision 1, is amended to read:

Subdivision 1. **Submission of application.** (a) An application for absentee ballots for a voter described in section 203B.16 may be submitted in writing or by electronic facsimile device, or by electronic mail upon determination by the secretary of state that security concerns have been adequately addressed. An application for absentee ballots for a voter described in section 203B.16 may be submitted by that voter or by that voter's parent, spouse, sister, brother, or child over the age of 18 years. For purposes of an application under this subdivision, a person's Social Security number, no matter how it is designated, qualifies as the person's military identification number if the person is in the military.

(b) An application for a voter described in section 203B.16, subdivision 1, shall be submitted to the county auditor of the county where the voter maintains residence.

(c) An application for a voter described in section 203B.16, subdivision 2, shall be submitted to the county auditor of the county where the voter last maintained residence in Minnesota.

(d) An application for absentee ballots shall be valid for any primary, special primary, general election, or special election from the time the application is received through the ~~next two regularly scheduled general elections for federal office held after the date on which the application is received~~ end of that calendar year.

(e) There shall be no limitation of time for filing and receiving applications for ballots under sections 203B.16 to 203B.27.

Sec. 10. Minnesota Statutes 2008, section 203B.22, is amended to read:

203B.22 MAILING TRANSMITTING BALLOTS.

The county auditor shall ~~mail~~ transmit the appropriate ballots, as promptly as possible, to an absent voter whose application has been recorded under section 203B.19. If the county auditor determines that a voter is not eligible to vote at the primary but will be eligible to vote at the general election, only general election ballots shall be ~~mailed~~ transmitted. Only one set of ballots shall be ~~mailed~~ transmitted to any applicant for any election, except that the county auditor may ~~mail~~ transmit a replacement ballot to a voter whose ballot has been spoiled or lost in transit or whose mailing address has changed after the date on which the original application was submitted as confirmed by the county auditor. Ballots to be sent outside the United States shall be given priority in ~~mailing~~ transmission. A county auditor may make use of any special service provided by the United States government for the ~~mailing~~ transmission of voting materials under sections 203B.16 to 203B.27.

Sec. 11. Minnesota Statutes 2008, section 203B.225, subdivision 1, is amended to read:

Subdivision 1. **Transmitting ballot and certificate of voter eligibility.** A voter described in section 203B.16 may include in an application for absentee ballots a request that the ballots, instructions, and a certificate of voter eligibility meeting the requirements of section 203B.21, subdivision 3, be transmitted to the voter electronically. Upon receipt of a properly completed application requesting electronic transmission, the county auditor shall electronically transmit the requested materials to the voter. The county auditor is not required to provide return postage to voters to whom ballots are transmitted electronically.

Sec. 12. Minnesota Statutes 2008, section 203B.23, subdivision 2, is amended to read:

Subd. 2. **Duties.** The absentee ballot board must examine all returned absentee ballot envelopes for ballots issued under sections 203B.16 to 203B.27 and accept or reject the absentee ballots in the manner provided in section 203B.24. If the certificate of voter eligibility is not printed on the return or administrative envelope, the certificate must be attached to the ballot secrecy envelope.

The absentee ballot board must immediately examine the return envelopes and mark them "accepted" or "rejected" during the ~~30~~ 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the official in charge of the absentee ballot board must provide the voter with a replacement absentee ballot and return envelope in place of the spoiled ballot.

Sec. 13. Minnesota Statutes 2008, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for county, state, and federal offices filed at the state general election shall be filed not more than ~~70~~ 84 days nor less than ~~56~~ 70 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions ~~on or before the state primary~~ at least 77 days before the general election day pursuant to section 204B.07. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall

be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices must be filed with the county auditor of that county. Affidavits and petitions for federal offices must be filed with the secretary of state. Affidavits and petitions for state offices must be filed with the secretary of state or with the county auditor of the county in which the candidate resides.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must be received by 5:00 p.m. on the last day for filing.

Sec. 14. Minnesota Statutes 2008, section 204B.14, subdivision 2, is amended to read:

Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute at least one election precinct:

- (1) each city ward; and
- (2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than ~~June~~ May 1 of any year:

- (1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;
- (2) for two contiguous precincts in the same municipality that have a combined total of fewer than 500 registered voters;
- (3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or
- (4) for noncontiguous precincts located in one or more counties.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than ~~May~~ April 1 of any year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

Sec. 15. Minnesota Statutes 2008, section 204B.14, subdivision 4, is amended to read:

Subd. 4. **Boundary change procedure.** Any change in the boundary of an election precinct ~~shall~~ must be adopted at least 90 days before the date of the next election and, for the state primary and general election, no later than ~~June~~ May 1 in the year of the state general election. The precinct boundary change shall not take effect until notice of the change has been posted in the office of the municipal clerk or county auditor for at least 60 days.

The county auditor must publish a notice illustrating or describing the congressional, legislative, and county commissioner district boundaries in the county in one or more qualified newspapers in the county at least 14 days ~~prior to~~ before the first day to file affidavits of candidacy for the state general election in the year ending in two.

Alternate dates for adopting changes in precinct boundaries, posting notices of boundary changes, and notifying voters affected by boundary changes pursuant to this subdivision, and procedures for coordinating precinct boundary changes with reestablishing local government election district boundaries may be established in the manner provided in the rules of the secretary of state.

Sec. 16. Minnesota Statutes 2008, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. **Appointment lists; duties of political parties and county auditor.** ~~On June 1~~ Within two weeks after the precinct caucuses in a year in which there is an election for a partisan political office, the county or legislative district chairs of each major political party, whichever is designated by the state party, shall prepare a list of eligible voters to act as election judges in each election precinct in the county or legislative district. The chairs shall furnish the lists to the county auditor of the county in which the precinct is located.

~~By June 15~~ Within four weeks after the precinct caucuses, the county auditor shall furnish to the appointing authorities a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority. Separate lists shall be submitted by the county auditor for each major political party.

Sec. 17. Minnesota Statutes 2008, section 204B.33, is amended to read:

204B.33 NOTICE OF FILING.

(a) ~~Between June 1 and July 1 in each even-numbered year~~ At least 15 weeks before the state primary, the secretary of state shall notify each county auditor of the offices to be voted for in that county at the next state general election for which candidates file with the secretary of state. The notice shall include the time and place of filing for those offices. Within ten days after notification by the secretary of state, each county auditor shall notify each municipal clerk in the county of all the offices to be voted for in the county at that election and the time and place for filing for those offices. The county auditors and municipal clerks shall promptly post a copy of that notice in their offices.

(b) At least two weeks before the first day to file an affidavit of candidacy, the county auditor shall publish a notice stating the first and last dates on which affidavits of candidacy may be filed in the county auditor's office and the closing time for filing on the last day for filing. The county auditor shall post a similar notice at least ten days before the first day to file affidavits of candidacy.

Sec. 18. Minnesota Statutes 2008, section 204B.35, subdivision 4, is amended to read:

Subd. 4. **Absentee ballots; preparation; delivery.** At least 46 days before a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 30 days before any other election, ballots necessary to fill applications of absentee voters shall be prepared and delivered at least 30 days before the election to the officials who administer the provisions of chapter 203B.

This section applies to school district elections held on the same day as a statewide election or an election for a county or municipality located partially or wholly within the school district.

Sec. 19. Minnesota Statutes 2008, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least six weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office and not more than 30 days nor later than 14 days prior to the before any other election, the auditor shall mail ballots by nonforwardable mail to all voters registered in the town or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk may appoint election judges to examine the return envelopes and mark them "accepted" or "rejected" during the 30 45 days before the election. If an envelope has been rejected at least five days before the election, the ballots in the envelope must be considered spoiled ballots and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. The costs of the mailing shall be paid by the election jurisdiction in which the voter resides. Any ballot received by 8:00 p.m. on the day of the election must be counted.

Sec. 20. Minnesota Statutes 2008, section 204C.26, subdivision 3, is amended to read:

Subd. 3. **Secretary of state.** ~~On or before July 1 of~~ No later than ten weeks before the state primary in each even-numbered year, the secretary of state shall prescribe the form for summary statements of election returns and the methods by which returns for the state primary and state general election shall be recorded by precinct, county, and state election officials. Each county auditor and municipal or school district clerk required to furnish summary statements shall prepare them in the manner prescribed by the secretary of state. The summary statement of the primary returns shall be in the same form as the summary statement of the general election returns except that a separate part of the summary statement shall be provided for the partisan primary ballot and a separate part for the nonpartisan primary ballot.

Sec. 21. Minnesota Statutes 2008, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. **State primary.** The state primary shall be held on the ~~first~~ second Tuesday ~~after the second Monday in September in August~~ in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.

Sec. 22. Minnesota Statutes 2008, section 204D.09, subdivision 1, is amended to read:

Subdivision 1. **Example ballot.** (a) No later than ~~June 1~~ May 1 of each year, the secretary of state shall supply each auditor with a copy of an example ballot. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year.

(b) The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballot must conform in all respects to the example ballot.

Sec. 23. Minnesota Statutes 2008, section 204D.17, is amended to read:

204D.17 ~~REPRESENTATIVE IN CONGRESS; STATE SENATOR; STATE REPRESENTATIVE; VACANCY IN OFFICE; SPECIAL ELECTION.~~

Subdivision 1. **Special elections; exceptions.** A vacancy in the office of ~~representative in Congress or~~ state senator or state representative shall be filled for the unexpired term by special election upon the writ of the governor as provided in sections 204D.17 to 204D.27; except that if ~~Congress or~~ the legislature will not be in session before the expiration of the vacant term no special election is required.

Subd. 2. **Two or more vacancies.** Two or more vacancies may be filled at the same special election and the candidates may be nominated at the same special primary. Any special primary or special election held pursuant to sections 204D.17 to 204D.27 may be held on the same day as any other election.

Sec. 24. Minnesota Statutes 2008, section 204D.19, is amended to read:

204D.19 SPECIAL ELECTIONS; WHEN HELD.

Subdivision 1. **Vacancy filled at general election.** When a vacancy occurs more than 150 days before the next state general election, and the ~~Congress or~~ legislature will not be in session before the final canvass of the state general election returns, the vacancy shall be filled at the next state general election.

Subd. 2. **Special election when ~~Congress or~~ legislature will be in session.** Except for vacancies in the legislature which occur at any time between the last day of session in an odd-numbered year and the 40th day prior to the opening day of session in the succeeding even-numbered year, when a vacancy occurs and the ~~Congress or~~ legislature will be in session so that the individual elected as provided by this section could take office and exercise the duties of the office immediately upon election, the governor shall issue within five days after the vacancy occurs a writ calling for a special election. The special election shall be held as soon as possible, consistent with the notice requirements of section 204D.22, subdivision 3, but in no event more than 35 days after the issuance of the writ.

Subd. 3. **Special election at other times.** When a vacancy occurs at a time other than those described in subdivisions 1 and 2 the governor shall issue a writ, calling for a special election to be held so that the individual elected may take office at the opening of the next session ~~of the Congress or~~ of the legislature, or at the reconvening of a session of the ~~Congress or of the~~ legislature.

Subd. 4. **Writ when vacancy results from election contest.** If a vacancy results from a

successful election contest, the governor shall issue 22 days after the first day of the legislative session a writ calling for a special election unless the house in which the contest may be tried has passed a resolution which states that it will or will not review the court's determination of the contest. If the resolution states that the house will not review the court's determination, the writ shall be issued within five days of the passage of the resolution.

Sec. 25. Minnesota Statutes 2008, section 204D.28, subdivision 5, is amended to read:

Subd. 5. **Regular state primary.** "Regular state primary" means:

(a) the state primary at which candidates are nominated for offices elected at the state general election; or

(b) a primary held ~~four weeks before the first~~ on the second Tuesday ~~after the first Monday in November~~ in August of odd-numbered years.

Sec. 26. Minnesota Statutes 2008, section 204D.28, subdivision 6, is amended to read:

Subd. 6. **Special election required; exception; when held.** Every vacancy shall be filled for the remainder of the term by a special election held pursuant to this subdivision; except that no special election shall be held in the year before the term expires.

The special election shall be held at the next November election if the vacancy occurs at least ~~six~~ 11 weeks before the regular state primary preceding that election. If the vacancy occurs less than ~~six~~ 11 weeks before the regular state primary preceding the next November election, the special election shall be held at the second November election after the vacancy occurs.

Sec. 27. Minnesota Statutes 2008, section 204D.28, subdivision 8, is amended to read:

Subd. 8. **Notice of special election.** The secretary of state shall issue an official notice of any special election required to be held pursuant to this section not later than ~~ten~~ 16 weeks before the special primary, except that if the vacancy occurs ~~ten~~ 16 weeks or less before the special primary, the secretary of state shall issue the notice no later than two days after the vacancy occurs. The notice shall state the office to be filled, the opening and closing dates for filing of candidacy and the dates of the special primary and special election. For the purposes of those provisions of sections 204D.17 to 204D.27 that apply generally to special elections, this notice shall be used in place of the writ of the governor.

Sec. 28. Minnesota Statutes 2008, section 204D.28, subdivision 9, is amended to read:

Subd. 9. **Filing by candidates.** The time for filing of affidavits and nominating petitions for candidates to fill a vacancy at a special election shall open ~~six~~ 12 weeks before the special primary or on the day the secretary of state issues notice of the special election, whichever occurs later. Filings shall close ~~four~~ ten weeks before the special primary.

Sec. 29. Minnesota Statutes 2008, section 204D.28, subdivision 10, is amended to read:

Subd. 10. **United States senator; candidates; designation of term.** When the names of candidates for both offices of United States senator are required to be placed on the same ballot, the expiration date of the term of each office shall be printed on the ballot ~~opposite the name of each candidate for nomination or election to that office.~~

Sec. 30. **[204D.29] REPRESENTATIVE IN CONGRESS VACANCY.**

Subdivision 1. **Scope; definition.** (a) A vacancy in the office of representative in Congress must be filled as specified in this section.

(b) "Vacancy," as used in this section, means a vacancy in the office of representative in Congress.

Subd. 2. **Vacancy 27 weeks or more before state primary.** (a) If a vacancy occurs 27 weeks or more before the state primary, the governor must issue a writ within three days of the vacancy for a special election for that office to be held between 20 and 24 weeks of the vacancy, but not fewer than 47 days before a state primary. A special primary must be held 11 weeks before the special election or on the second Tuesday in August if the general election is held on the first Tuesday after the first Monday in November if any major party has more than one candidate after the time for withdrawal has expired.

(b) The filing period for a special election under this subdivision must end on or before the 131st day before the special election. Minor party and independent candidates must submit their petitions by the last day for filing and signatures on the petitions must be dated from the date of the vacancy through the last day for filing. There must be a one-day period for withdrawal of candidates after the last day for filing.

Subd. 3. **Vacancy more than 22 weeks but fewer than 27 weeks before state primary.** (a) If a vacancy occurs more than 22 weeks but fewer than 27 weeks before the state primary, the governor must issue a writ within three days of the vacancy for a special election for that office to be held on the day of the state primary with a special primary held 11 weeks before the state primary, if any major party has more than one candidate after the time for withdrawal has expired. The regularly scheduled election to fill the next full term shall proceed pursuant to law.

(b) The filing period for a special election under this subdivision must end on or before the 147th day before the state primary. Minor party and independent candidates must submit their petitions by the last day for filing and signatures on the petitions must be dated from the date of the vacancy through the last day for filing. There must be a one-day period for withdrawal of candidates after the last day for filing. Candidates for a special election under this subdivision are not subject to the prohibition in section 204B.06 against having more than one affidavit of candidacy on file for the same election.

(c) The winner of a special election on the day of the state primary under this subdivision shall serve the remainder of the vacant term and is eligible to be seated in Congress upon issuance of the certificate of election. The winner of the regularly scheduled term for that office at the general election shall take office on the day new members of Congress take office.

