

## THIRD DAY

St. Paul, Minnesota, Thursday, January 13, 2011

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

**CALL OF THE SENATE**

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

Prayer was offered by the Chaplain, Rev. Sara E. Morse.

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

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

The President declared a quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

December 15, 2010

The Honorable James P. Metzen  
President of the Senate

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as

required by law:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

David P. Swenson, 800 LaSalle Ave., Suite 2800, Minneapolis, in the county of Hennepin, effective December 20, 2010, to complete a term that expires on January 2, 2012.

(Referred to the Committee on Local Government and Elections.)

December 20, 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:

PLUMBING BOARD

Rebecca Ames, 311 Pleasant Ave., #315, Saint Paul, in the county of Ramsey, effective January 1, 2011, for a term that expires on December 31, 2013.

Chad Filek, 3308 Southway Dr., Saint Cloud, in the county of Stearns, effective January 1, 2011, for a term that expires on December 31, 2013.

John Flagg, 3017 Croft Dr., Minneapolis, in the county of Hennepin, effective January 1, 2011, for a term that expires on December 31, 2013.

James Kittelson, 572 - 1st Ave., Wanamingo, in the county of Goodhue, effective January 1, 2011, for a term that expires on December 31, 2013.

Allen J. Lamm, 310 - 1st North St., New Ulm, in the county of Brown, effective January 1, 2011, for a term that expires on December 31, 2013.

Gale Mount, 245 Pine Ridge Ct. S.W., Oronoco, in the county of Olmsted, effective December 27, 2010, to complete a term that expires on December 31, 2011.

(Referred to the Committee on Jobs and Economic Growth.)

Sincerely,  
Tim Pawlenty, Governor

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

**Senate Concurrent Resolution No. 1:** A Senate concurrent resolution relating to the adoption

of temporary joint rules.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned January 10, 2011

Madam President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

**Senate Concurrent Resolution No. 2:** A Senate concurrent resolution relating to parking space in the capitol area for members of the Legislature and staff.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned January 10, 2011

Madam President:

I have the honor to announce the adoption by the House of the following Senate Concurrent Resolution, herewith returned:

**Senate Concurrent Resolution No. 4:** A Senate concurrent resolution relating to adjournment for more than three days.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned January 10, 2011

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

### **Senators Olson, Robling, Koch, Bakk and Cohen introduced—**

**S.F. No. 21:** A bill for an act relating to state government; reducing the number of members of the legislature; preventing the division of a senate district in the formation of a congressional district; amending Minnesota Statutes 2010, sections 2.021; 2.031, subdivision 1.

Referred to the Committee on State Government Innovation and Veterans.

### **Senators Rest, Marty, Higgins and Sieben introduced—**

**S.F. No. 22:** A bill for an act relating to elections; authorizing certain persons who are 17 years old to vote in a primary; amending Minnesota Statutes 2010, section 201.014, by adding a subdivision.

Referred to the Committee on Local Government and Elections.

**Senator Saxhaug introduced–**

**S.F. No. 23:** A bill for an act relating to taxation; authorizing the city of Grand Rapids to impose a local sales tax; adjusting the local government aid payment to the city.

Referred to the Committee on Taxes.

**Senator Rest introduced–**

**S.F. No. 24:** A bill for an act relating to taxation; sales and use; repealing June accelerated tax payment; amending Minnesota Statutes 2010, sections 289A.18, subdivision 4; 289A.20, subdivision 4; 297F.09, subdivisions 1, 2; 297F.25, subdivision 2; repealing Minnesota Statutes 2010, sections 289A.60, subdivision 15; 297F.09, subdivision 10; 297G.09, subdivision 9.

Referred to the Committee on Taxes.

**Senators Saxhaug and Ingebrigtsen introduced–**

**S.F. No. 25:** A bill for an act relating to state lands; creating a pilot land exchange process for tax-forfeited lands in Itasca County.

Referred to the Committee on Environment and Natural Resources.

**Senators Rest and Scheid introduced–**

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

Referred to the Committee on Commerce and Consumer Protection.

**Senator Ortman introduced–**

**S.F. No. 27:** A bill for an act relating to taxation; phasing out the corporate franchise tax; amending Minnesota Statutes 2010, sections 290.06, subdivision 1; 290.0921, subdivision 1.

Referred to the Committee on Taxes.

**Senators Rest and Scheid introduced–**

**S.F. No. 28:** A bill for an act relating to taxation; abolishing levy limits; amending Minnesota Statutes 2010, sections 275.065, subdivision 3; 275.16; 275.62, subdivision 1; 473.167, subdivision 3; 473.249, subdivision 1; 473.253, subdivision 1; repealing Minnesota Statutes 2010, sections 275.70; 275.71, subdivisions 1, 2, 4, 5, 6; 275.72; 275.73; 275.74; 275.75.

Referred to the Committee on Taxes.

**Senators Gazelka, Hall, Chamberlain, Thompson and Hoffman introduced–**

**S.F. No. 29:** A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; amending Minnesota Statutes 2010, sections

84.027, by adding a subdivision; 115.07; 116.03, by adding a subdivision; 116.07, subdivision 2; 116D.04, subdivisions 3a, 10; 116D.045, subdivisions 1, 3.

Referred to the Committee on Environment and Natural Resources.

**Senators Gazelka, Howe and Thompson introduced–**

**S.F. No. 30:** A bill for an act relating to human services; establishing an interstate payment standard for new residents eligible for MFIP benefits; amending Minnesota Statutes 2010, sections 256J.08, subdivision 55a, by adding a subdivision; 256J.12, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256J.

Referred to the Committee on Health and Human Services.

**Senators Pogemiller and Wiger introduced–**

**S.F. No. 31:** A bill for an act relating to state government; streamlining state government; abolishing the Department of Employment and Economic Development and the Department of Labor and Industry; downsizing the Department of Commerce; establishing a task force; requiring establishment of an employee participation committee before agency restructuring; requiring reports.

Referred to the Committee on State Government Innovation and Veterans.

**Senator Hann introduced–**

**S.F. No. 32:** A bill for an act relating to human services; establishing the healthy Minnesota contribution program; requiring plan to redesign service delivery for lower-income MinnesotaCare enrollees; amending Minnesota Statutes 2010, section 256L.05, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256L.

Referred to the Committee on Health and Human Services.

**Senators Hann and Nienow introduced–**

**S.F. No. 33:** A bill for an act relating to health; providing a statement of public policy declaring that every resident of Minnesota has the freedom of choice in health care; amending Minnesota Statutes 2010, section 8.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 1; repealing Minnesota Statutes 2010, sections 256B.055, subdivision 15; 256B.0756; Laws 2010, First Special Session chapter 1, article 16, sections 6; 7; 18; 46; 47.

Referred to the Committee on Health and Human Services.

**Senator Brown introduced–**

**S.F. No. 34:** A bill for an act relating to education finance; authorizing fund transfer for Independent School District No. 726, Becker.

Referred to the Committee on Education.

**Senators Rest, Higgins and Marty introduced–**

**S.F. No. 35:** A bill for an act relating to human services; establishing a home care tax credit; amending the long-term consultation team; establishing a caregiver burden scale; amending Minnesota Statutes 2010, sections 256B.0911, subdivision 3; 256B.0917, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Health and Human Services.

**Senators Kubly, Lourey, Sparks, Magnus and Dahms introduced–**

**S.F. No. 36:** A bill for an act relating to taxation; exempting grain bins, fencing materials, and cattle ear tags from sales and use tax; amending Minnesota Statutes 2010, section 297A.61, subdivision 12.

Referred to the Committee on Taxes.

**Senators Gazelka and Magnus introduced–**

**S.F. No. 37:** A bill for an act relating to taxation; property; restoring green acres and agricultural classifications to pre-2008 status; amending Minnesota Statutes 2010, sections 273.111, subdivisions 3, 11a; 273.13, subdivision 23; repealing Minnesota Statutes 2010, sections 273.1108; 273.111, subdivisions 3a, 4, 8, 9, 9a, 11; 273.114; 273.1384, subdivision 2; Laws 2008, chapter 366, article 6, section 52.

Referred to the Committee on Taxes.

**Senator Gazelka introduced–**

**S.F. No. 38:** A bill for an act relating to state memorials; updating the Workers Memorial Garden.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Kruse, Benson, Chamberlain, Jungbauer and Ingebrigtsen introduced–**

**S.F. No. 39:** A bill for an act relating to waters; eliminating Mississippi River critical area; repealing Minnesota Statutes 2010, section 116G.15.

Referred to the Committee on Environment and Natural Resources.

**Senators Olson, Bonoff, Nelson and Harrington introduced–**

**S.F. No. 40:** A bill for an act relating to education; amending teacher licensure provisions; establishing an alternative teacher preparation program and limited-term teacher license; requiring reports; amending Minnesota Statutes 2010, sections 122A.16; 122A.23, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 122A.

Referred to the Committee on Education.

**Senators Daley, Parry, Ingebrigtsen, DeKruif and Magnus introduced–**

**S.F. No. 41:** A bill for an act relating to taxation; individual income; providing a phased-in subtraction for military retirement pay; amending Minnesota Statutes 2010, sections 290.01, subdivision 19b; 290.091, subdivision 2.

Referred to the Committee on Taxes.

**Senators Ingebrigtsen, Pederson, Miller, Saxhaug and Scheid introduced–**

**S.F. No. 42:** A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; amending Minnesota Statutes 2010, sections 84.027, by adding a subdivision; 115.07; 116.03, by adding a subdivision; 116.07, subdivision 2; 116D.04, subdivisions 3a, 10; 116D.045, subdivisions 1, 3.

Referred to the Committee on Environment and Natural Resources.

**Senators Sparks, Saxhaug and Kelash introduced–**

**S.F. No. 43:** A bill for an act relating to waters; designating Cedar River for state water trail; amending Minnesota Statutes 2010, section 85.32, subdivision 1.

Referred to the Committee on Environment and Natural Resources.

**Senators Latz and Hann introduced–**

**S.F. No. 44:** A bill for an act relating to claims against the state; changing and updating certain provisions; amending Minnesota Statutes 2010, sections 3.736, subdivision 3; 3.739, subdivision 2; 3.749.

Referred to the Committee on State Government Innovation and Veterans.

**Senator Stumpf introduced–**

**S.F. No. 45:** A resolution encouraging the U.S. Border Patrol to retain its office in Minnesota and locate its new facility in Hallock, Minnesota.

Referred to the Committee on Judiciary and Public Safety.

**Senators Saxhaug and Stumpf introduced–**

**S.F. No. 46:** A bill for an act relating to finance; providing a grant for a proposed plasma-biomass plant in Lake of the Woods County; appropriating money.

Referred to the Committee on Agriculture and Rural Economies.

**MOTIONS AND RESOLUTIONS**

Senator Fischbach moved that the names of Senators Miller and Brown be added as co-authors

to S.F. No. 2. The motion prevailed.

Senator Pogemiller moved that the names of Senators Sheran and Rest be added as co-authors to S.F. No. 5. The motion prevailed.

Senator Sieben moved that the names of Senators Rosen and Sheran be added as co-authors to S.F. No. 7. The motion prevailed.

Senator Pogemiller moved that the names of Senators Sheran and Rest be added as co-authors to S.F. No. 9. The motion prevailed.

Senator Pogemiller moved that the name of Senator Rest be added as a co-author to S.F. No. 10. The motion prevailed.

Senator Langseth moved that the name of Senator Sheran be added as a co-author to S.F. No. 11. The motion prevailed.

#### **MEMBERS EXCUSED**

Senator Rest was excused from the Session of today.

#### **ADJOURNMENT**

Senator Koch moved that the Senate do now adjourn until 11:00 a.m., Tuesday, January 18, 2011. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate