

SEVENTH DAY

St. Paul, Minnesota, Monday, January 28, 2013

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

CALL OF THE SENATE

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

The members of the Senate paused for a brief moment of reflection.

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

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

| | | | | |
|-------------|--------------|-----------|--------------|------------|
| Anderson | Eaton | Jensen | Nienow | Senjem |
| Bakk | Eken | Johnson | Ortman | Sheran |
| Benson | Fischbach | Kent | Osmek | Sieben |
| Bonoff | Franzen | Kiffmeyer | Pappas | Skoe |
| Carlson | Gazelka | Koenen | Pederson, J. | Stumpf |
| Chamberlain | Goodwin | Latz | Pratt | Thompson |
| Champion | Hall | Limmer | Reinert | Tomassoni |
| Clausen | Hann | Lourey | Rest | Torres Ray |
| Cohen | Hawj | Marty | Rosen | Weber |
| Dahle | Hayden | Metzen | Ruud | Westrom |
| Dahms | Hoffman | Miller | Saxhaug | Wiger |
| Dibble | Housley | Nelson | Scalze | Wiklund |
| Dziedzic | Ingebrigtsen | Newman | Schmit | |

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.

January 15, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Senator Pappas:

Pursuant to Rule 10.5 of the rules of the Senate, we hereby make the following changes in committee membership:

E-12 Division - delete Senator Ruud and add Senator Pratt.

Education Committee - delete Senator Pratt and add Senator Ruud.

Thank you for your attention to this matter.

Sincerely,
Thomas M. Bakk, Chair
Committee on Rules and Administration
Senate District 3

David W. Hann
Senate Minority Leader
Senate District 48

January 17, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Senator Pappas:

As the Senate Minority Leader, I am hereby making the following appointments:

Pursuant to Minnesota Statutes 2012

3.303: Legislative Coordinating Commission – Senator Hann to serve by virtue of his position and Senator Dahms to serve at the pleasure of the appointing authority.

3.8841: Legislative Commission on Metropolitan Government – Senators Housley, Ortman, and Pratt to serve until January 1, 2015.

3.97: Legislative Audit Commission – Senators Benson, Kiffmeyer, and Limmer to serve at the pleasure of the appointing authority.

15B.32: State Capitol Preservation Commission – Senator Senjem to serve by virtue of his position and Senator Limmer to serve at the pleasure of the appointing authority.

116L.665: Governor's Workforce Development Council – Senator Nelson to serve until January 1, 2016.

299E.04: Advisory Committee on Capitol Area Security – Senator Ingebrigtsen to serve at the pleasure of the appointing authority.

Sincerely,
Senator David W. Hann
Senate Minority Leader

January 24, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Senator Pappas:

As the Senate Minority Leader, I am hereby making the following appointments:

Pursuant to Minnesota Statutes 2012

3.8842: Legislative Commission on Minnesota Sports Facilities – Senators Housley, Miller, and Rosen to serve at the pleasure of the appointing authority.

15A.082: Compensation Council – Senator Miller to serve at the pleasure of the appointing authority.

Sincerely,
Senator David W. Hann
Senate Minority Leader

MESSAGES FROM THE HOUSE

Madam President:

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

Senate Concurrent Resolution No. 4: A Senate concurrent resolution adopting deadlines for the 2013 regular session.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned January 24, 2013

REPORTS OF COMMITTEES

Senator Metzen from the Committee on Commerce, to which was referred the following appointment:

DEPARTMENT OF COMMERCE
COMMISSIONER
Michael J. Rothman

Reports the same back with the recommendation that the appointment be confirmed.

Senator Bakk moved that foregoing committee report be laid on the table. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Champion introduced—

S.F. No. 121: A bill for an act relating to economic development; requiring state agencies to establish youth internships or apprenticeships; encouraging utilization of small businesses in state procurement; promoting ethnic and cultural heritage tourism; amending Minnesota Statutes 2012, sections 16C.18, by adding a subdivision; 16C.20; 124D.47, subdivision 2; 129D.17, subdivision 2.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Ortman and Senjem introduced—

S.F. No. 122: A bill for an act relating to taxation; conforming certain income, franchise, and property tax refund provisions for tax year 2012 to the provisions of the Federal Aviation Administration Modernization and Reform Act of 2012 and the American Taxpayer Relief Act of 2012; amending Minnesota Statutes 2012, sections 290.01, subdivisions 19, 31; 290A.03, subdivision 15.

Referred to the Committee on Taxes.

Senator Lourey introduced—

S.F. No. 123: A bill for an act relating to human services; modifying critical access dental provider requirements; amending Minnesota Statutes 2012, section 256B.76, subdivision 4.

Referred to the Committee on Health, Human Services and Housing.

Senator Housley introduced—

S.F. No. 124: A bill for an act relating to state government; proposing a constitutional amendment to change the method for amending the Minnesota Constitution.

Referred to the Committee on State and Local Government.

Senator Ruud introduced—

S.F. No. 125: A bill for an act relating to transportation; designating the Tim Nielsen Memorial Bridge; amending Minnesota Statutes 2012, section 161.14, by adding a subdivision.

Referred to the Committee on Transportation and Public Safety.

Senator Ruud introduced—

S.F. No. 126: A bill for an act relating to capital investment; appropriating money for a new veterans nursing home in Brainerd; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Ruud introduced–

S.F. No. 127: A bill for an act relating to capital investment; appropriating money for a grant to the city of Brainerd for accessibility improvements to the city civic center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Dzedzic and Tomassoni introduced–

S.F. No. 128: A bill for an act relating to economic development; modifying the Minnesota Trade Office; appropriating money.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senator Tomassoni introduced–

S.F. No. 129: A bill for an act relating to judgments; providing for the recovery of attorney fees incurred in collecting conciliation court judgments; amending Minnesota Statutes 2012, section 491A.02, subdivision 9, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Bakk and Saxhaug introduced–

S.F. No. 130: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public water.

Referred to the Committee on Environment and Energy.

Senators Chamberlain and Gazelka introduced–

S.F. No. 131: A bill for an act relating to taxation; individual income; modifying the small business investment tax credit; amending Minnesota Statutes 2012, section 116J.8737, subdivisions 1, 2, 5, 8.

Referred to the Committee on Taxes.

Senators Dahms, Koenen, Weber, Sparks and Rosen introduced–

S.F. No. 132: A bill for an act relating to capital investment; appropriating money for the Marshall MERIT Center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Hoffman, Lourey, Marty, Sheran and Nienow introduced–

S.F. No. 133: A bill for an act relating to health occupations; establishing licensure for medical laboratory science professionals; creating the Board of Medical Laboratory Science; providing penalties; establishing fees; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 148G.

Referred to the Committee on Health, Human Services and Housing.

Senators Dziezic, Rest, Nelson, Dibble and Skoe introduced—

S.F. No. 134: A bill for an act relating to taxation; tobacco; modifying the definition of cigarette; proposing a study; requiring a report; appropriating money; amending Minnesota Statutes 2012, sections 297F.01, subdivision 3; 325D.32, subdivision 2.

Referred to the Committee on Taxes.

Senators Nelson, Dziezic, Rosen, Dibble and Rest introduced—

S.F. No. 135: A bill for an act relating to tobacco; modifying the definition of cigarette; proposing a study; requiring a report; appropriating money; amending Minnesota Statutes 2012, sections 297F.01, subdivision 3; 325D.32, subdivision 2.

Referred to the Committee on Taxes.

Senators Hayden, Rest, Skoe and Thompson introduced—

S.F. No. 136: A bill for an act relating to taxation; property; exempting certain nonprofit property owned by an Indian tribe; amending Minnesota Statutes 2012, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Pederson, J. introduced—

S.F. No. 137: A bill for an act relating to capital investment; appropriating money for an extension of the Beaver Island Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Pederson, J. introduced—

S.F. No. 138: A bill for an act relating to capital investment; appropriating money for the Lake Wobegon Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Pederson, J. introduced—

S.F. No. 139: A bill for an act relating to education; replacing the mathematics GRAD with an end-of-course algebra exam; amending Minnesota Statutes 2012, section 120B.30, subdivision 1, by adding a subdivision.

Referred to the Committee on Education.

Senators Dzedzic, Rest, Eaton, Gazelka and Nelson introduced—

S.F. No. 140: A bill for an act relating to property taxation; modifying the definition of income used in the property tax refund program; amending Minnesota Statutes 2012, section 290A.03, subdivision 3.

Referred to the Committee on Taxes.

Senator Benson introduced—

S.F. No. 141: A bill for an act relating to child support; allowing for suspension or reinstatement of medical support contributions in certain situations; amending Minnesota Statutes 2012, section 518A.41, by adding a subdivision.

Referred to the Committee on Judiciary.