Subd. 4. **Vacancy 22 or fewer weeks before state primary but before general election day.** (a) If a vacancy occurs from 22 weeks before the state primary to the day before the general election, no special election will be held. The winner of the general election for the next full term for that office will serve the remainder of the unexpired term and is eligible to be seated in Congress immediately upon issuance of a certificate of election.

(b) If the incumbent filed an affidavit of candidacy for reelection as the candidate of a major political party and was nominated for the general election ballot by that party and a vacancy occurs from the day of the state primary until the date of the general election, there is a vacancy in

nomination to be resolved pursuant to section 204B.13.

Subd. 5. **Vacancy on or after election day and before the day new members of Congress take office.** (a) If a vacancy occurs between the day of the general election and the day new members of Congress take office and the incumbent was not the winner of the general election, the winner of the general election for the next full term for that office is eligible to be seated in Congress immediately upon issuance of a certificate of election or the vacancy, whichever occurs last.

(b) If a vacancy occurs on or after election day but before the day new members of Congress take office and the incumbent was the winner of the general election, the vacancy must be filled pursuant to subdivision 2.

Sec. 31. Minnesota Statutes 2008, section 205.065, subdivision 1, is amended to read:

Subdivision 1. **Establishing primary.** A municipal primary for the purpose of nominating elective officers may be held in any city on the first second Tuesday after the second Monday in September in August of any year in which a municipal general election is to be held for the purpose of electing officers.

Sec. 32. Minnesota Statutes 2008, section 205.065, subdivision 2, is amended to read:

Subd. 2. **Resolution or ordinance.** The governing body of a city may, by ordinance or resolution adopted at least three months before the next by April 15 in the year when a municipal general election is held, elect to choose nominees for municipal offices by a primary as provided in this section. The resolution or ordinance, when adopted, is effective for all ensuing municipal elections until it is revoked. The municipal clerk shall notify the secretary of state and the county auditor within 30 days after the adoption of the resolution or ordinance.

Sec. 33. Minnesota Statutes 2008, section 205.13, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In municipalities a city nominating candidates at a municipal primary, an affidavit of candidacy for a city office or town office voted on in November must be filed not no more than 70 84 days nor less than 56 70 days before the first Tuesday after the second Monday in September preceding the municipal general election city primary. In all other municipalities that do not hold a primary, an affidavit of candidacy must be filed not no more than 70 days and not less than 56 days before the municipal general election held in March in any year, or a special election not held in conjunction with another election, and no more than 91 days nor less than 77 days before the municipal general election held in November of any year.

Sec. 34. Minnesota Statutes 2008, section 205.16, subdivision 4, is amended to read:

Subd. 4. **Notice to auditor.** At least 53 74 days prior to before every municipal election held in connection with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 53 days before any other municipal election, the municipal clerk shall provide a written notice to the county auditor, including the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. Not less than 46 At least 74 days before the a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 46 days before any other election, the municipal clerk must provide written notice to the county auditor of any special election canceled under section 205.10, subdivision 6.

Sec. 35. Minnesota Statutes 2008, section 205.16, subdivision 5, is amended to read:

Subd. 5. **Notice to secretary of state.** At least ~~46~~ 74 days ~~prior to~~ before every municipal election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 46 days before any other municipal election for which a notice is provided to the county auditor under subdivision 4, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 36. Minnesota Statutes 2008, section 205A.03, subdivision 1, is amended to read:

Subdivision 1. **Resolution requiring primary in certain circumstances.** The school board of a school district may, by resolution adopted by ~~June 1~~ April 15 of any year, decide to choose nominees for school board by a primary as provided in this section. The resolution, when adopted, is effective for all ensuing elections of board members in that school district until it is revoked. If the board decides to choose nominees by primary and if there are more than two candidates for a specified school board position or more than twice as many school board candidates as there are at-large school board positions available, the school district must hold a primary.

Sec. 37. Minnesota Statutes 2008, section 205A.03, subdivision 2, is amended to read:

Subd. 2. **Date.** The school district primary must be held on the ~~first~~ second Tuesday ~~after the second Monday in September~~ in August in the year when the school district general election is held. The clerk shall give notice of the primary in the manner provided in section 205A.07.

Sec. 38. Minnesota Statutes 2008, section 205A.05, subdivision 3, is amended to read:

Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion under subdivision 1 may be canceled by motion of the school board, but not less than ~~46~~ 74 days before ~~the~~ an election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other election.

Sec. 39. Minnesota Statutes 2008, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the school district clerk no earlier than the ~~70th~~ 84th day and no later than the ~~56th~~ 70th day before the ~~first~~ second Tuesday ~~after the second Monday in September~~ in August in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the ~~70th~~ 91st day and no later than the ~~56th~~ 77th day before the school district general election.

Sec. 40. Minnesota Statutes 2008, section 205A.07, subdivision 3, is amended to read:

Subd. 3. **Notice to auditor.** At least ~~53~~ 74 days ~~prior to~~ before every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 53 days before any other school district election, the school district clerk shall provide a written notice to the county auditor of each county in which the school district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. For the purposes of meeting the timelines of this section, in a bond election, a notice, including a proposed question, may be provided to the county auditor ~~prior to~~ before receipt of a

review and comment from the commissioner of education and ~~prior to~~ before actual initiation of the election. Not less than 46 74 days before ~~the~~ an election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other election, the school district clerk must provide written notice to the county auditor of any special election canceled under section 205A.05, subdivision 3.

Sec. 41. Minnesota Statutes 2008, section 205A.07, subdivision 3a, is amended to read:

Subd. 3a. **Notice to commissioner of education.** At least 49 74 days ~~prior to~~ before every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 49 days before any other school district election, under section 123B.62, 123B.63, 126C.17, 126C.69, or 475.58, the school district clerk shall provide a written notice to the commissioner of education. The notice must include the date of the election and the title and language for each ballot question to be voted on at the election. Not less than 46 74 days before ~~the~~ every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and at least 46 days before any other school district election, the school district clerk must provide a written notice to the commissioner of education of any special election canceled under section 205A.05, subdivision 3. The certified vote totals for each ballot question shall be provided in a written notice to the commissioner in a timely manner.

Sec. 42. Minnesota Statutes 2008, section 205A.07, subdivision 3b, is amended to read:

Subd. 3b. **Notice to secretary of state.** At least 46 74 days ~~prior to~~ before every school district election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, and least 46 days before any other school district election for which a notice is provided to the county auditor under subdivision 3, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 43. Minnesota Statutes 2008, section 205A.11, subdivision 2a, is amended to read:

Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a notice to the voters who will be voting in a combined polling place for a school district special election. The notice must include the following information: the date of the election, the hours of voting, and the location of the voter's polling place. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter. The notice must be mailed no later than 14 days before the election. The mailed notice is not required for a school district special election that is held ~~on the day of the school district primary or general election, the second Tuesday following the second Monday in September~~ August, the Tuesday following the first Monday in November, or for a special election conducted entirely by mail. In addition, the mailed notice is not required for voters residing in a township if the school district special election is held on the second Tuesday in March and the town general election is held on that day. A notice that is returned as undeliverable must be forwarded immediately to the county auditor.

Sec. 44. Minnesota Statutes 2008, section 206.61, subdivision 5, is amended to read:

Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation of names of candidates must be observed as far as practicable by changing the order of the names on an electronic voting system in the various precincts so that each name appears on the machines or

marking devices used in a municipality substantially an equal number of times in the first, last, and in each intermediate place in the list or group in which they belong. However, the arrangement of candidates' names must be the same on all voting systems used in the same precinct. If the number of names to be alternated exceeds the number of precincts, the election official responsible for providing the ballots, in accordance with subdivision 1, shall determine by lot the alternation of names.

If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot card, the manner of alternation of candidate names on the paper ballot must be as prescribed for optical scan ballots in this subdivision.

The rules adopted by the secretary of state for the rotation of candidate names must use the number of registered voters in each precinct as of 8:00 a.m. on May 1 of the year when the rotation will be made as the basis for determining the rotation of names.

Sec. 45. Minnesota Statutes 2009 Supplement, section 206.82, subdivision 2, is amended to read:

Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which an electronic voting system is used in more than one municipality and the county auditor of a county in which a counting center serving more than one municipality is located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system. ~~Prior to July~~ Before May 1 of each subsequent general election year, the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the Office of Enterprise Technology or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill duties imposed by this subdivision or by rules promulgated pursuant to this section.

Sec. 46. Minnesota Statutes 2008, section 208.03, is amended to read:

208.03 NOMINATION OF PRESIDENTIAL ELECTORS.

Presidential electors for the major political parties of this state shall be nominated by delegate conventions called and held under the supervision of the respective state central committees of the parties of this state. ~~On or before primary~~ At least 77 days before the general election day the chair of the major political party shall certify to the secretary of state the names of the persons nominated as presidential electors, the names of eight alternate presidential electors, and the names of the party candidates for president and vice president.

Sec. 47. Minnesota Statutes 2008, section 211B.045, is amended to read:

211B.045 NONCOMMERCIAL SIGNS EXEMPTION.

In any municipality, whether or not the municipality has an ordinance that regulates the size or number of noncommercial signs, all noncommercial signs of any size may be posted in any number from ~~August 1~~ 46 days before the state primary in a state general election year until ten

days following the state general election.

Sec. 48. Minnesota Statutes 2008, section 410.12, subdivision 1, is amended to read:

Subdivision 1. **Proposals.** The charter commission may propose amendments to such charter and shall do so upon the petition of voters equal in number to five percent of the total votes cast at the last previous state general election in the city. Proposed charter amendments must be submitted at least ~~12~~ 17 weeks before the general election. Only registered voters are eligible to sign the petition. All petitions circulated with respect to a charter amendment shall be uniform in character and shall have attached thereto the text of the proposed amendment in full; except that in the case of a proposed amendment containing more than 1,000 words, a true and correct copy of the same may be filed with the city clerk, and the petition shall then contain a summary of not less than 50 nor more than 300 words setting forth in substance the nature of the proposed amendment. Such summary shall contain a statement of the objects and purposes of the amendment proposed and an outline of any proposed new scheme or frame work of government and shall be sufficient to inform the signers of the petition as to what change in government is sought to be accomplished by the amendment. The summary, together with a copy of the proposed amendment, shall first be submitted to the charter commission for its approval as to form and substance. The commission shall within ten days after such submission to it, return the same to the proposers of the amendment with such modifications in statement as it may deem necessary in order that the summary may fairly comply with the requirements above set forth.

Sec. 49. Minnesota Statutes 2008, section 447.32, subdivision 4, is amended to read:

Subd. 4. **Candidates; ballots; certifying election.** A person who wants to be a candidate for the hospital board shall file an affidavit of candidacy for the election either as member at large or as a member representing the city or town where the candidate resides. The affidavit of candidacy must be filed with the city or town clerk not more than ~~70~~ 91 days nor less than ~~56~~ 77 days before the first Tuesday after the first Monday in November of the year in which the general election is held. The city or town clerk must forward the affidavits of candidacy to the clerk of the hospital district or, for the first election, the clerk of the most populous city or town immediately after the last day of the filing period. A candidate may withdraw from the election by filing an affidavit of withdrawal with the clerk of the district no later than 5:00 p.m. two days after the last day to file affidavits of candidacy.

Voting must be by secret ballot. The clerk shall prepare, at the expense of the district, necessary ballots for the election of officers. Ballots must be printed on tan paper and prepared as provided in the rules of the secretary of state. The ballots must be marked and initialed by at least two judges as official ballots and used exclusively at the election. Any proposition to be voted on may be printed on the ballot provided for the election of officers. The hospital board may also authorize the use of voting systems subject to chapter 206. Enough election judges may be appointed to receive the votes at each polling place. The election judges shall act as clerks of election, count the ballots cast, and submit them to the board for canvass.

After canvassing the election, the board shall issue a certificate of election to the candidate who received the largest number of votes cast for each office. The clerk shall deliver the certificate to the person entitled to it in person or by certified mail. Each person certified shall file an acceptance and oath of office in writing with the clerk within 30 days after the date of delivery or mailing of the certificate. The board may fill any office as provided in subdivision 1 if the person elected fails to

qualify within 30 days, but qualification is effective if made before the board acts to fill the vacancy.

Sec. 50. **TEMPORARY DEADLINES FOR LISTS OF ELECTION JUDGES.**

Notwithstanding the deadlines provided in Minnesota Statutes, section 204B.21, subdivision 1, the lists of eligible voters to act as election judges to be provided to the county auditor under that subdivision are due on March 15, 2010, and the submission from the county auditor is due on April 1, 2010.

Sec. 51. **EFFECTIVE DATE.**

Sections 1 to 15 and 17 to 50 are effective the day following final enactment. Section 16 is effective January 1, 2011."

Delete the title and insert:

"A bill for an act relating to elections; changing the date of the state primary; changing certain primary-related dates and provisions; amending Minnesota Statutes 2008, sections 10A.31, subdivision 6; 10A.321; 10A.322, subdivision 1; 10A.323; 203B.06, subdivision 1; 203B.081; 203B.11, subdivision 2; 203B.13, subdivision 2; 203B.17, subdivision 1; 203B.22; 203B.225, subdivision 1; 203B.23, subdivision 2; 204B.09, subdivision 1; 204B.14, subdivisions 2, 4; 204B.21, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.45, subdivision 2; 204C.26, subdivision 3; 204D.03, subdivision 1; 204D.09, subdivision 1; 204D.17; 204D.19; 204D.28, subdivisions 5, 6, 8, 9, 10; 205.065, subdivisions 1, 2; 205.13, subdivision 1a; 205.16, subdivisions 4, 5; 205A.03, subdivisions 1, 2; 205A.05, subdivision 3; 205A.06, subdivision 1a; 205A.07, subdivisions 3, 3a, 3b; 205A.11, subdivision 2a; 206.61, subdivision 5; 208.03; 211B.045; 410.12, subdivision 1; 447.32, subdivision 4; Minnesota Statutes 2009 Supplement, section 206.82, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 204D."

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2360, 351 and 2251 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Kubly, Sheran and Frederickson introduced—

S.F. No. 2361: A bill for an act relating to capital investment; appropriating money for the campground road at Fort Ridgely State Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Hann, Ingebrigtsen and Limmer introduced—

S.F. No. 2362: A bill for an act relating to family law; providing for termination of spousal

maintenance based on cohabitation; amending Minnesota Statutes 2008, section 518A.39, subdivision 3.

Referred to the Committee on Judiciary.

Senators Betzold and Scheid introduced—

S.F. No. 2363: A bill for an act relating to public safety; authorizing fire departments to access criminal history data on current employees; amending Minnesota Statutes 2008, section 299F.035.

Referred to the Committee on Judiciary.

Senators Pappas, Skoe, Robling, Sheran and Erickson Ropes introduced—

S.F. No. 2364: A bill for an act relating to higher education; increasing the revenue bond limit of the higher education facilities authority; amending Minnesota Statutes 2008, section 136A.29, subdivision 9.

Referred to the Committee on Finance.

Senator Olseen introduced—

S.F. No. 2365: A bill for an act relating to pupil transportation; modifying pupil transportation provisions; clarifying Department of Education's role in maintaining training programs; including use of certain lift buses in the category of revenue authorized for reimbursement; including actual contracted transportation costs as a method for allocating pupil transportation costs; amending Minnesota Statutes 2008, sections 123B.88, subdivision 13; 123B.90, subdivision 3; 123B.92, subdivision 5; Minnesota Statutes 2009 Supplement, section 123B.92, subdivision 1.

Referred to the Committee on Finance.

Senators Carlson, Metzen, Vickerman, Murphy and Gerlach introduced—

S.F. No. 2366: A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for a memorial to public servants in the city of Eagan.

Referred to the Committee on Finance.

Senator Betzold introduced—

S.F. No. 2367: A bill for an act relating to the judiciary; providing for senate confirmation of the executive secretary of the Board on Judicial Standards; amending Minnesota Statutes 2008, section 490A.01, subdivision 5.

Referred to the Committee on Judiciary.

Senators Lynch, Senjem, Tomassoni and Cohen introduced—

S.F. No. 2368: A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money to renovate infrastructure and colocate the Minnesota

Workforce Center at Rochester Community and Technical College.

Referred to the Committee on Finance.

Senators Pappas, Murphy, Moua, Jungbauer and Carlson introduced—

S.F. No. 2369: A bill for an act relating to highways; imposing moratorium on electronic advertising devices; amending Minnesota Statutes 2008, section 160.02, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 160.

Referred to the Committee on Transportation.

Senators Pappas, Murphy, Moua, Jungbauer and Carlson introduced—

S.F. No. 2370: A bill for an act relating to motor vehicles; prohibiting sale of illegally tinted motor vehicle windows; amending Minnesota Statutes 2008, section 169.71, by adding a subdivision.

Referred to the Committee on Transportation.

Senator Dibble introduced—

S.F. No. 2371: A bill for an act relating to capital improvements; appropriating money for shade tree replacement; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Erickson Ropes, Rummel, Fobbe, Skogen and Hann introduced—

S.F. No. 2372: A bill for an act relating to veterans; clarifying the role of the commissioner and Department of Veterans Affairs in providing certain resources for the county veterans service offices; amending Minnesota Statutes 2008, sections 197.60, subdivision 1; 197.601; 197.605; 197.606; 197.609, subdivisions 1, 2.

Referred to the Committee on Agriculture and Veterans.

Senators Erickson Ropes, Fobbe, Rummel, Skogen and Hann introduced—

S.F. No. 2373: A bill for an act relating to veterans; designating September 16 of each year as American Legion Day; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Agriculture and Veterans.

Senators Fobbe, Langseth, Tomassoni and Jungbauer introduced—

S.F. No. 2374: A bill for an act relating to capital investment; appropriating money for preservation and improvements of historic sites and local historic structures, and the revitalization of the Oliver H. Kelley Farm Historic Site; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Stumpf introduced–

S.F. No. 2375: A bill for an act relating to education finance; adjusting transition revenue for Independent School District No. 356, Lancaster; amending Minnesota Statutes 2008, section 126C.10, subdivision 31.

Referred to the Committee on Finance.

Senators Ortman, Robling and Chaudhary introduced–

S.F. No. 2376: A bill for an act relating to capital investment; appropriating money for Chanhassen trail underpass; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Ortman, Robling and Chaudhary introduced–

S.F. No. 2377: A bill for an act relating to capital investment; appropriating money for Chanhassen trail and storm water improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Ortman, Robling and Chaudhary introduced–

S.F. No. 2378: A bill for an act relating to capital investment; appropriating money for Chanhassen to stabilize the Bluff Creek ravine; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Lynch, Senjem, Skogen, Lourey and Stumpf introduced–

S.F. No. 2379: A bill for an act relating to capital improvements; appropriating money to design and renovate classrooms and programs at the Rochester Community Technical College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

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

S.F. No. 2380: A bill for an act relating to capital improvements; appropriating money to renovate the Minneapolis Sculpture Garden; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Langseth, Stumpf and Skoe introduced–

S.F. No. 2381: A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for flood hazard mitigation grants.

Referred to the Committee on Finance.

Senators Dille, Moua, Robling, Clark and Marty introduced—

S.F. No. 2382: A bill for an act relating to marriage; requiring participation in a marriage dissolution education program in marriage dissolution or legal separation proceedings involving minor children; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary.

Senators Dille, Moua, Robling, Clark and Marty introduced—

S.F. No. 2383: A bill for an act relating to marriage; establishing a couples on the brink project; redirecting disposition of a portion of the marriage license fee; appropriating money; amending Minnesota Statutes 2008, section 517.08, subdivision 1c; proposing coding for new law in Minnesota Statutes, chapter 256.

Referred to the Committee on Judiciary.

Senators Saltzman, Fobbe, Koch, Sieben and Skoe introduced—

S.F. No. 2384: A bill for an act relating to education finance; increasing the referendum equalizing factor; eliminating the second tier of referendum equalization; amending Minnesota Statutes 2008, section 126C.17, subdivisions 5, 6, 7.

Referred to the Committee on Finance.

Senators Higgins, Sparks, Moua, Sieben and Gerlach introduced—

S.F. No. 2385: A bill for an act relating to commerce; banning cadmium jewelry; amending Minnesota Statutes 2008, section 325E.389.

Referred to the Committee on Commerce and Consumer Protection.

Senators Metzen; Scheid; Betzold; Olson, G. and Sparks introduced—

S.F. No. 2386: A bill for an act relating to state government; ratifying labor agreements and compensation plans.

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

Senators Pariseau, Ingebrigtsen, Rosen, Dille and Gimse introduced—

S.F. No. 2387: A bill for an act relating to public safety; expanding the permissible purposes for which certain persons may possess and use firearms silencers; amending Minnesota Statutes 2008, section 609.66, subdivision 1h.

Referred to the Committee on Judiciary.

Senators Sieben, Rest, Gerlach, Bonoff and Higgins introduced—

S.F. No. 2388: A bill for an act relating to elections; changing and clarifying certain provisions;

amending Minnesota Statutes 2008, sections 201.016, subdivision 1a; 201.061, subdivision 1; 201.12; 201.13; 201.14; 201.15, subdivisions 1, 2; 201.155; 203B.02, subdivision 3; 203B.04, subdivision 1; 203B.06, subdivision 5; 203B.16, subdivision 2; 203B.19; 204B.04, subdivision 2; 204B.135, subdivision 4; 204B.14, by adding a subdivision; 204B.18, subdivision 1; 204B.19, subdivision 2; 204B.21, subdivision 2; 204B.22, subdivisions 1, 2; 204B.24; 204B.27, subdivisions 2, 3; 204B.38; 204C.02; 204C.04, subdivision 1; 204C.06, subdivision 1; 204C.08; 204C.12, subdivision 2; 204C.13, subdivision 2; 204C.33, subdivision 1; 204C.35, subdivision 2; 204C.36, subdivisions 3, 4; 204C.37; 204D.04, subdivision 2; 204D.09, subdivision 2; 204D.10, subdivision 1; 204D.20, subdivision 1; 205.07, by adding a subdivision; 205.075, subdivision 1; 205.13, subdivisions 1, 2; 205.16, subdivisions 2, 3; 205A.05, subdivision 1; 205A.11, subdivision 3; 208.03; proposing coding for new law in Minnesota Statutes, chapters 201; 205A; repealing Minnesota Statutes 2008, sections 3.22; 204B.22, subdivision 3; 204D.10, subdivision 2; 206.57, subdivision 7; 206.91.

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

Senator Olson, M. introduced—

S.F. No. 2389: A bill for an act relating to capital investment; appropriating money for the Shingobee Trail Connection; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Ingebrigtsen, Senjem, Parry, Koch and Gimse introduced—

S.F. No. 2390: A resolution urging the President and the Congress of the United States to refuse to enact cap-and-trade legislation that would negatively impact Americans by increasing the costs of goods and services and instead enact legislation that encourages states to establish and develop their own renewable energy portfolio standards.

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

Senator Murphy introduced—

S.F. No. 2391: A bill for an act relating to crimes; providing penalty for careless driving resulting in death; providing for revocation of violator's driver's license; amending Minnesota Statutes 2008, sections 169.13, by adding a subdivision; 171.17, subdivision 1; 171.30, subdivision 2a.

Referred to the Committee on Judiciary.

Senators Murphy, Rest and Dibble introduced—

S.F. No. 2392: A bill for an act relating to transportation; authorizing general obligation bonds and appropriating funds for town road signs.

Referred to the Committee on Finance.

Senators Murphy, Rest and Dibble introduced—

S.F. No. 2393: A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and for other improvements of a capital nature with certain conditions; authorizing the sale and issuance of state bonds; appropriating money.

Referred to the Committee on Finance.

Senator Pariseau introduced—

S.F. No. 2394: A bill for an act relating to retirement; general employees retirement plan of the Public Employees Retirement Association; authorizing a late disability benefit application in certain cases.

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

Senator Pappas introduced—

S.F. No. 2395: A bill for an act relating to capital improvements; appropriating money for a grant to the city of Saint Paul for streetscaping along University Avenue; authorizing the sale and issuance of bonds.

Referred to the Committee on Finance.

Senator Pappas introduced—

S.F. No. 2396: A bill for an act relating to capital investment; appropriating money to the commissioner of transportation to replace two bicycle and pedestrian bridges over I-94 in Saint Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Prettner Solon introduced—

S.F. No. 2397: A bill for an act relating to the city of Duluth; providing for membership of the Spirit Mountain Recreation Area Authority; amending Laws 1973, chapter 327, section 2, subdivision 2, as amended.

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

Senator Kelash introduced—

S.F. No. 2398: A bill for an act relating to capital investment; appropriating money for capital improvements at Normandale Community College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Kelash and Metzen introduced—

S.F. No. 2399: A bill for an act relating to construction codes; requiring automatic external

defibrillators in certain structures; amending Minnesota Statutes 2008, section 326B.106, by adding a subdivision.

Referred to the Committee on Business, Industry and Jobs.

Senator Kelash introduced—

S.F. No. 2400: A bill for an act relating to local government; permitting certain metropolitan area local governments to impose response time residency requirements upon firefighters.

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

Senators Lynch, Senjem, Murphy, Olseen and Saltzman introduced—

S.F. No. 2401: A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money for local bridge replacement and rehabilitation.

Referred to the Committee on Finance.

Senators Lynch, Erickson Ropes and Dille introduced—

S.F. No. 2402: A bill for an act relating to transportation; establishing Gold Star license plate eligibility for surviving son or daughter; amending Minnesota Statutes 2009 Supplement, section 168.1253, subdivision 1.

Referred to the Committee on Transportation.

Senators Dahle and Sheran introduced—

S.F. No. 2403: A bill for an act relating to capital improvements; appropriating money to rehabilitate tracks owned by the Minnesota Valley Regional Railroad Authority; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Pappas introduced—

S.F. No. 2404: A bill for an act relating to retirement; regulating certain teachers retirement funds; adjusting contribution rates; adjusting state aid amounts; adjusting annuity formulas; amending fiduciary responsibilities; regulating investments; appropriating money; amending Minnesota Statutes 2008, sections 354A.12, subdivisions 1, 3a, 3c; 354A.31, subdivision 4; 356A.02, subdivision 1; 356A.06, subdivisions 1, 2, 3, 7, 7a, 8b; Minnesota Statutes 2009 Supplement, section 354A.12, subdivision 2a; repealing Minnesota Statutes 2008, sections 354A.08; 356A.06, subdivisions 4, 5.

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

Senators Bakk and Tomassoni introduced—

S.F. No. 2405: A bill for an act relating to education finance; extending the sparsity revenue

guarantee to all qualifying school districts; amending Minnesota Statutes 2009 Supplement, section 126C.10, subdivision 8a.

Referred to the Committee on Finance.

Senators Bakk and Erickson Ropes introduced–

S.F. No. 2406: A bill for an act relating to capital investment; appropriating money for expansion of a campground in the city of Two Harbors; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Bakk introduced–

S.F. No. 2407: A bill for an act relating to capital investment; appropriating money for Proctor spur trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Tomassoni introduced–

S.F. No. 2408: A bill for an act relating to employment; modifying mandatory work and meal breaks; amending Minnesota Statutes 2008, sections 177.253, subdivision 1; 177.254, subdivision 1.

Referred to the Committee on Business, Industry and Jobs.

Senators Erickson Ropes, Berglin and Lynch introduced–

S.F. No. 2409: A bill for an act relating to human services; clarifying medical assistance coverage for children's therapeutic services; amending Minnesota Statutes 2009 Supplement, section 256B.0943, subdivision 12.

Referred to the Committee on Finance.

Senators Metzen and Carlson introduced–

S.F. No. 2410: A bill for an act relating to capital investment; appropriating money for a grant to the city of Rosemount for a park and ride lot and transit shelter; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Koch, Dille and Rosen introduced–

S.F. No. 2411: A bill for an act relating to license plates; establishing special equine enthusiast license plates; creating account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Finance.

Senator Tomassoni introduced–

S.F. No. 2412: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land.

Referred to the Committee on Environment and Natural Resources.

Senator Rest introduced–

S.F. No. 2413: A bill for an act relating to local government; authorizing municipalities to permit certain solicitations; proposing coding for new law in Minnesota Statutes, chapter 465.

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

Senators Berglin and Dille introduced–

S.F. No. 2414: A bill for an act relating to capital improvements; appropriating money to construct a new hyperbaric oxygen chamber; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Murphy, Olseen and Olson, G. introduced–

S.F. No. 2415: A bill for an act relating to transportation; exempting certain school buses from child passenger restraint requirements; amending Minnesota Statutes 2008, section 169.685, subdivision 6.

Referred to the Committee on Transportation.

Senator Langseth introduced–

S.F. No. 2416: A bill for an act relating to capital investment; appropriating money for construction of a transfer station in Becker County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Prettner Solon, Lourey, Tomassoni, Bakk and Langseth introduced–

S.F. No. 2417: A bill for an act relating to capital investment; appropriating money for the American Indian Learning Resource Center at the University of Minnesota, Duluth; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Rummel, Anderson, Frederickson and Kubly introduced–

S.F. No. 2418: A bill for an act relating to capital investment; appropriating money for an anaerobic digester; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Kubly, Bakk, Frederickson, Sparks and Dille introduced–

S.F. No. 2419: A bill for an act relating to capital investment; appropriating money for state trail development, trail connections, and regional trails; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Kubly introduced–

S.F. No. 2420: A bill for an act relating to education finance; expanding the definition of average daily membership for purposes of calculating elementary sparsity revenue; amending Minnesota Statutes 2008, section 126C.10, subdivision 8.

Referred to the Committee on Finance.

Senator Kubly introduced–

S.F. No. 2421: A bill for an act relating to health care; modifying definition of income in the MinnesotaCare program; amending Minnesota Statutes 2009 Supplement, section 256L.01, subdivision 4a.

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

Senator Kubly introduced–

S.F. No. 2422: A bill for an act relating to capital investment; appropriating money for rehabilitation of the pedestrian suspension bridge over the Minnesota River in Granite Falls; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Kubly introduced–

S.F. No. 2423: A bill for an act relating to capital investment; appropriating money for the Granite Falls library and senior center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Jungbauer introduced–

S.F. No. 2424: A bill for an act relating to capital investment; appropriating money for the revitalization of the Oliver H. Kelley Farm Historic Site; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Erickson Ropes, Pappas and Robling introduced–

S.F. No. 2425: A bill for an act relating to higher education; clarifying disclosure of educational data; amending Minnesota Statutes 2008, section 13.32, subdivision 3.

Referred to the Committee on Higher Education.

Senators Bonoff; Saltzman; Olson, G. and Latz introduced—

S.F. No. 2426: A bill for an act relating to taxation; authorizing a valuation exclusion for certain improvements to homestead properties; amending Minnesota Statutes 2008, section 273.11, subdivision 16.

Referred to the Committee on Taxes.

Senator Betzold introduced—

S.F. No. 2427: A bill for an act relating to property held in trust; clarifying status of certain distributions; changing certain relationship and inheritance provisions; providing for emergency and temporary conservators; amending Minnesota Statutes 2008, sections 501B.64, subdivision 3; 524.1-201; 524.2-114; Minnesota Statutes 2009 Supplement, section 524.5-409; proposing coding for new law in Minnesota Statutes, chapter 524.

Referred to the Committee on Judiciary.

Senators Dille, Metzen and Tomassoni introduced—

S.F. No. 2428: A bill for an act relating to capital improvements; appropriating money for the Dassel-Cokato Regional Ice and Sports Center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Erickson Ropes, Olseen, Murphy and Dille introduced—

S.F. No. 2429: A bill for an act relating to veterans; clarifying the transit fee exemption provisions related to veterans with service-connected disabilities; amending Minnesota Statutes 2009 Supplement, sections 174.24, subdivision 7; 473.408, subdivision 10.

Referred to the Committee on Agriculture and Veterans.

Senators Scheid; Olson, M. and Higgins introduced—

S.F. No. 2430: A bill for an act relating to mortgages; regulating acquisition of the legal right to redeem a residence in foreclosure; requiring a notice to the mortgagee after a sheriff's sale of residential real property in foreclosure; amending Minnesota Statutes 2008, sections 325N.10, by adding a subdivision; 325N.17; 580.06; 582.25.

Referred to the Committee on Commerce and Consumer Protection.

Senator Tomassoni introduced—

S.F. No. 2431: A bill for an act relating to motor vehicles; requiring single license plate on certain motor vehicles; amending Minnesota Statutes 2008, sections 168.012, subdivision 1c; 168.123, subdivision 1; 168.1235, subdivision 1; 169.79, subdivision 6.

Referred to the Committee on Transportation.

Senator Tomassoni introduced—

S.F. No. 2432: A bill for an act relating to insurance; prohibiting insurance underwriting for motor vehicle or homeowner's insurance on the basis of credit information; amending Minnesota Statutes 2008, section 72A.20, subdivision 36.

Referred to the Committee on Commerce and Consumer Protection.

Senators Tomassoni, Bakk and Prettner Solon introduced—

S.F. No. 2433: A bill for an act relating to capital investment; appropriating money for the Arrowhead Regional Corrections Facilities; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Erickson Ropes, Chaudhary and Dille introduced—

S.F. No. 2434: A bill for an act relating to capital investment; appropriating money to the commissioner of natural resources for a grant to the city of Preston for a National Trout Learning Center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Erickson Ropes, Bakk and Senjem introduced—

S.F. No. 2435: A bill for an act relating to taxation; requiring payment of compensation to certain cities; appropriating money.

Referred to the Committee on Taxes.

Senator Vickerman introduced—

S.F. No. 2436: A bill for an act relating to capital investment; appropriating money for development of the Casey Jones State Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Moua, Higgins, Betzold, Scheid and Foley introduced—

S.F. No. 2437: A bill for an act relating to public safety; extending area for protection to a reasonable area around residence or dwelling in ex parte orders for protection; amending Minnesota Statutes 2008, section 518B.01, subdivision 7.

Referred to the Committee on Judiciary.

Senators Murphy, Prettner Solon, Dille, Cohen and Erickson Ropes introduced—

S.F. No. 2438: A bill for an act relating to capital improvements; appropriating money for port

development assistance; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Saltzman, Scheid, Skogen and Fobbe introduced—

S.F. No. 2439: A bill for an act relating to commerce; prohibiting the use of live check solicitations; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce and Consumer Protection.

Senators Olseen and Frederickson introduced—

S.F. No. 2440: A bill for an act relating to capital investment; appropriating money for natural and scenic areas and regional parks; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Wiger and Saltzman introduced—

S.F. No. 2441: A bill for an act relating to capital investment; appropriating money for a public infrastructure grant to Ramsey County to accommodate bioscience business development; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Wiger and Saltzman introduced—

S.F. No. 2442: A bill for an act relating to capital investment; modifying an appropriation for Ramsey County; amending Laws 2005, chapter 20, article 1, section 23, subdivision 12, as amended.

Referred to the Committee on Finance.

Senators Wiger, Saltzman and Sieben introduced—

S.F. No. 2443: A bill for an act relating to capital improvements; appropriating money for a grant to the city of Maplewood to design, renovate, and equip the former St. Paul's monastery as a regional service center and learning institute; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Wiger, Moua, Anderson and Saltzman introduced—

S.F. No. 2444: A bill for an act relating to capital investment; appropriating money to the Metropolitan Council for improvements to the Phalen-Keller Regional Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Wiger and Saltzman introduced–

S.F. No. 2445: A bill for an act relating to capital improvements; appropriating money for a regional firefighter training facility in the city of Maplewood; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Rest introduced–

S.F. No. 2446: A bill for an act relating to education; implementing a transitions plan for high school students to successfully pursue postsecondary education and employment; appropriating money; amending Minnesota Statutes 2008, section 120B.125.

Referred to the Committee on Finance.

Senators Murphy, Jungbauer and Langseth introduced–

S.F. No. 2447: A bill for an act relating to transportation; amending the appropriation for trunk highway bonds; amending Laws 2008, chapter 152, article 2, section 3, subdivision 2.

Referred to the Committee on Finance.

Senators Robling, Ortman, Bakk, Limmer and Senjem introduced–

S.F. No. 2448: A bill for an act relating to taxation; requiring separate statements of special taxing district levies; amending Minnesota Statutes 2009 Supplement, section 276.04, subdivision 2.

Referred to the Committee on Taxes.

Senator Olson, G. introduced–

S.F. No. 2449: A bill for an act relating to education finance; repealing the requirement that the Department of Management and Budget require school district state aid payments to be reduced prior to the state of Minnesota undertaking short-term borrowing for cash flow needs; repealing Minnesota Statutes 2008, section 127A.46.

Referred to the Committee on Finance.

Senator Parry introduced–

S.F. No. 2450: A bill for an act relating to capital improvements; appropriating money for a tornado siren in the city of Ellendale; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Parry introduced–

S.F. No. 2451: A bill for an act relating to capital improvements; appropriating money for

predesign of new technology center for the Minnesota State Academies in place of renovation of Mott Hall; amending Laws 2008, chapter 179, section 5, subdivision 4.

Referred to the Committee on Finance.

Senator Parry introduced—

S.F. No. 2452: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature; authorizing the sale and issuance of state bonds; appropriating money for city of Blooming Prairie sewer improvements.

Referred to the Committee on Finance.

Senators Carlson, Jungbauer and Pappas introduced—

S.F. No. 2453: A bill for an act relating to traffic regulations; allowing bicyclist to stop and proceed through red light under limited circumstances; amending Minnesota Statutes 2008, section 169.06, subdivision 9.

Referred to the Committee on Transportation.

Senators Fischbach, Gimse and Clark introduced—

S.F. No. 2454: A bill for an act relating to capital improvements; appropriating money for master planning of Kraemer Lake/Wildwood Regional Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Carlson, Metzen, Doll, Pariseau and Gerlach introduced—

S.F. No. 2455: A bill for an act relating to highways; authorizing issuance of trunk highway bonds; appropriating money for capacity and safety improvements on marked Trunk Highway 77 in Dakota and Hennepin Counties.

Referred to the Committee on Finance.

Senators Doll, Metzen, Carlson, Robling and Gerlach introduced—

S.F. No. 2456: A bill for an act relating to highways; authorizing issuance of trunk highway bonds; authorizing spending for public purposes; appropriating money for interchange at marked Trunk Highway 13 and County State-Aid Highway 5 in Dakota County.

Referred to the Committee on Finance.

Senators Pariseau, Metzen and Gerlach introduced—

S.F. No. 2457: A bill for an act relating to capital improvements; appropriating money for spillway of Lake Byllesby Dam on the Cannon River; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Pariseau, Metzen, Sieben and Carlson introduced—

S.F. No. 2458: A bill for an act relating to capital improvements; appropriating money for a pedestrian bridge over the Cannon River; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Lourey introduced—

S.F. No. 2459: A bill for an act relating to capital investment; authorizing the sale and issuance of state bonds; appropriating money for the Carlton County community services building.

Referred to the Committee on Finance.

Senators Carlson, Metzen, Sieben, Pariseau and Gerlach introduced—

S.F. No. 2460: A bill for an act relating to capital investment; appropriating money for Cedar Avenue Bus Rapid Transit Way (BRT) in Dakota and Hennepin Counties; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Lourey, Dibble, Jungbauer, Rest and Rosen introduced—

S.F. No. 2461: A bill for an act relating to transportation; requiring the commissioner of transportation to implement complete streets policy; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 174.

Referred to the Committee on Transportation.

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

S.F. No. 2462: A bill for an act relating to state government; appropriating money for environment and natural resources.

Referred to the Committee on Finance.

Senator Rummel introduced—

S.F. No. 2463: A bill for an act relating to retirement; general employees retirement plan of the Public Employees Retirement Association police and fire plan; increasing annuity of an accelerated annuity recipient.

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

Senators Robling, Saxhaug and Ingebrigtsen introduced—

S.F. No. 2464: A bill for an act relating to game and fish; eliminating magnification restriction

for scopes on muzzleloaders used by visually impaired hunters; amending Minnesota Statutes 2008, section 97B.031, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Senator Vickerman introduced—

S.F. No. 2465: A bill for an act relating to agriculture; allowing a temporary lien for livestock production inputs for 30 days following a mediation request; amending Minnesota Statutes 2008, section 514.966, by adding a subdivision.

Referred to the Committee on Agriculture and Veterans.

Senator Vickerman introduced—

S.F. No. 2466: A bill for an act relating to motor vehicles; creating a special license plate for veterans who are Korean Defense Service Medal recipients; proposing coding for new law in Minnesota Statutes, chapter 168.

Referred to the Committee on Agriculture and Veterans.

Senators Moua, Anderson, Pappas and Cohen introduced—

S.F. No. 2467: A bill for an act relating to the city of St. Paul; providing special rules for the expenditure of tax increments.

Referred to the Committee on Taxes.

Senators Murphy and Betzold introduced—

S.F. No. 2468: A bill for an act relating to traffic regulations; regulating the admissibility of seat belt use evidence in certain civil actions; repealing Minnesota Statutes 2008, section 169.685, subdivision 4.

Referred to the Committee on Transportation.

Senators Murphy, Olseen and Betzold introduced—

S.F. No. 2469: A bill for an act relating to transportation; regulating contracts; prohibiting indemnification provisions; proposing coding for new law in Minnesota Statutes, chapter 221.

Referred to the Committee on Transportation.

Senator Prettner Solon introduced—

S.F. No. 2470: A bill for an act relating to public safety; authorizing wireless telecommunications service providers to provide call locations for emergencies; amending Minnesota Statutes 2008, section 626A.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 626A.

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

Senator Olseen introduced–

S.F. No. 2471: A bill for an act relating to commerce; regulating certain filings with the secretary of state; amending Minnesota Statutes 2008, sections 318.02, subdivision 1; 557.01.

Referred to the Committee on Commerce and Consumer Protection.

Senators Chaudhary, Frederickson, Saxhaug and Dille introduced–

S.F. No. 2472: A bill for an act relating to capital investment; appropriating money for aquatic and wildlife management areas and critical habitat; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Michel introduced–

S.F. No. 2473: A bill for an act relating to public safety; authorizing judges to prohibit certain juvenile sex offenders from residing near their victims; amending Minnesota Statutes 2008, section 260B.198, by adding a subdivision; Minnesota Statutes 2009 Supplement, section 260B.198, subdivision 1.

Referred to the Committee on Judiciary.

Senator Betzold introduced–

S.F. No. 2474: A bill for an act relating to retirement; Public Employees Retirement Association; purchase of salary credit procedures in certain partial salary situations; adding new partial salary credit purchase authority for partial paid medical leaves and budgetary leaves; amending Minnesota Statutes 2008, section 353.0161, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 2008, section 353.01, subdivision 40.

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

Senators Fobbe, Erickson Ropes, Ingebrigtsen and Koering introduced–

S.F. No. 2475: A bill for an act relating to veterans; designating May 28 as Veterans of Foreign Wars Day; proposing coding for new law in Minnesota Statutes, chapter 197.

Referred to the Committee on Agriculture and Veterans.

Senator Saltzman introduced–

S.F. No. 2476: A bill for an act relating to lawful gambling; allowing the director of the Gambling Control Board flexibility in allowable expenses; amending Minnesota Statutes 2009 Supplement, section 349.12, subdivision 25.

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

MOTIONS AND RESOLUTIONS

Senator Senjem moved that the name of Senator Day be stricken as chief author, and the name of Senator Senjem be added as chief author to S.F. No. 393. The motion prevailed.

Senator Scheid moved that the name of Senator Higgins be added as a co-author to S.F. No. 568. The motion prevailed.

Senator Marty moved that the name of Senator Koering be added as a co-author to S.F. No. 1631. The motion prevailed.

Senator Berglin moved that the name of Senator Rummel be added as a co-author to S.F. No. 2168. The motion prevailed.

Senator Cohen moved that the name of Senator Sieben be added as a co-author to S.F. No. 2169. The motion prevailed.

Senator Frederickson moved that the name of Senator Rummel be added as a co-author to S.F. No. 2202. The motion prevailed.

Senator Moua moved that the name of Senator Rummel be added as a co-author to S.F. No. 2227. The motion prevailed.

Senator Rest moved that the name of Senator Saxhaug be added as a co-author to S.F. No. 2230. The motion prevailed.

Senator Metzen moved that the name of Senator Sieben be added as a co-author to S.F. No. 2240. The motion prevailed.

Senator Saltzman moved that the names of Senators Bakk, Rosen and Lynch be added as co-authors to S.F. No. 2306. The motion prevailed.

Senator Saltzman moved that the names of Senators Bakk, Rosen, Bonoff and Rest be added as co-authors to S.F. No. 2307. The motion prevailed.

Senator Rest moved that the name of Senator Stumpf be added as a co-author to S.F. No. 2309. The motion prevailed.

Senator Saltzman moved that the names of Senators Bonoff, Sheran, Michel and Sparks be added as co-authors to S.F. No. 2310. The motion prevailed.

Senator Metzen moved that the name of Senator Wiger be added as a co-author to S.F. No. 2317. The motion prevailed.

Senator Dibble moved that the name of Senator Rest be added as a co-author to S.F. No. 2318. The motion prevailed.

Senators Latz, Pogemiller and Cohen introduced –

Senate Resolution No. 144: A Senate resolution commemorating the 30th anniversary of the death of former Minnesota State Senator B. Robert Lewis from Senate District 41.

Referred to the Committee on Rules and Administration.

CONFIRMATION

Senator Moua moved that the appointment of notaries public, received February 4, 2010, be taken from the table. The motion prevailed.

Senator Moua moved that the Senate do now consent to and confirm the appointments of the notaries public. The motion prevailed. So the appointments were confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Lourey moved that S.F. No. 848 be taken from the table. The motion prevailed.

S.F. No. 848: A bill for an act relating to elections; changing certain requirements for elections; amending Minnesota Statutes 2008, sections 204B.19, subdivision 2; 204B.21, subdivisions 1, 2; 204B.45, subdivision 1; 204B.46; 205.075, subdivision 1, by adding a subdivision; 367.03, subdivision 4, by adding a subdivision.

CONCURRENCE AND REPASSAGE

Senator Lourey moved that the Senate concur in the amendments by the House to S.F. No. 848 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 848 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Jungbauer moved that S.F. No. 740 be taken from the table. The motion prevailed.

S.F. No. 740: A bill for an act relating to highways; authorizing use by the county of Anoka of a design-build process to award contract for construction of intersection of U.S. Highway 10 and

County State-Aid Highway 83.

CONCURRENCE AND REPASSAGE

Senator Jungbauer moved that the Senate concur in the amendments by the House to S.F. No. 740 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 740 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 55 and nays 6, as follows:

Those who voted in the affirmative were:

Anderson	Doll	Kelash	Moua	Saxhaug
Berglin	Erickson Ropes	Koch	Murphy	Scheid
Betzold	Fischbach	Koering	Olseen	Senjem
Bonoff	Fobbe	Kubly	Olson, M.	Sheran
Carlson	Foley	Langseth	Parry	Sieben
Chaudhary	Frederickson	Latz	Pogemiller	Skoe
Clark	Gimse	Lourey	Prettner Solon	Skogen
Cohen	Higgins	Lynch	Rest	Stumpf
Dahle	Ingebrigtsen	Marty	Rosen	Tomassoni
Dibble	Johnson	Metzen	Rummel	Vickerman
Dille	Jungbauer	Michel	Saltzman	Wiger

Those who voted in the negative were:

Gerlach	Limmer	Robling
Hann	Ortman	Vandevveer

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

MEMBERS EXCUSED

Senators Bakk; Olson, G.; Pappas; Pariseau; Sparks and Torres Ray were excused from the Session of today.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 10:30 a.m., Tuesday, February 9, 2010. The motion prevailed.

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