

EIGHTY-FIRST DAY

St. Paul, Minnesota, Monday, March 5, 2012

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

CALL OF THE SENATE

Senator Limmer 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. Phil Shaw.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America, led by military service veteran, Mr. Chuck Kruger.

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

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

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.

February 8, 2012

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA HOUSING FINANCE AGENCY

Steven Johnson, 14197 Flagstone Tr., Apple Valley, in the county of Dakota, effective February 8, 2012, to complete a term expiring on January 7, 2014.

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

Sincerely,
Mark Dayton, Governor

March 1, 2012

The Honorable Kurt Zellers
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2012 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2012	Date Filed 2012
	1926	124	12:24 p.m. March 1	March 1
	1585	125	12:25 p.m. March 1	March 1

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 134.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 1, 2012

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 1213: A bill for an act relating to education; modifying adult education tracking system; amending Minnesota Statutes 2010, section 124D.52, subdivision 7.

Senate File No. 1213 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 1, 2012

CONCURRENCE AND REPASSAGE

Senator Nelson moved that the Senate concur in the amendments by the House to S.F. No. 1213 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1213 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 545, 1560, 1812, 1850 and 1903.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 1, 2012

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 545: A bill for an act relating to state government; requiring state budget documents to include federal funding contingency planning; amending Minnesota Statutes 2010, section 16A.10, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1600, now on General Orders.

H.F. No. 1560: A bill for an act relating to state government; providing for disposition of contested case hearings by the Office of Administrative Hearings; amending Minnesota Statutes 2010, section 14.57.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 993, now on General Orders.

H.F. No. 1812: A bill for an act relating to state government; permitting the Department of Administration to contract for waste hauling without determining whether state employees are able to do the work; proposing coding for new law in Minnesota Statutes, chapter 16C.

Referred to the Committee on State Government Innovation and Veterans.

H.F. No. 1850: A bill for an act relating to state government; increasing the maximum award amount in the state employee gainsharing program; amending Minnesota Statutes 2011 Supplement, section 16A.90.

Referred to the Committee on State Government Innovation and Veterans.

H.F. No. 1903: A bill for an act relating to veterans; honor guard stipends; amending Minnesota Statutes 2010, section 197.231.

Referred to the Committee on State Government Innovation and Veterans.

REPORTS OF COMMITTEES

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

Senator Vandever from the Committee on Local Government and Elections, to which was re-referred

S.F. No. 270: A bill for an act relating to local government; providing for interim planning ordinances; providing for municipal development contracts; amending Minnesota Statutes 2010, sections 394.34; 462.355, subdivision 4; 462.358, subdivision 2a.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 394.25, subdivision 7, is amended to read:

Subd. 7. **Specific controls; other subjects.** (a) Specific controls pertaining to other subjects incorporated in the comprehensive plan or establishing standards and procedures to be employed in land development including, but not limited to, subdividing of land and the approval of land plats and the preservation and dedication of streets and land for other public purposes and the general design of physical improvement.

(b) A county must approve a preliminary plat that meets the applicable standards and criteria contained in the county's zoning and subdivision regulations unless the county adopts written findings based on a record from the public proceedings why the application shall not be approved.

(c) The controls may require that a portion of any proposed subdivision be dedicated to the public or preserved for public use as parks, recreational facilities, playgrounds, trails, wetlands, or open space. The requirement must be imposed by ordinance.

(d) If a county adopts the ordinance required by paragraph (c), the county must adopt a capital improvement program and adopt a parks and open space plan or have a parks, trails, and open space component in its comprehensive plan subject to the terms and conditions in this paragraph and in paragraphs (e) through (p).

(e) The county may choose to accept a per lot cash fee as set by ordinance from the applicant for some or all of the new lots created in the subdivision.

(f) In establishing the portion to be dedicated or preserved or the per lot cash fee, the controls must consider the open space, park, recreational, or common areas and facilities that the applicant proposes to reserve for the subdivision.

(g) The county must reasonably determine that it will need to acquire that portion of land for the purposes stated in this subdivision as a result of approval of the subdivision.

(h) The fees or dedication must be fair, reasonable, and proportionate to the need created.

(i) Any cash payments received must be placed by the county in a special fund to be used only for the purposes for which the money was obtained.

(j) Any cash payments received must be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands, or open space. Cash payments must not be used for ongoing operation, maintenance, or redevelopment of parks, recreational facilities, playgrounds, trails, wetlands, or open space.

(k) The county must not deny the approval of a subdivision based on an inadequate supply of parks, open spaces, trails, or recreational areas within the county.

(l) The county must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee or dedication.

(m) The county must use at least 75 percent of the funds collected under this subdivision according to the plan required in paragraph (d) in the township or city where the collection of funds occurs. However, the township board or city council may agree to allow the county to use these funds outside of the township or city in a manner consistent with the county parks, trails, and open space capital improvement plan or the county parks and open space component

in its comprehensive plan. The remainder of the funds may be used by the county only for parks and trails connectivity and accessibility purposes. The county must annually report to cities and townships on where funds were collected and where funds were expended in the past year.

(n) Previously subdivided property from which a park dedication has been received, being resubdivided with the same number of lots, is exempt from park dedication requirements. If, as a result of resubdividing the property, the number of lots is increased, then the park dedication or per lot cash fee must apply only to the net increase of lots.

(o) A county must not require a dedication of a portion of a proposed subdivision or a payment in lieu of dedication in a town or city that has adopted a requirement to dedicate or a payment in place of dedication as a provision of the town or city's subdivision regulations under section 462.358, ~~subdivision~~ subdivisions 2b and 2d, or chapter 366.

(p) A county may negotiate an agreement with a town or city to share the revenue generated by dedicating a portion of a proposed subdivision or a payment in place of dedication.

Sec. 2. Minnesota Statutes 2010, section 394.34, is amended to read:

394.34 INTERIM ZONING.

(a) If a county is conducting or in good faith intends to conduct studies within a reasonable time, or has held or is holding a hearing for the purpose of considering a comprehensive plan or official controls or an amendment, extension, or addition to either, or in the event new territory for which no zoning may have been adopted, may be annexed to a municipality, the board, in order to protect the public health, safety, and general welfare, may adopt as an emergency measure, after public notice and hearing, a temporary interim zoning map or temporary interim zoning ordinance. The purpose of which shall be the ordinance or map is to classify and regulate uses and related matters as constitutes the emergency. Such The interim resolution shall be ordinance or map is limited to one year from the date it becomes effective and to one year to renewal thereafter.

(b) Before adopting an interim zoning ordinance or map, the county board must hold a public hearing. Notice of the public hearing must be published in the county's official newspaper at least ten days before the hearing.

(c) An interim ordinance or map must not halt, delay, or impede consideration of a use, development, or subdivision for which a complete application under section 15.99 is pending before the county as of the date that notice of the public hearing is published pursuant to paragraph (b). This paragraph does not apply to: (1) adult-use businesses or sexually oriented businesses, as defined by ordinance; (2) proposed uses deemed by the governing body to constitute a nuisance as defined by section 561.01; or (3) an application for which the governing body adopts an interim ordinance within 60 days following receipt of an application deemed complete.

Sec. 3. Minnesota Statutes 2010, section 462.355, subdivision 4, is amended to read:

Subd. 4. **Interim ordinance.** (a) If a municipality is conducting studies or has authorized a study to be conducted or has held or has scheduled a hearing for the purpose of considering adoption or amendment of a comprehensive plan or official controls as defined in section 462.352, subdivision 15, or if new territory for which plans or controls have not been adopted is annexed to a municipality, the governing body of the municipality may adopt an interim ordinance applicable to all or part of its jurisdiction for the purpose of protecting the planning process and the health, safety and welfare

of its citizens. The interim ordinance may regulate, restrict, or prohibit any use, development, or subdivision within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective except as otherwise provided by this subdivision.

(b) An interim ordinance must not halt, delay, or impede consideration of a use, development, or subdivision for which a complete application under section 15.99 is pending before the municipality as of the date that notice of the public hearing is published pursuant to paragraph (c). This paragraph does not apply to: (1) adult-use businesses or sexually oriented businesses, as defined by ordinance; (2) proposed uses deemed by the governing body to constitute a nuisance as defined by section 561.01; or (3) an application for which the governing body adopts an interim ordinance within 60 days following receipt of an application deemed complete.

~~(b) If a proposed interim ordinance purports to regulate, restrict, or prohibit activities relating to livestock production~~ (c) For purposes of notice and public hearing required by this section, a public hearing must be held following a ten-day notice given by publication in a newspaper of general circulation in the municipality before the interim ordinance takes effect.

~~(e)~~ (d) The period of an interim ordinance applicable to an area that is affected by a city's master plan for a municipal airport may be extended for such additional periods as the municipality may deem appropriate, not exceeding a total additional period of 18 months. In all other cases, no interim ordinance may halt, delay, or impede a subdivision that has been given preliminary approval, nor may any interim ordinance extend the time deadline for agency action set forth in section 15.99 with respect to any application filed prior to the effective date of the interim ordinance. The governing body of the municipality may extend the interim ordinance after a public hearing and written findings have been adopted based upon one or more of the conditions in clause (1), (2), or (3). The public hearing must be held at least 15 days but not more than 30 days before the expiration of the interim ordinance, and notice of the hearing must be published at least ten days before the hearing. The interim ordinance may be extended for the following conditions and durations, but, except as provided in clause (3), an interim ordinance may not be extended more than an additional 18 months:

(1) up to an additional 120 days following the receipt of the final approval or review by a federal, state, or metropolitan agency when the approval is required by law and the review or approval has not been completed and received by the municipality at least 30 days before the expiration of the interim ordinance;

(2) up to an additional 120 days following the completion of any other process required by a state statute, federal law, or court order, when the process is not completed at least 30 days before the expiration of the interim ordinance; or

(3) up to an additional one year if the municipality has not adopted a comprehensive plan under this section at the time the interim ordinance is enacted.

Sec. 4. Minnesota Statutes 2010, section 462.358, subdivision 2a, is amended to read:

Subd. 2a. **Terms of regulations.** (a) The standards and requirements in the regulations may address without limitation: the size, location, grading, and improvement of lots, structures, public areas, streets, roads, trails, walkways, curbs and gutters, water supply, storm drainage, lighting, sewers, electricity, gas, and other utilities; the planning and design of sites; access to solar energy; and the protection and conservation of flood plains, shore lands, soils, water, vegetation, energy,

air quality, and geologic and ecologic features. The regulations shall require that subdivisions be consistent with the municipality's official map if one exists and its zoning ordinance, and may require consistency with other official controls and the comprehensive plan. The regulations may prohibit certain classes or kinds of subdivisions in areas where prohibition is consistent with the comprehensive plan and the purposes of this section, particularly the preservation of agricultural lands. The regulations may prohibit, restrict or control development for the purpose of protecting and assuring access to direct sunlight for solar energy systems. The regulations may prohibit the issuance of permits or approvals for any tracts, lots, or parcels for which required subdivision approval has not been obtained.

(b) The regulations may permit the municipality to condition its approval on the construction and installation of sewers, streets, electric, gas, drainage, and water facilities, and similar utilities and improvements or, in lieu thereof, on the receipt by the municipality of a cash deposit, certified check, irrevocable letter of credit, bond, or other financial security in an amount and with surety and conditions sufficient to assure the municipality that the utilities and improvements will be constructed or installed according to the specifications of the municipality. Sections 471.345 and 574.26 do not apply to improvements made by a subdivider or a subdivider's contractor.

(c) A municipality may require that an applicant establish an escrow account or other financial security for the purpose of reimbursing the municipality for direct costs relating to professional services provided during the review, approval and inspection of the project. A municipality may only charge the applicant a rate equal to the value of the service to the municipality. Services provided by municipal staff or contract professionals must be billed at an established rate.

(d) When the applicant vouches, by certified letter to the municipality, that the conditions required by the municipality for approval under this subdivision have been satisfied, the municipality has 30 days to release and return to the applicant any and all financial securities tied to the requirements. If the municipality fails to release and return the letters of credit within the 30-day period, any interest accrued will be paid to the applicant. If the municipality determines that the conditions required for approval under this subdivision have not been satisfied, the municipality must send written notice within seven business days upon receipt of the certified letter indicating to the applicant which specific conditions have not been met. The municipality shall require a maintenance or performance bond from any subcontractor that has not yet completed all remaining requirements of the municipality.

(e) The regulations may permit the municipality to condition its approval on compliance with other requirements reasonably related to the provisions of the regulations and to execute development contracts embodying the terms and conditions of approval. The municipality may not require land dedications or fees in the development contract that are not authorized by statute or mutually agreed upon by all parties to the development contract. In addition, the amount of financial security for work authorized under the development contract must have a rough proportionality to the work to be completed by either the municipality or the applicant. Unless otherwise agreed, at least three days before approval, the municipality must provide a copy of the complete development contract, including all exhibits, to the applicant. The municipality may enforce such agreements and conditions by appropriate legal and equitable remedies.

Sec. 5. Minnesota Statutes 2010, section 462.358, subdivision 2c, is amended to read:

Subd. 2c. **Nexus.** (a) There must be an essential nexus between ~~the~~ any fees or dedication

~~imposed~~ authorized under ~~subdivision 2b~~ this section and the municipal purpose sought to be achieved by the fee or dedication. The fee or dedication must bear a rough proportionality to the need created by the proposed subdivision or development.

(b) If a municipality is given written notice of a dispute over a proposed fee ~~in lieu of dedication~~ before the municipality's final decision on an application, a municipality must not condition the approval of any proposed subdivision or development on an agreement to waive the right to challenge the validity of a fee ~~in lieu of dedication~~.

(c) An application may proceed as if the fee had been paid, pending a decision on the appeal of a dispute over a proposed fee ~~in lieu of dedication~~, if (1) the person aggrieved by the fee puts the municipality on written notice of a dispute over a proposed fee ~~in lieu of dedication~~, (2) prior to the municipality's final decision on the application, the fee ~~in lieu of dedication~~ is deposited in escrow, and (3) the person aggrieved by the fee appeals under section 462.361, within 60 days of the approval of the application. If such an appeal is not filed by the deadline, or if the person aggrieved by the fee does not prevail on the appeal, then the funds paid into escrow must be transferred to the municipality.

Sec. 6. Minnesota Statutes 2010, section 462.358, is amended by adding a subdivision to read:

Subd. 2d. **Dedication.** The regulations may require that a reasonable portion of the buildable land, as defined by municipal ordinance, of any proposed subdivision be dedicated to the public or preserved for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and hold areas or ponds, and similar utilities and improvements. The requirement must be imposed by ordinance or under the procedures established in section 462.353, subdivision 4a.

Sec. 7. **EFFECTIVE DATE.**

Sections 1 to 6 are effective for ordinances adopted on or after August 1, 2012, and shall not affect interim ordinances adopted before that date."

Amend the title numbers accordingly

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

Senator Vandever from the Committee on Local Government and Elections, to which was referred

S.F. No. 1625: A bill for an act relating to St. Louis County; authorizing the private sale of certain real and personal property.

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

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

S.F. No. 864: A bill for an act relating to public employees; authorizing employees of local units of government to participate in group long-term care insurance program; amending Minnesota Statutes 2010, section 43A.318, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the

Committee on Local Government and Elections. Report adopted.

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

S.F. No. 1698: A bill for an act relating to transportation; governing rulemaking and permits; amending rulemaking authority for state aid program; amending allocation of funds from certain over-dimension motor vehicle permits; requiring a legislative report on water permitting process for transportation projects; making clarifying and technical changes; amending Minnesota Statutes 2010, sections 162.02, subdivisions 2, 3; 162.09, subdivisions 2, 3; 162.155; 169.86, by adding a subdivision; 169.865, subdivision 4; Minnesota Statutes 2011 Supplement, section 169.86, subdivision 5.

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

Senator Robling from the Committee on Finance, to which was re-referred

S.F. No. 1577: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; requiring voters to present photographic identification; providing photographic identification to voters at no charge; requiring substantially equivalent verification standards for all voters.

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

Senator Senjem from the Committee on Rules and Administration, to which was referred under Rule 21, together with the committee report thereon,

S.F. No. 1689: A bill for an act relating to veterans affairs; providing a waiver of immunity for veterans to sue the state of Minnesota as an employer in federal or other courts for violation of the Uniformed Services Employment and Reemployment Rights Act; giving special emphasis to recruitment of veterans for state employment; extending reemployment rights protections to certain nonpublic employees; increasing credits for veterans in open examination ratings for public employment; amending Minnesota Statutes 2010, sections 1.05, by adding a subdivision; 43A.09; 192.261, subdivision 6; 197.455, subdivisions 4, 5.

Reports the same back with the recommendation that the report from the Committee on Jobs and Economic Growth, shown in the Journal for February 15, 2012, be amended to read:

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

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

S.F. No. 2060: A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, and omitted text and obsolete references; removing redundant, conflicting, and superseded provisions; making miscellaneous corrections to laws, statutes, and rules; amending

Minnesota Statutes 2010, sections 5.25, subdivision 1; 12A.04; 12A.08, subdivision 1; 12A.09, subdivision 2; 12A.10, subdivision 1; 12A.12, subdivision 1; 13.383, subdivision 10; 13.6401, subdivision 2; 13.716, subdivision 1; 13.7191, by adding subdivisions; 13.805, subdivision 1; 60A.0811, subdivision 1; 62L.05, subdivision 13; 67A.40, subdivision 1; 82B.195, subdivision 1; 124D.09, subdivision 16; 129D.01; 144.291, subdivision 2; 144A.01, subdivision 4; 145.883, subdivision 1; 145A.12, subdivision 7; 145A.131, subdivision 3; 148D.061; 148D.062, subdivision 4; 148D.063, subdivision 2; 148E.100, subdivision 2a; 148E.105, subdivision 2a; 148E.106, subdivision 2a; 148E.110, subdivision 1a; 148E.115, subdivision 1a; 148E.130, subdivision 1a; 171.306, subdivision 7; 204B.04, subdivision 3; 204B.07, subdivision 1; 204B.11, subdivision 2; 204B.13, subdivision 6; 205.02, subdivision 2; 205A.06, subdivision 1; 214.01, subdivision 2; 216B.1694, subdivision 2; 245.4835, subdivision 1; 256B.0625, subdivision 19c; 256B.0755, subdivision 1; 256B.094, subdivision 6; 256B.69, subdivision 20; 256B.75; 256J.49, subdivision 4; 256L.12, subdivision 6; 270B.14, subdivision 11; 273.1392; 282.08; 297I.06, subdivision 2; 298.018; 299L.03, subdivision 1; 349.15, subdivision 2; 349.151, subdivisions 2, 4a; 349.166, subdivision 1; 352.01, subdivision 11; 352D.05, subdivision 3; 353.46, subdivision 6; 390.32, subdivision 9; 609.131, subdivision 2; Minnesota Statutes 2011 Supplement, sections 12A.05, subdivision 1; 12A.06, subdivision 1; 12A.07, subdivision 1; 60A.206, subdivision 3; 122A.41, subdivision 5; 123B.75, subdivision 5; 124D.10, subdivision 15; 127A.441; 176.307; 256B.021, subdivision 4; 268.035, subdivision 29; 270C.991, subdivision 4; 297A.668, subdivision 7; 297A.70, subdivision 3; 297A.75, subdivision 1; 349.15, subdivision 1; 353.6511, subdivisions 2, 7; 353.667, subdivision 8; 353.668, subdivision 8; 402A.35, subdivision 4; 515B.1-102; 515B.3-105; 515B.3-1151; Laws 2011, First Special Session chapter 8, article 7, section 19; repealing Minnesota Statutes 2010, sections 62Q.10; 148C.04, subdivision 3; 326B.82, subdivision 1; Laws 2011, chapter 22, article 1, section 1; Laws 2011, First Special Session chapter 9, article 6, section 87; Minnesota Rules, part 4604.0600, subpart 2.

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

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

S.F. No. 1895: A bill for an act relating to assumed names; providing for an exception from filing requirements; amending Minnesota Statutes 2010, section 333.01, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 333.01, is amended by adding a subdivision to read:

Subd. 3. **Exception; name omits only legal entity designation.** Subdivision 1 does not apply to a person who carries on, conducts, or transacts a commercial business under a name that is identical to the true name except for the designation required under section 302A.115, subdivision 1, paragraph (b) (business corporations); 319B.05, subdivision 2 (professional firms); 321.0108, paragraph (b) or (c) (limited partnerships); 322B.12, subdivision 1, clause (2) (limited liability companies); 323A.1002 (limited liability partnerships); or similar law of this or another state, provided that the designation otherwise appears at the end of the true name on file in the Office of the Secretary of State."

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

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

S.F. No. 1283: A bill for an act relating to the State Capitol; creating an advisory committee on Capitol Area Security; authorizing the State Patrol to provide security and protection to certain government officials; amending Minnesota Statutes 2010, section 299D.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299E.

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

Page 3, delete subdivision 1 and insert:

"Subdivision 1. **Membership and terms.** The advisory committee on Capitol Area Security shall consist of six members, appointed as follows:

(1) the lieutenant governor;

(2) two senators, including one member from the majority party and one member from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate;

(3) two members of the house of representatives, including one member appointed by the speaker of the house and one member appointed by the minority leader; and

(4) the chief justice of the Minnesota Supreme Court or the designee of the chief justice.

A member may be removed by the appointing authority at any time at the pleasure of the appointing authority."

Page 3, line 22, after the period, insert "In performing its duties under this section, the committee shall consult with the commissioners of administration and public safety, the Capitol Area Architectural and Planning Board, and the sergeants-at-arms of the senate and house of representatives."

Page 4, delete lines 16 to 19

Page 4, line 28, delete "2011" and insert "2012"

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

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

S.F. No. 1664: A bill for an act relating to eminent domain; authorizing inverse condemnation by a mixed municipal solid waste services business when a governmental entity occupies the market; proposing coding for new law in Minnesota Statutes, chapter 117.

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

Page 1, line 7, after "WASTE" insert "COLLECTION"

Page 1, lines 8 and 21, after "person" insert ", or a corporation or association in which the person is a shareholder or member,"

Page 1, lines 11, 13, 16, 19, and 23, before "services" insert "collection"

Page 2, line 1, after "person" insert ", or a corporation or association in which the person is a shareholder or member,"

Page 2, line 2, after the period, insert "A person, or a corporation or association in which the person is a shareholder or member, may not maintain an action under subdivision 1 if the political subdivision does not renew or terminates the contract for collection services."

Page 2, after line 2, insert:

"Subd. 3. **Statute of limitations.** An action brought under subdivision 1 must be commenced within six months of the day the political subdivision begins providing mixed municipal solid waste collection services that are alleged to be a taking."

Amend the title as follows:

Page 1, line 3, before "services" insert "collection"

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

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

H.F. No. 2046 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2046	1958				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2246 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
		2246	1825		

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2246 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2246, the first engrossment; and insert the language after the enacting clause of S.F. No. 1825; further, delete the title of H.F. No. 2246, the first engrossment; and insert the title of S.F. No. 1825.

And when so amended H.F. No. 2246 will be identical to S.F. No. 1825, and further recommends that H.F. No. 2246 be given its second reading and substituted for S.F. No. 1825, and that the Senate File be indefinitely postponed.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 270, 1625, 2060 and 1895 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2046 and 2246 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Carlson, Gazelka, Hall, Miller and Kruse introduced—

S.F. No. 2206: A resolution memorializing the President of the United States and Congress to take actions to protect Minnesota's lakes, rivers, and streams from threats due to invasive Asian carp.

Referred to the Committee on Environment and Natural Resources.

Senators Limmer, Brown, Jungbauer and Koch introduced—

S.F. No. 2207: A bill for an act relating to education finance; adjusting equity revenue for Independent School District No. 728, Elk River, by the metro equity region factor for students residing in the region.

Referred to the Committee on Education.

Senators Hann and Higgins introduced—

S.F. No. 2208: A bill for an act relating to health; changing a requirement for electronic claims and electronic transactions; amending Minnesota Statutes 2010, section 62J.536, subdivision 1.

Referred to the Committee on Health and Human Services.

Senator Higgins introduced—

S.F. No. 2209: A bill for an act relating to public safety; extending statute of limitations for financial exploitation of a vulnerable adult; amending Minnesota Statutes 2010, section 628.26.

Referred to the Committee on Judiciary and Public Safety.

Senator Senjem introduced—

S.F. No. 2210: A bill for an act relating to arts and cultural heritage; appropriating money for a veterans and emergency services museum in the city of Rochester.

Referred to the Committee on Environment and Natural Resources.

Senators Senjem and Nelson introduced—

S.F. No. 2211: A bill for an act relating to the city of Rochester; increasing its lodging tax authority and repealing authority for a food and beverage tax; amending Laws 2002, chapter 377, article 3, section 25, as amended; repealing Laws 2009, chapter 88, article 4, section 23, as amended.

Referred to the Committee on Taxes.

Senators Rosen and Sheran introduced—

S.F. No. 2212: A bill for an act relating to health; modifying nursing facility moratorium exceptions; amending Minnesota Statutes 2010, section 144A.073, by adding a subdivision; repealing Minnesota Statutes 2010, section 144A.073, subdivision 9.

Referred to the Committee on Health and Human Services.

Senators Nelson, Wolf, Olson and Bonoff introduced—

S.F. No. 2213: A bill for an act relating to education; modifying certain principal evaluation provisions; amending Minnesota Statutes 2011 Supplement, section 123B.147, subdivision 3.

Referred to the Committee on Education.

Senators Tomassoni, Dibble, Eaton, Higgins and Skoe introduced—

S.F. No. 2214: A bill for an act relating to health; requiring annual reports on nursing personnel staffing in medical clinics; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Senators Rosen, Dibble, Olson and Cohen introduced—

S.F. No. 2215: A bill for an act relating to capital improvements; appropriating money to preserve and renovate a facility that provides educational and cultural experiences to students,

tourists, and Minnesota residents in the city of Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Magnus, Dibble, Howe and Metzen introduced—

S.F. No. 2216: A bill for an act relating to energy; requiring an assessment and grant for the purpose of community energy technical assistance and outreach.

Referred to the Committee on Energy, Utilities and Telecommunications.

Senator Howe introduced—

S.F. No. 2217: A bill for an act relating to capital investment; appropriating money for the Goodhue Pioneer Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Harrington and Torres Ray introduced—

S.F. No. 2218: A bill for an act relating to education finance; phasing out the special education tuition bill-back procedure; making the serving school responsible for all special education costs; amending Minnesota Statutes 2010, section 127A.47, subdivision 7.

Referred to the Committee on Education.

Senator Brown introduced—

S.F. No. 2219: A bill for an act relating to capital investment; appropriating money for the Malone Island Bridge in the city of Isle; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Harrington, Hall and Ingebrigtsen introduced—

S.F. No. 2220: A bill for an act relating to public safety; adding the term drug and modifying the term hazardous substance for driving while impaired crimes; amending Minnesota Statutes 2010, sections 169A.03, by adding a subdivision; 169A.20, subdivisions 1, 1a, 1b, 1c; repealing Minnesota Statutes 2010, section 169A.03, subdivision 9.

Referred to the Committee on Judiciary and Public Safety.

Senator Wolf introduced—

S.F. No. 2221: A bill for an act relating to public safety; modifying provisions relating to child passenger restraint systems to qualify for federal money; authorizing commissioner of public safety to accept federal money; amending Minnesota Statutes 2010, sections 169.685, subdivision 6; 299A.01, subdivision 2, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Wolf and Kruse introduced—

S.F. No. 2222: A bill for an act relating to transportation; regulating county state-aid highway funds; amending Minnesota Statutes 2010, section 162.06, subdivision 6.

Referred to the Committee on Transportation.

Senator Ortman introduced—

S.F. No. 2223: A bill for an act relating to economic development; modifying the greater Minnesota business development public infrastructure grant program; amending Minnesota Statutes 2010, section 116J.431, subdivision 1a.

Referred to the Committee on Jobs and Economic Growth.

Senators Pederson, Daley, Kelash and Tomassoni introduced—

S.F. No. 2224: A bill for an act relating to unemployment insurance; making federal conformity, policy, and other housekeeping changes; amending Minnesota Statutes 2010, sections 268.035, subdivision 12d; 268.042, subdivision 1; 268.044, subdivision 1; 268.046, subdivision 3; 268.047, subdivision 4; 268.051, subdivision 4; 268.085, subdivisions 5, 11, 15; 268.095, subdivision 6; 268.103, subdivision 1; 268.18, subdivisions 2, 2b, 4, 4a; 268.192, by adding a subdivision; 268.194, subdivision 1; Minnesota Statutes 2011 Supplement, sections 268.035, subdivision 20; 268.051, subdivision 5; 268.115, subdivision 1; 268.184, subdivisions 1, 1a.

Referred to the Committee on Jobs and Economic Growth.

Senator Dzedzic introduced—

S.F. No. 2225: A bill for an act relating to capital investment; appropriating money for Father Hennepin Bluffs Park in Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Parry, Nienow and Vandever introduced—

S.F. No. 2226: A bill for an act relating to public safety; specifying that driving while impaired constitutes a breach of the peace for purposes of the Constitution; proposing coding for new law in Minnesota Statutes, chapter 169A.

Referred to the Committee on Judiciary and Public Safety.

Senator Lillie introduced—

S.F. No. 2227: A bill for an act relating to state government; changing the mandatory retirement age for administrative law judges and compensation judges; amending Minnesota Statutes 2010, section 14.48, subdivision 4.

Referred to the Committee on State Government Innovation and Veterans.

Senator Wiger introduced—

S.F. No. 2228: A bill for an act relating to education; providing for policy for prekindergarten through grade 12 education, including general education, education excellence, and special programs; amending Minnesota Statutes 2010, sections 120A.20, subdivision 2; 120A.22, subdivisions 4, 11; 122A.415, subdivision 3, by adding subdivisions; 122A.416; 123B.36, subdivision 1; 123B.92, subdivision 3; 124D.08, by adding a subdivision; 124D.09, subdivision 22; 125A.14; 125A.19; 125A.515, subdivision 1; 126C.13, subdivision 4; 127A.47, subdivision 1; Minnesota Statutes 2011 Supplement, sections 120A.24, subdivisions 1, 2; 120B.30, subdivision 1; 124D.10, subdivisions 1, 4, 6, 13, 14, 25; 126C.10, subdivision 1; Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision 16; repealing Minnesota Statutes 2010, sections 125A.16; 125A.80; 126C.10, subdivisions 34, 35, 36; 127A.47, subdivision 2.

Referred to the Committee on Education.

Senators Vandever, Rest, DeKruif, Ortman and Tomassoni introduced—

S.F. No. 2229: A bill for an act relating to commerce; regulating building and construction contracts; prohibiting certain agreements to insure; amending Minnesota Statutes 2010, section 337.05, subdivision 1.

Referred to the Committee on Commerce and Consumer Protection.

Senators Hall, Senjem, Lillie, Metzen and Gerlach introduced—

S.F. No. 2230: A bill for an act relating to traffic regulations; establishing speed limit on marked Interstate Highway 35E in St. Paul at 50 miles per hour; amending Minnesota Statutes 2010, section 169.14, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Vandever, Wolf, Chamberlain, Kruse and Gimse introduced—

S.F. No. 2231: A bill for an act relating to metropolitan government; requiring proportional distribution by Metropolitan Council of any transit reductions; amending Minnesota Statutes 2010, section 473.375, by adding a subdivision.

Referred to the Committee on Local Government and Elections.

Senators Sieben, Marty, Latz, McGuire and Parry introduced—

S.F. No. 2232: A bill for an act relating to commerce; requiring use of an aversive agent in antifreeze; proposing coding for new law in Minnesota Statutes, chapter 325F.

Referred to the Committee on Commerce and Consumer Protection.

Senators Howe, Dahms, Stumpf, Ingebrigtsen and Skoe introduced—

S.F. No. 2233: A bill for an act relating to civil liability; creating immunity for agritourism activities; proposing coding for new law in Minnesota Statutes, chapter 604A.

Referred to the Committee on Judiciary and Public Safety.

Senator Nienow introduced—

S.F. No. 2234: A bill for an act relating to human services; amending continuing care policy provisions; making changes to disability services and licensing provisions; establishing home and community-based services standards; establishing payment methodologies; requiring a report; amending Minnesota Statutes 2010, sections 245A.03, subdivision 2; 245A.041, by adding subdivisions; 245A.085; 245B.02, subdivision 10, by adding a subdivision; 245B.04, subdivisions 1, 2, 3; 245B.05, subdivision 1; 245B.06, subdivision 2; 245B.07, subdivisions 5, 9, 10, by adding a subdivision; 252.40; 252.41, subdivision 3; 252.42; 252.43; 252.44; 252.45; 252.451, subdivisions 2, 5; 252.46, subdivision 1a; 256B.0916, subdivision 2; 256B.49, subdivision 17; 256B.4912; 256B.501, subdivision 4b; 256B.5013, subdivision 1; Minnesota Statutes 2011 Supplement, section 256B.49, subdivision 16a; proposing coding for new law in Minnesota Statutes, chapters 245A; 256B; proposing coding for new law as Minnesota Statutes, chapter 245D; repealing Minnesota Statutes 2010, sections 252.46, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21; 256B.501, subdivision 8.

Referred to the Committee on Health and Human Services.

Senators Nienow and Hann introduced—

S.F. No. 2235: A bill for an act relating to health; establishing the Minnesota Health Care Purchasing Authority; consolidating state health care purchasing through the authority; proposing coding for new law in Minnesota Statutes, chapter 16A.

Referred to the Committee on Health and Human Services.

Senator Nienow introduced—

S.F. No. 2236: A bill for an act relating to education finance; creating a new source of state aid for school districts with below average revenue; amending Minnesota Statutes 2010, section 126C.13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 126C.

Referred to the Committee on Education.

Senator Nienow introduced—

S.F. No. 2237: A bill for an act relating to taxation; phasing out the combined receipts tax; amending Minnesota Statutes 2010, section 297E.02, subdivision 6.

Referred to the Committee on Taxes.

Senator Nienow introduced—

S.F. No. 2238: A bill for an act relating to health; requiring disclosure of certain hospital utility policies; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Senator Nienow introduced—

S.F. No. 2239: A bill for an act relating to education; creating a vision therapy pilot project; appropriating money.

Referred to the Committee on Education.

Senators Nienow, Hoffman, Benson, Hann and Hall introduced—

S.F. No. 2240: A bill for an act relating to health; prohibiting health maintenance organizations and other entities from offering products that would be legal only if granted federal waivers from certain federal laws; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Human Services.

Senators Nienow, Hall and Hoffman introduced—

S.F. No. 2241: A bill for an act relating to health; establishing state licensure for abortion facilities; providing penalties; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

Senators Nienow, Hall, Hoffman and Gazelka introduced—

S.F. No. 2242: A bill for an act relating to health; prohibiting abortions when fetal heartbeat is detected; amending Minnesota Statutes 2010, section 147.091, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 145.

Referred to the Committee on Health and Human Services.

Senator Pederson introduced—

S.F. No. 2243: A bill for an act relating to transportation; contracts; establishing a public-private partnership pilot program and related regulations.

Referred to the Committee on Transportation.

Senators Hann, Thompson, McGuire and Hall introduced—

S.F. No. 2244: A bill for an act relating to family law; requiring mediation to develop parenting plans; requiring training; amending Minnesota Statutes 2010, section 480.30, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 518.

Referred to the Committee on Judiciary and Public Safety.

Senators Bakk and Saxhaug introduced—

S.F. No. 2245: 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 Ortman introduced—

S.F. No. 2246: A bill for an act relating to taxation; making technical, minor, and clarifying changes in enterprise zone and economic development powers; eliminating obsolete provisions; amending Minnesota Statutes 2010, sections 16C.16, subdivision 7; 41A.036, subdivision 2; 117.025, subdivision 10; 270B.14, subdivision 3; 272.02, subdivision 77; 273.13, subdivision 24; 273.1398, subdivision 4; 276A.01, subdivision 3; 290.01, subdivision 29; 290.067, subdivision 1; 290.0921, subdivision 3; 469.015, subdivision 4; 469.033, subdivision 7; 469.166, subdivisions 3, 5, 6; 469.167, subdivision 2; 469.171, subdivisions 1, 4, 6a, 7, 9, 11; 469.172; 469.173, subdivisions 5, 6; 469.174, subdivisions 20, 25; 469.176, subdivision 7; 469.1763, subdivision 6; 469.1764, subdivision 1; 469.177, subdivision 1; 469.1793; 469.1813, subdivision 6b; 473F.02, subdivision 3; Minnesota Statutes 2011 Supplement, sections 290.01, subdivision 19b; 290.06, subdivision 2c; 290.0671, subdivision 1; 290.091, subdivision 2; 290.0922, subdivisions 2, 3; 297A.75, subdivision 1; repealing Minnesota Statutes 2010, sections 272.02, subdivision 83; 290.06, subdivisions 24, 32; 297A.68, subdivision 41; 469.042, subdivisions 2, 3, 4; 469.043; 469.059, subdivision 13; 469.129; 469.134; 469.162, subdivision 2; 469.1651; 469.166, subdivisions 7, 8, 9, 10, 11, 12; 469.167, subdivisions 1, 3; 469.168; 469.169, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13; 469.170, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 5c, 5d, 5e, 6, 7, 8; 469.171, subdivisions 2, 5, 6b; 469.173, subdivisions 1, 3; 469.1765; 469.1791; 469.1799, subdivision 2; 469.301, subdivisions 1, 2, 3, 4, 5; 469.302; 469.303; 469.304; 469.321; 469.3215; 469.322; 469.323; 469.324; 469.325; 469.326; 469.327; 469.328; 469.329; 473.680.

Referred to the Committee on Taxes.

Senators Reinert, Carlson, Pederson, Gazelka and McGuire introduced—

S.F. No. 2247: A bill for an act relating to judiciary; amending the residential eligibility requirements for judges of the Court of Appeals; directing the chief judge of the Court of Appeals to redesignate judges consistent with new eligibility requirements; amending Minnesota Statutes 2010, section 480A.02, subdivisions 3, 5, 6.

Referred to the Committee on Judiciary and Public Safety.

Senators Rosen, Parry, Hayden and Tomassoni introduced—

S.F. No. 2248: A bill for an act relating to jobs; establishing a jobs innovation for hard-to-employ Minnesotans grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Jobs and Economic Growth.

Senators Dibble, Higgins, Marty, McGuire and Dziejczak introduced—

S.F. No. 2249: A bill for an act relating to campaign finance; adding requirements to lobbyists or principals related to model legislation; adding requirements to principals and public officials related to scholarship funds; amending Minnesota Statutes 2010, sections 10A.01, subdivisions 21, 33, by adding subdivisions; 10A.04, subdivision 6; 10A.09, subdivision 5.

Referred to the Committee on Local Government and Elections.

Senator Michel introduced—

S.F. No. 2250: A bill for an act relating to human services; modifying group residential housing; amending Minnesota Statutes 2010, sections 256I.03, subdivision 2; 256I.04, subdivisions 1, 1b, 1c, 2; 256I.05, subdivisions 1, 1c, 1d, 1e, 1g, 1h, 1i, 1j, 1k, 1l, 1m, 1n, 3; 256I.06, subdivisions 1, 2, 7, 8; Minnesota Statutes 2011 Supplement, section 256I.05, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 256I; repealing Minnesota Statutes 2010, section 256I.04, subdivision 3.

Referred to the Committee on Health and Human Services.

Senators Dibble and Lourey introduced—

S.F. No. 2251: A bill for an act relating to public safety; adjusting contract service rates for escort services by the State Patrol; amending Minnesota Statutes 2010, section 299D.09.

Referred to the Committee on Transportation.

Senators Fischbach and Miller introduced—

S.F. No. 2252: A bill for an act relating to higher education; establishing an account for tuition reciprocity payments; modifying tuition reciprocity payments and transfers; transferring appropriations; amending Minnesota Statutes 2010, section 136A.08, subdivisions 3, 4, by adding a subdivision.

Referred to the Committee on Higher Education.

Senator Ortman introduced—

S.F. No. 2253: A bill for an act relating to state government; increasing the maximum award amount in the state employee gainsharing program; amending Minnesota Statutes 2011 Supplement, section 16A.90.

Referred to the Committee on State Government Innovation and Veterans.

Senators Olson and Torres Ray introduced—

S.F. No. 2254: A bill for an act relating to state government; designating Lester as the official soil of the state; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on State Government Innovation and Veterans.

Senators Gerlach, Hann and Benson introduced—

S.F. No. 2255: A bill for an act relating to commerce; prohibiting health plans receiving government subsidies; regulating health benefit intermediaries; proposing coding for new law in Minnesota Statutes, chapter 62A.

Referred to the Committee on Commerce and Consumer Protection.

Senators Hayden, Dibble, Marty and Harrington introduced—

S.F. No. 2256: A bill for an act relating to taxation; modifying income and corporate franchise tax structures; amending Minnesota Statutes 2010, sections 289A.08, subdivision 3; 290.01, subdivisions 5, 19d, by adding a subdivision; 290.06, subdivision 2d; 290.17, subdivision 4; Minnesota Statutes 2011 Supplement, sections 290.01, subdivision 19c; 290.06, subdivision 2c; repealing Minnesota Statutes 2010, sections 290.01, subdivision 6b; 290.0921, subdivision 7.

Referred to the Committee on Taxes.

Senator Michel introduced—

S.F. No. 2257: A bill for an act relating to capital investment; appropriating money for school trust fund land acquisition; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Magnus introduced—

S.F. No. 2258: A bill for an act relating to agriculture; providing for food law enforcement; making technical and conforming changes; repealing obsolete provisions; imposing penalties; amending Minnesota Statutes 2010, sections 17.982, subdivision 1; 17.983; 25.33, subdivisions 13, 14; 25.36; 25.37; 28A.03, subdivisions 3, 5, 6; 28A.21, subdivision 6; 31.01, subdivisions 2, 3, 4, 21, 25, 28; 31.121; 31.123; 31A.02, subdivisions 13, 14, 15, 16; 31A.23; 32.01, subdivisions 11, 12; proposing coding for new law as Minnesota Statutes, chapter 34A; repealing Minnesota Statutes 2010, sections 17.984; 28.15; 28A.12; 28A.13; 29.28; 31.031; 31.041; 31.05; 31.14; 31.393; 31.58; 31.592; 31.621, subdivision 5; 31.631, subdivision 4; 31.633, subdivision 2; 31.681; 31.74, subdivision 3; 31.91; 31A.24; 31A.26; 32.078; 32.475, subdivision 7; 32.61; 32.90; 34.113; Minnesota Rules, parts 1540.0010, subpart 26; 1550.0930, subparts 3, 4, 5, 6, 7; 1550.1040, subparts 3, 4, 5, 6; 1550.1260, subparts 6, 7.

Referred to the Committee on Agriculture and Rural Economies.

Senators Stumpf and Hann introduced—

S.F. No. 2259: A bill for an act relating to human services; modifying coverage of certain dental services; amending Minnesota Statutes 2010, section 256B.0625, subdivision 9.

Referred to the Committee on Health and Human Services.

Senator Dahms introduced—

S.F. No. 2260: A bill for an act relating to environment; providing for alternative local standards for subsurface sewage treatment systems; requiring rulemaking; amending Minnesota Statutes 2010, section 115.55, subdivision 7.

Referred to the Committee on Environment and Natural Resources.

Senators Rest and Gimse introduced—

S.F. No. 2261: A bill for an act relating to transportation; public safety; directing reinstatement of Golden Valley deputy registrar office after certain conditions are met.

Referred to the Committee on Transportation.

Senators Rosen and Lourey introduced—

S.F. No. 2262: A bill for an act relating to health; modifying requirements for provider peer grouping; amending Minnesota Statutes 2010, sections 62U.04, subdivisions 1, 2, 4, 5; 256B.0754, subdivision 2; Minnesota Statutes 2011 Supplement, section 62U.04, subdivisions 3, 9.

Referred to the Committee on Health and Human Services.

Senators Carlson, Gazelka and Pederson introduced—

S.F. No. 2263: A bill for an act relating to natural resources; modifying the distribution of revenue from the in lieu of sales tax on lottery tickets; amending Minnesota Statutes 2010, section 297A.94.

Referred to the Committee on Environment and Natural Resources.

Senator Carlson introduced—

S.F. No. 2264: A bill for an act relating to clean water; appropriating money for clean water assistance grants; appropriating money for an Aquatic Invasive Species Cooperative Research Center; modifying prior appropriations; amending Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 9.

Referred to the Committee on Environment and Natural Resources.

Senator Carlson introduced—

S.F. No. 2265: A bill for an act relating to game and fish; modifying restrictions on certain traps; proposing coding for new law in Minnesota Statutes, chapter 97B.

Referred to the Committee on Environment and Natural Resources.

Senators Marty and Sieben introduced—

S.F. No. 2266: A bill for an act relating to campaign finance; modifying provisions related to

certain contributions to political committees or funds, independent expenditures, and campaign expenditures; prohibiting contributions by foreign nationals; amending Minnesota Statutes 2010, sections 10A.01, by adding a subdivision; 10A.20, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 10A.

Referred to the Committee on Local Government and Elections.

Senators Marty, Sieben and Rest introduced—

S.F. No. 2267: A bill for an act relating to campaign finance and public disclosure; modifying definition of associated business; amending Minnesota Statutes 2010, section 10A.01, subdivision 5.

Referred to the Committee on Local Government and Elections.

Senator Howe introduced—

S.F. No. 2268: A bill for an act relating to capital investment; appropriating money for land acquisition for Mill Towns State Trail and expansion of Goodhue County Lake Byllesby Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Hayden and Gazelka introduced—

S.F. No. 2269: A bill for an act relating to mental health; adding a member to the State Advisory Council on Mental Health; amending Minnesota Statutes 2010, section 245.697, subdivision 1.

Referred to the Committee on Health and Human Services.

Senators Nelson and Senjem introduced—

S.F. No. 2270: A bill for an act relating to capital investment; extending the availability of the appropriation for the Chester Woods State Trail; amending Laws 2008, chapter 179, section 7, subdivision 27, as amended.

Referred to the Committee on Capital Investment.

Senators DeKruif and Daley introduced—

S.F. No. 2271: A bill for an act relating to the military; allowing issuance of state awards to nonmembers of the Minnesota National Guard; amending Minnesota Statutes 2010, section 192.23.

Referred to the Committee on State Government Innovation and Veterans.

Senators DeKruif and Pederson introduced—

S.F. No. 2272: A bill for an act relating to sales and use tax; eliminating certain accelerated payments of monthly sales tax liability; amending Minnesota Statutes 2010, section 289A.20, subdivision 4; repealing Minnesota Statutes 2011 Supplement, section 289A.60, subdivision 31.

Referred to the Committee on Taxes.

Senators Howe, Lillie, Sheran and Lourey introduced—

S.F. No. 2273: A bill for an act relating to public safety; motor vehicles; motor vehicle dealer regulations; expanding the class of eligible buyers for junked vehicles; amending Minnesota Statutes 2010, sections 168.27, subdivisions 2, 3, 3c; 168A.151, subdivision 6; repealing Minnesota Rules, part 7400.5300, subpart 3.

Referred to the Committee on Transportation.

Senators Howe, Miller, Metzen and Sieben introduced—

S.F. No. 2274: A bill for an act relating to workforce development; establishing a new jobs training program; providing a credit against withholding tax liability; establishing accounts; authorizing administrative rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 116L.

Referred to the Committee on Jobs and Economic Growth.

Senators Saxhaug and Lourey introduced—

S.F. No. 2275: A bill for an act relating to capital investment; appropriating money for Minnesota forest conservation and acquisition; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Pederson, Senjem and Langseth introduced—

S.F. No. 2276: A bill for an act relating to capital investment; appropriating money for acquisition and development of state trails; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Gazelka, Senjem and Langseth introduced—

S.F. No. 2277: A bill for an act relating to capital investment; appropriating money for state park and recreation area acquisition; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Dibble, Pappas, Bonoff, McGuire and Eaton introduced—

S.F. No. 2278: A bill for an act relating to metropolitan government; establishing a task force to study and make recommendations on metropolitan governance.

Referred to the Committee on Local Government and Elections.

Senators Ingebrigtsen and Harrington introduced—

S.F. No. 2279: A bill for an act relating to public safety; extending the time period for a continuance without adjudication in a juvenile delinquency case; amending Minnesota Statutes 2010, section 260B.198, subdivision 7.

Referred to the Committee on Judiciary and Public Safety.

Senator Thompson introduced—

S.F. No. 2280: A bill for an act relating to education; allowing school boards to determine the number and identity of annuity contract vendors; amending Minnesota Statutes 2010, section 123B.02, subdivision 15.

Referred to the Committee on Education.

Senator Thompson introduced—

S.F. No. 2281: A bill for an act relating to state government; protecting the citizens of the state from the application of certain foreign laws; proposing coding for new law in Minnesota Statutes, chapter 1.

Referred to the Committee on Judiciary and Public Safety.

Senator Thompson introduced—

S.F. No. 2282: A bill for an act relating to state government; proposing the Equal Pay and Benefits Act; providing a method for determining public employee compensation; proposing coding for new law in Minnesota Statutes, chapter 15A.

Referred to the Committee on State Government Innovation and Veterans.

Senators Pederson, Senjem, Michel and McGuire introduced—

S.F. No. 2283: A bill for an act relating to capital investment; appropriating money for expansion of the University Enterprise Laboratories building; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

MOTIONS AND RESOLUTIONS

Senator Sheran moved that the name of Senator Hall be added as a co-author to S.F. No. 1053. The motion prevailed.

Senator Hoffman moved that her name be stricken as chief-author, shown as a co-author, and the name of Senator Wolf be shown as chief author to S.F. No. 1402. The motion prevailed.

Senator Magnus moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Jungbauer be added as chief author to S.F. No. 1694. The motion prevailed.

Senator Jungbauer moved that the name of Senators Ortman, Saxhaug and Langseth be added as co-authors to S.F. No. 1694. The motion prevailed.

Senator DeKruif moved that the name of Senator Wiger be added as a co-author to S.F. No. 1698. The motion prevailed.

Senator Daley moved that the name of Senator Wiger be added as a co-author to S.F. No. 1741. The motion prevailed.

Senator Jungbauer moved that the name of Senator Dahms be added as a co-author to S.F. No. 1850. The motion prevailed.

Senator Chamberlain moved that the name of Senator Wiger be added as a co-author to S.F. No. 1918. The motion prevailed.

Senator Goodwin moved that her name be stricken as a co-author to S.F. No. 2024. The motion prevailed.

Senator Daley moved that S.F. No. 1741 be withdrawn from the Committee on Judiciary and Public Safety and re-referred to the Committee on Taxes. The motion prevailed.

Senator Thompson moved that S.F. No. 2281 be withdrawn from the Committee on Judiciary and Public Safety and returned to its author. The motion prevailed.

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

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Fischbach in the chair.

After some time spent therein, the committee arose, and Senator Fischbach reported that the committee had considered the following:

S.F. Nos. 1620, 1542, 1739 and H.F. No. 300, which the committee recommends to pass.

S.F. No. 1212, which the committee recommends to pass, subject to the following motion:

Senator Dibble moved to amend S.F. No. 1212 as follows:

Page 2, line 6, after "spouse" insert "or domestic partner"

Page 2, after line 25, insert:

"(k) "Domestic partners" means two persons who:

(1) are the same sex;

(2) are adults and mentally competent to enter into legally binding contracts;

(3) have assumed responsibility for each other's basic common welfare, financial obligations, and well-being;

- (4) share a common domicile and primary residence with each other on a permanent basis;
- (5) have a committed interdependent relationship with each other, intend to continue that relationship indefinitely, and do not have this type of relationship with any other person;
- (6) are not married to another person and have not entered into a domestic partnership arrangement with another person that is currently in effect; and
- (7) are not related by blood or adoption so that a marriage between them would be prohibited under section 517.03, subdivision 1, paragraph (a), clause (2) or (3)."

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Bakk	Goodwin	Langseth	Miller	Sieben
Bonoff	Harrington	Latz	Pappas	Skoe
Cohen	Hayden	Lourey	Reinert	Tomassoni
Dibble	Higgins	Marty	Rest	Torres Ray
Dziedzic	Howe	McGuire	Saxhaug	Wiger
Eaton	Kelash	Metzen	Sheran	

Those who voted in the negative were:

Benson	Gazelka	Koch	Nienow	Stumpf
Brown	Gerlach	Kruse	Olson	Thompson
Carlson	Gimse	Lillie	Ortman	Vandever
Chamberlain	Hall	Limmer	Parry	Wolf
Dahms	Hann	Magnus	Pederson	
Daley	Hoffman	Michel	Robling	
DeKruif	Ingebrigtsen	Nelson	Rosen	
Fischbach	Jungbauer	Newman	Senjem	

The motion did not prevail. So the amendment was not adopted.

S.F. No. 1528, which the committee recommends to pass, subject to the following motion:

Senator Higgins moved to amend S.F. No. 1528 as follows:

Page 3, lines 19, 21, 23, 25 and 27, delete "shall" and insert "is strongly encouraged to"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Bakk	Goodwin	Langseth	Pappas	Stumpf
Bonoff	Harrington	Latz	Reinert	Tomassoni
Cohen	Hayden	Lourey	Saxhaug	Torres Ray
Dibble	Higgins	Marty	Sheran	Wiger
Dziedzic	Howe	McGuire	Sieben	
Eaton	Kelash	Metzen	Skoe	

Those who voted in the negative were:

Benson	Brown	Carlson	Chamberlain	Dahms
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Daley	Hann	Limmer	Olson	Senjem
DeKruif	Hoffman	Magnus	Ortman	Thompson
Fischbach	Ingebrigtsen	Michel	Parry	Vanderveer
Gazelka	Jungbauer	Miller	Pederson	Wolf
Gerlach	Koch	Nelson	Rest	
Gimse	Kruse	Newman	Robling	
Hall	Lillie	Nienow	Rosen	

The motion did not prevail. So the amendment was not adopted.

S.F. No. 1910, which the committee recommends to pass, subject to the following motion:

Senator Lourey moved that S.F. No. 1910 be re-referred to the Committee on Health and Human Services.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 24 and nays 41, as follows:

Those who voted in the affirmative were:

Bakk	Goodwin	Langseth	Metzen	Stumpf
Cohen	Harrington	Latz	Saxhaug	Tomassoni
Dibble	Hayden	Lourey	Sheran	Torres Ray
Dziedzic	Higgins	Marty	Sieben	Wiger
Eaton	Kelash	McGuire	Skoe	

Those who voted in the negative were:

Benson	Gazelka	Koch	Nienow	Rosen
Bonoff	Gerlach	Kruse	Olson	Senjem
Brown	Gimse	Lillie	Ortman	Thompson
Carlson	Hall	Limmer	Pappas	Vanderveer
Chamberlain	Hann	Magnus	Parry	Wolf
Dahms	Hoffman	Michel	Pederson	
Daley	Howe	Miller	Reinert	
DeKruif	Ingebrigtsen	Nelson	Rest	
Fischbach	Jungbauer	Newman	Robling	

The motion did not prevail.

On motion of Senator Senjem, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MEMBERS EXCUSED

Senator Sparks was excused from the Session of today. Senator Hayden was excused from the Session of today from 12:00 noon to 12:20 p.m.

IN MEMORIAM

The Senate offered a moment of silence in the memory of Senator Gary W. Kubly, who passed away on March 2, 2012.

81ST DAY]

MONDAY, MARCH 5, 2012

4117

ADJOURNMENT

Senator Senjem moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 8, 2012. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