Senators Hawj, Cohen and Sieben introduced—

S.F. No. 142: A bill for an act relating to capital investment; appropriating money for Pig's Eye Regional Park in St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Champion introduced—

S.F. No. 143: A bill for an act relating to public safety; establishing certificates of good conduct and describing the effects of a certificate and eligibility; appropriating money; amending Minnesota Statutes 2012, sections 364.03, subdivision 3; 364.09; 609A.03, subdivisions 1, 2; 611A.06, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 364.

Referred to the Committee on Judiciary.

Senators Nelson, Dibble, Rest, Dzedzic and Bonoff introduced—

S.F. No. 144: A bill for an act relating to state finance; increasing the rate of taxes on cigarettes and other tobacco products; providing for use of the proceeds; amending Minnesota Statutes 2012, sections 275.025, subdivision 1; 297F.05, subdivisions 1, 3, 4.

Referred to the Committee on Taxes.

Senators Hayden, Dibble, Torres Ray, Champion and Stumpf introduced—

S.F. No. 145: A bill for an act relating to capital investment; appropriating money for the Lake Street Transit Station; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Hayden; Petersen, B.; Cohen; Tomassoni and Housley introduced–

S.F. No. 146: A bill for an act relating to education; providing for nutrition policy; appropriating money; amending Minnesota Statutes 2012, section 124D.111, subdivision 1, by adding a subdivision.

Referred to the Committee on Education.

Senators Hayden and Franzen introduced–

S.F. No. 147: A bill for an act relating to human services; modifying medical assistance co-payment requirements; amending Minnesota Statutes 2012, section 256B.0631, subdivision 1.

Referred to the Committee on Health, Human Services and Housing.

Senators Brown; Pederson, J.; Gazelka; Chamberlain and Ingebrigtsen introduced–

S.F. No. 148: A bill for an act relating to human services; phasing out nursing facility rate equalization; amending Minnesota Statutes 2012, section 256B.48, subdivision 1.

Referred to the Committee on Health, Human Services and Housing.

Senators Brown, Thompson and Dahms introduced–

S.F. No. 149: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article XI; requiring that delayed payments to school districts not exceed ten percent of their estimated entitlement.

Referred to the Committee on Education.

Senator Brown introduced–

S.F. No. 150: 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 Finance.

Senators Weber, Koenen and Dahms introduced–

S.F. No. 151: A bill for an act relating to capital investment; appropriating money for The Casey Jones Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Wiklund and Franzen introduced–

S.F. No. 152: A bill for an act relating to capital investment; appropriating money to renovate and restore or replace the Old Cedar Avenue Bridge in Bloomington; authorizing the sale and issuance of state bonds; amending Laws 2006, chapter 258, section 17, subdivision 8, as amended; Laws 2008, chapter 365, section 4, subdivision 3, as amended; Laws 2010, chapter 189, section 16, subdivision 4, as amended.

Referred to the Committee on Finance.

Senators Bonoff, Hayden, Franzen, Rosen and Rest introduced—

S.F. No. 153: A bill for an act relating to capital investment; appropriating money for the St. David's Center for Child and Family Development; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Benson, Brown and Gazelka introduced—

S.F. No. 154: A bill for an act relating to commerce; changing provisions for evaluation of health coverage mandates; appropriating money; amending Minnesota Statutes 2012, section 62J.26, subdivisions 3, 5, by adding a subdivision.

Referred to the Committee on Commerce.

Senator Dibble introduced—

S.F. No. 155: A bill for an act relating to human services; clarifying an exception to the transfer prohibition for medical assistance eligibility; amending Minnesota Statutes 2012, section 256B.0595, subdivisions 1, 4; Laws 2009, chapter 173, article 1, section 17, as amended.

Referred to the Committee on Health, Human Services and Housing.

Senators Dzedzic, Hayden and Sieben introduced—

S.F. No. 156: A bill for an act relating to bonding; tax-exempt bond allocations; changing the carryforward period from one year to three years; reversing the reallocations for 2013; amending Minnesota Statutes 2012, sections 474A.04, subdivision 1a; 474A.062; 474A.091, subdivision 3a.

Referred to the Committee on Finance.

Senator Latz introduced—

S.F. No. 157: A bill for an act relating to state government; enacting the Uniform Electronic Legal Material Act approved by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law as Minnesota Statutes, chapter 3E.

Referred to the Committee on Judiciary.

Senators Latz, Champion, Hayden, Tomassoni and Bakk introduced—

S.F. No. 158: A bill for an act relating to state government; requiring commissioner of administration to place a bust of Nellie Stone Johnson in the State Capitol Building; appropriating money.

Referred to the Committee on State and Local Government.

Senator Sheran introduced–

S.F. No. 159: A bill for an act relating to human services; creating an exception to the intermediate care facility for persons with developmental disabilities moratorium; allowing for a rate adjustment; amending Minnesota Statutes 2012, sections 252.291, by adding a subdivision; 256B.501, by adding a subdivision.

Referred to the Committee on Health, Human Services and Housing.

Senators Wiger, Johnson and Torres Ray introduced–

S.F. No. 160: A bill for an act relating to education; increasing the compulsory attendance age; amending Minnesota Statutes 2012, sections 120A.22, subdivisions 5, 11; 120A.24, subdivision 1; 124D.03, subdivision 12; 260C.007, subdivision 19; repealing Minnesota Statutes 2012, section 120A.22, subdivision 8.

Referred to the Committee on Education.

Senators Wiger; Ortman; Petersen, B. and Bakk introduced–

S.F. No. 161: A bill for an act relating to taxation; property; providing that certain personal property of electric generation facilities is exempt; amending Minnesota Statutes 2012, section 272.02, by adding a subdivision.

Referred to the Committee on Taxes.

Senators Kent, Bonoff and Johnson introduced–

S.F. No. 162: A bill for an act relating to education finance; authorizing funding for voluntary, full-day kindergarten; providing for school district flexibility; amending Minnesota Statutes 2012, sections 123B.41, subdivision 7; 126C.05, subdivisions 1, 15; 126C.12, subdivision 5; 126C.126.

Referred to the Committee on Finance.

Senator Champion introduced–

S.F. No. 163: A bill for an act relating to capital investment; appropriating money for renovation of the historic Masonic Temple at the Hennepin Center for the Arts, in Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Champion, Chamberlain and Sieben introduced–

S.F. No. 164: A bill for an act relating to elections; modifying provisions related to voter registration; modifying certain election administration procedures for individuals who have been convicted of a felony; appropriating money; amending Minnesota Statutes 2012, sections 201.054, subdivision 2, by adding a subdivision; 201.157; 201.275; 203B.06, subdivision 3; 204C.14; 241.065, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 244.

Referred to the Committee on Judiciary.

Senators Eaton, Marty, Sheran and Torres Ray introduced–

S.F. No. 165: A bill for an act relating to human services; increasing the cash portion of the Minnesota family investment program transitional standard; amending Minnesota Statutes 2012, section 256J.24, subdivision 5.

Referred to the Committee on Health, Human Services and Housing.

MOTIONS AND RESOLUTIONS

Senator Newman moved that the name of Senator Latz be added as a co-author to S.F. No. 28. The motion prevailed.

Senator Marty moved that the name of Senator Dibble be added as a co-author to S.F. No. 36. The motion prevailed.

Senator Gazelka moved that the name of Senator Nelson be added as a co-author to S.F. No. 40. The motion prevailed.

Senator Chamberlain moved that the name of Senator Johnson be added as a co-author to S.F. No. 55. The motion prevailed.

Senator Scalze moved that the name of Senator Nelson be added as a co-author to S.F. No. 60. The motion prevailed.

Senator Westrom moved that the name of Senator Dahms be added as a co-author to S.F. No. 63. The motion prevailed.

Senator Pederson, J. moved that the name of Senator Fischbach be added as a co-author to S.F. No. 79. The motion prevailed.

Senator Newman moved that the name of Senator Latz be added as a co-author to S.F. No. 84. The motion prevailed.

Senator Eaton moved that the name of Senator Marty be added as a co-author to S.F. No. 92. The motion prevailed.

Senator Chamberlain moved that the name of Senator Wiger be added as a co-author to S.F. No. 96. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Petersen, B. be added as a co-author to S.F. No. 97. The motion prevailed.

Senator Hayden moved that the name of Senator Dibble be added as a co-author to S.F. No. 111. The motion prevailed.

Senator Newman moved that S.F. No. 28 be withdrawn from the Committee on Taxes and re-referred to the Committee on Judiciary. The motion prevailed.

Senator Ingebrigtsen introduced –

Senate Resolution No. 30: A Senate resolution honoring the Fergus Falls High School Marching Band for performing at the 2013 Inaugural Parade.

Referred to the Committee on Rules and Administration.

MEMBERS EXCUSED

Senators Brown and Sparks were excused from the Session of today.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Thursday, January 31, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate