

SEVENTY-FIRST DAY

St. Paul, Minnesota, Thursday, February 9, 2012

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Pastor Val Pederson.

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:

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

The President declared a quorum present.

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

REPORTS OF COMMITTEES

Senator Senjem moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Senator Ingebrigtsen from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 1632: A bill for an act relating to natural resources; appropriating money from the

outdoor heritage fund; modifying requirements for outdoor heritage fund appropriations; amending Minnesota Statutes 2010, section 97A.056, by adding subdivisions.

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

Page 1, line 19, delete "97,420,000" and insert "99,920,000"

Page 6, line 33, delete "state" and insert "paved"

Page 7, lines 3 and 6, delete "state" and insert "paved"

Page 10, line 10, delete "24,120,000" and insert "26,620,000"

Page 13, line 13, delete "\$3,000,000" and insert "\$5,500,000"

Page 13, line 15, delete "control" and insert "provide structural deterrents for"

Page 17, line 28, after the period, insert "If lands are acquired by fee with money from the outdoor heritage fund, the accomplishment plan must include a hunting and fishing management plan for the lands acquired by fee."

Page 21, line 7, after the period, insert "If lands are acquired by fee with money from the outdoor heritage fund, the real property interest report must include a verification of the status of the hunting and fishing management plan for the lands acquired by fee."

Page 22, after line 15, insert:

"Sec. 10. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision to read:

Subd. 19. **Fee title acquisition; open season.** (a) Lands acquired by fee with money appropriated from the outdoor heritage fund that are held by the state must be open to the public taking of fish and game during the open season, unless otherwise provided by state law.

(b) Lands acquired by fee with money appropriated from the outdoor heritage fund that are held by the U.S. Fish and Wildlife Service must be open to the public taking of fish and game during the open season according to the National Wildlife Refuge System Improvement Act, United States Code, title 16, section 668dd, et seq.

(c) Except as provided in paragraph (b), lands acquired by fee with money appropriated from the outdoor heritage fund that are held by a nonstate entity must be open to the public taking of fish and game during the open season, unless otherwise prescribed by the commissioner of natural resources.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2009."

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

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Daley, Pederson and Chamberlain introduced—

S.F. No. 1741: A bill for an act relating to local governments; requiring counties and certain cities to report additional budgetary information; amending Minnesota Statutes 2010, section 275.065, subdivisions 1, 3; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on Local Government and Elections.

Senator Pederson introduced—

S.F. No. 1742: A bill for an act relating to state government; modifying former legislators' health insurance coverage; changing the calculation of legislators' salary for the Minnesota State Retirement System; amending Minnesota Statutes 2010, sections 3A.01, subdivision 10; 43A.27, subdivision 4; 352D.04, subdivision 2.

Referred to the Committee on State Government Innovation and Veterans.

Senator Wolf introduced—

S.F. No. 1743: A bill for an act relating to labor; modifying the public employee fair share fee; prohibiting dues check offs; amending Minnesota Statutes 2010, sections 179A.06, subdivisions 3, 6; 179A.102, subdivisions 3, 6.

Referred to the Committee on State Government Innovation and Veterans.

Senator Wolf introduced—

S.F. No. 1744: A bill for an act relating to labor; modifying public employees' fair share fee; amending Minnesota Statutes 2010, section 179A.06, subdivision 3.

Referred to the Committee on State Government Innovation and Veterans.

Senators Marty, Goodwin, Chamberlain, Wolf and McGuire introduced—

S.F. No. 1745: A bill for an act relating to stadiums; providing for the transfer of the Metrodome to the Minnesota Vikings; abolishing the Metropolitan Sports Facilities Commission; prohibiting local government competition for sports franchises; amending Minnesota Statutes 2010, sections 3.971, subdivision 6; 13.55, subdivision 1; 352.01, subdivision 2a; 473.121, subdivision 5a; 473.164; 473.565, subdivision 1; Minnesota Statutes 2011 Supplement, section 340A.404, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 473J; repealing Minnesota Statutes 2010, sections 137.50, subdivision 5; 473.551; 473.552; 473.553, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13; 473.556, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17; 473.561; 473.564, subdivisions 2, 3; 473.572; 473.581; 473.592, subdivision 1; 473.595; 473.5955; 473.596; 473.598; 473.599; 473.5995; 473.76.

Referred to the Committee on Local Government and Elections.

Senators Marty and Torres Ray introduced—

S.F. No. 1746: A bill for an act relating to transportation; increasing transit ridership; requiring

Metropolitan Council and greater Minnesota transit systems to reduce transit fares to 25 cents; appropriating money.

Referred to the Committee on Transportation.

Senator Limmer introduced—

S.F. No. 1747: A bill for an act relating to corrections; narrowing selection criteria for challenge incarceration program; amending Minnesota Statutes 2010, section 244.17, subdivision 3.

Referred to the Committee on Judiciary and Public Safety.

Senator Rosen introduced—

S.F. No. 1748: A bill for an act relating to health occupations; creating licensure for music therapists; imposing fees and civil penalties; proposing coding for new law as Minnesota Statutes, chapter 146C.

Referred to the Committee on Health and Human Services.

Senator Benson introduced—

S.F. No. 1749: A bill for an act relating to data practices; repealing certain classifications related to electronic licensing; repealing Minnesota Statutes 2010, sections 13.7931, subdivision 6; 84.0874.

Referred to the Committee on Judiciary and Public Safety.

Senator Carlson introduced—

S.F. No. 1750: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land bordering public water.

Referred to the Committee on Environment and Natural Resources.

Senators Eaton, Rest, Dziejdzic, Sieben and Hayden introduced—

S.F. No. 1751: A bill for an act relating to workforce training; creating a FastTRAC adult career pathway program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116L.

Referred to the Committee on Jobs and Economic Growth.

Senators Chamberlain, Nienow, Brown, Kruse and Sieben introduced—

S.F. No. 1752: A bill for an act relating to education finance; increasing the equalization aid levels for the operating referendum and debt service equalization aid programs; amending Minnesota Statutes 2010, sections 123B.53, subdivision 5; 126C.01, by adding subdivisions; 126C.17, subdivision 6.

Referred to the Committee on Education.

Senators Gazelka, Vandever and Limmer introduced—

S.F. No. 1753: A bill for an act relating to elections; conforming certain voter eligibility provisions for individuals under guardianship to constitutional requirements; modifying other related procedures; amending Minnesota Statutes 2010, sections 201.014, subdivision 2; 201.071, subdivision 1; 201.15, subdivision 1; 204C.10; 524.5-120; 524.5-310; 524.5-313; 524.5-316; proposing coding for new law in Minnesota Statutes, chapter 524.

Referred to the Committee on Local Government and Elections.

Senators Parry, Gazelka and DeKruif introduced—

S.F. No. 1754: A bill for an act relating to lawful gambling; increasing the allowable per diem reimbursement from lawful gambling net profits for military marching, color guard, or honor guard units; amending Minnesota Statutes 2010, section 349.12, subdivision 25.

Referred to the Committee on State Government Innovation and Veterans.

Senators Gazelka, Parry and DeKruif introduced—

S.F. No. 1755: A bill for an act relating to state government; authorizing certain negotiations to avoid layoffs; amending Minnesota Statutes 2010, section 179A.22, by adding a subdivision.

Referred to the Committee on State Government Innovation and Veterans.

Senator McGuire introduced—

S.F. No. 1756: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; changing the state and local election voting age from 18 to 16.

Referred to the Committee on Local Government and Elections.

Senators McGuire, Sheran and Dibble introduced—

S.F. No. 1757: A bill for an act relating to public health; expanding prohibition of bisphenol-A in products for young children; amending Minnesota Statutes 2010, sections 325F.172, subdivision 3; 325F.173.

Referred to the Committee on Health and Human Services.

Senators Bakk and Tomassoni introduced—

S.F. No. 1758: A bill for an act relating to real property; expanding utility disconnection notice requirements; requiring service of notice of sale on energy service providers; providing for payment of utilities by the holder of a sheriff's certificate; amending Minnesota Statutes 2010, sections 216B.0976; 580.03; 582.031, subdivisions 2, 3.

Referred to the Committee on Energy, Utilities and Telecommunications.

Senators Latz, Harrington and Limmer introduced—

S.F. No. 1759: A bill for an act relating to corrections; eliminating a Department of Corrections report on performance measures and targets; amending Minnesota Statutes 2010, section 241.016, subdivision 1.

Referred to the Committee on Judiciary and Public Safety.

Senators Nienow and Lourey introduced—

S.F. No. 1760: A bill for an act relating to education finance; permitting alternative uses of the building lease levy for school districts that are members of St. Croix River Education District; amending Minnesota Statutes 2011 Supplement, section 126C.40, subdivision 1.

Referred to the Committee on Education.

Senator Lourey introduced—

S.F. No. 1761: A bill for an act relating to local government; authorizing the city of Sandstone and its economic development authority to sell a housing development.

Referred to the Committee on Local Government and Elections.

Senators Gimse and Ingebrigtsen introduced—

S.F. No. 1762: A bill for an act relating to capital improvements; appropriating money to the Board of Water and Soil Resources for wetland restoration; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Rest, Bakk, Harrington, Kubly and Higgins introduced—

S.F. No. 1763: A bill for an act relating to redistricting; adopting a legislative districting plan for use in 2012 and thereafter; adopting districting principles for legislative districts; amending Minnesota Statutes 2010, sections 2.031, subdivision 1; 2.91, subdivision 1; repealing Minnesota Statutes 2010, sections 2.031, subdivision 2; 2.444; 2.484.

Referred to the Committee on Rules and Administration.

Senators Rest, Bakk, Harrington, Kubly and Higgins introduced—

S.F. No. 1764: A bill for an act relating to redistricting; adopting a congressional districting plan for use in 2012 and thereafter; adopting districting principles for congressional districts; amending Minnesota Statutes 2010, sections 2.031, subdivision 1; 2.91, subdivision 1; repealing Minnesota Statutes 2010, sections 2.031, subdivision 2; 2.444; 2.484.

Referred to the Committee on Rules and Administration.

Senator Gazelka introduced—

S.F. No. 1765: A bill for an act relating to capital investment; appropriating money for the Camp Ripley education center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Eaton, Saxhaug, Sheran, Kelash and Dibble introduced—

S.F. No. 1766: A bill for an act relating to commerce; requiring reporting of children's products containing harmful chemicals; amending Minnesota Statutes 2010, section 116.9405; proposing coding for new law in Minnesota Statutes, chapter 116.

Referred to the Committee on Environment and Natural Resources.

Senators Limmer, Rest, Bonoff and Kruse introduced—

S.F. No. 1767: A bill for an act relating to highways; appropriating money for adding a lane to a portion of Interstate Highway 494; authorizing sale of trunk highway bonds.

Referred to the Committee on Transportation.

Senator Skoe introduced—

S.F. No. 1768: A bill for an act relating to taxation; establishing a new jobs now tax credit; appropriating money; making changes to corporate franchise and sales and use taxes; amending Minnesota Statutes 2010, sections 290.01, subdivision 19d; 290.17, subdivision 4; 290.21, subdivision 4; 297A.66, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

Referred to the Committee on Taxes.

Senators Skoe and Langseth introduced—

S.F. No. 1769: A bill for an act relating to natural resources; establishing state trail connection between Heartland Trail and Itasca State Park; amending Minnesota Statutes 2010, section 85.015, subdivision 12.

Referred to the Committee on Environment and Natural Resources.

Senators Dahms, Carlson, Kubly and Brown introduced—

S.F. No. 1770: A bill for an act relating to taxation; exempting certain sales of pets from sales taxes; amending Minnesota Statutes 2010, section 297A.70, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Tomassoni, Metzen, Kelash, Goodwin and Skoe introduced—

S.F. No. 1771: A bill for an act relating to job creation; amending state procurement policies;

establishing the Buy Minnesota Act; amending Minnesota Statutes 2010, sections 16C.06, by adding a subdivision; 16C.08, by adding a subdivision; 16C.26, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16C.

Referred to the Committee on State Government Innovation and Veterans.

Senator Carlson introduced—

S.F. No. 1772: A bill for an act relating to capital investment; appropriating money for Cass Lake sanitary and storm water sewer system; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Carlson and Skoe introduced—

S.F. No. 1773: A bill for an act relating to capital improvements; appropriating money to establish a veterans facility in the city of Bemidji; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Michel, Ortman, Lillie and Metzen introduced—

S.F. No. 1774: A bill for an act relating to taxation; modifying the small business investment credit; providing a credit for start-up and emerging Minnesota businesses; amending Minnesota Statutes 2010, section 116J.8737, subdivisions 5, 8; Minnesota Statutes 2011 Supplement, section 116J.8737, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 116J; 297I.

Referred to the Committee on Jobs and Economic Growth.

Senators Carlson, Saxhaug and Bakk introduced—

S.F. No. 1775: A bill for an act relating to capital investment; appropriating money for state forest land reforestation; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Pappas, Dziedzic, Higgins, Dibble and Hayden introduced—

S.F. No. 1776: A bill for an act relating to higher education; providing funding for Hennepin County Medical Center graduate family medicine education programs; appropriating money.

Referred to the Committee on Higher Education.

Senators Dibble, Marty, Latz, Harrington and McGuire introduced—

S.F. No. 1777: A bill for an act relating to courts; prohibiting exclusion from jury service on the basis of marital status or sexual orientation; amending Minnesota Statutes 2010, section 593.32, subdivision 1.

Referred to the Committee on Judiciary and Public Safety.

Senators Sieben, Cohen, Tomassoni, Eaton and Lourey introduced—

S.F. No. 1778: A bill for an act relating to economic development; appropriating money for the Minnesota investment fund.

Referred to the Committee on Jobs and Economic Growth.

Senators Kelash, Eaton, Dziedzic, Tomassoni and Sieben introduced—

S.F. No. 1779: A bill for an act relating to workforce training; creating Minnesota opportunity training grants; appropriating money.

Referred to the Committee on Higher Education.

Senators Carlson, Miller, Pederson, Dahms and Sheran introduced—

S.F. No. 1780: A bill for an act relating to higher education; clarifying the authority of the Minnesota State Colleges and Universities system to continue operations during a budget impasse; appropriating money; amending Minnesota Statutes 2010, section 136F.71, subdivision 3, by adding a subdivision.

Referred to the Committee on Higher Education.

MOTIONS AND RESOLUTIONS

Senator Limmer moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Vandever be added as chief author to S.F. No. 270. The motion prevailed.

Senator DeKruif moved that the name of Senator Brown be added as a co-author to S.F. No. 1226. The motion prevailed.

Senator DeKruif moved that the name of Senator Wiger be added as a co-author to S.F. No. 1689. The motion prevailed.

Senator Wolf moved that the name of Senator Daley be added as a co-author to S.F. No. 1690. The motion prevailed.

Senator Sheran moved that the name of Senator Nelson be added as a co-author to S.F. No. 1710. The motion prevailed.

Senator Hoffman moved that the names of Senators Ingebrigtsen, Tomassoni and Brown be added as co-authors to S.F. No. 1719. The motion prevailed.

Senator Pederson moved that the name of Senator Nelson be added as a co-author to S.F. No. 1732. The motion prevailed.

Senator Senjem moved that the appointment of Minnesota Tax Court - Judge, George W. Perez, reported in the Journal for January 24, 2012, be withdrawn from the Committee on Judiciary and

Public Safety and re-referred to the Committee on Taxes. The motion prevailed.

Senator Parry moved that S.F. No. 1140, No. 7 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

MEMBERS EXCUSED

Senators Brown, Jungbauer, Latz and Stumpf were excused from the Session of today.

ADJOURNMENT

Senator Senjem moved that the Senate do now adjourn until 12:00 noon, Monday, February 13, 2012. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate