

FIFTY-SECOND DAY

St. Paul, Minnesota, Wednesday, May 8, 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.

Prayer was offered by the Chaplain, Pastor Jason Motte.

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

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. 521: A bill for an act relating to energy; regulating a biomass mandate project; amending Minnesota Statutes 2012, section 216B.2424, subdivision 5a.

Senate File No. 521 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 7, 2013

Senator Bakk, for Senator Tomassoni, moved that S.F. No. 521 be laid on the table. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 228, 854, 1000 and 956.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 7, 2013

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 228: A bill for an act relating to public safety; creating increased penalties for wildfire arson that damages multiple buildings or dwellings, acreage, or crops or causes demonstrable bodily harm; adding restitution provisions; amending Minnesota Statutes 2012, section 609.5641, subdivisions 1, 3, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 614, now on General Orders.

H.F. No. 854: A bill for an act relating to energy; regulating conservation improvement investments for low-income programs; requiring certificate of need approval for certain high-voltage transmission lines; amending Minnesota Statutes 2012, section 216B.241, subdivision 7.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 695, now on General Orders.

H.F. No. 1000: A bill for an act relating to energy; modifying the emissions reductions-rate rider for certain projects; requiring the commissioner of commerce to make assessments to fund clean energy resource teams; amending Minnesota Statutes 2012, sections 216B.1692, subdivisions 1, 8, by adding a subdivision; 216B.1695, subdivision 5; 216B.241, subdivision 1e.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1011, now on General Orders.

H.F. No. 956: A bill for an act relating to energy; amending various provisions related to utilities; modifying provisions governing cogeneration and small power production; establishing a value of solar rate and related regulations; permitting community solar generating facilities; creating various renewable energy incentives; requiring studies; extending sunsets; making technical corrections; appropriating money; amending Minnesota Statutes 2012, sections 16C.144,

subdivision 2; 116C.779, subdivision 3; 216B.02, subdivision 4; 216B.03; 216B.16, subdivision 7b, by adding a subdivision; 216B.1635; 216B.164, subdivisions 3, 4, 6, by adding subdivisions; 216B.1691, subdivisions 1, 2a, 2e, by adding a subdivision; 216B.1692, subdivisions 1, 8, by adding a subdivision; 216B.1695, subdivision 5, by adding a subdivision; 216B.23, subdivision 1a; 216B.241, subdivision 1e; 216B.2411, subdivision 3; 216C.436, subdivisions 7, 8; Laws 2005, chapter 97, article 10, section 3; proposing coding for new law in Minnesota Statutes, chapters 216B; 216C; repealing Minnesota Statutes 2012, section 216B.1637.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 901, now on General Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 161 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.
161	196				

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

H.F. No. 215 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.
215	330				

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

H.F. No. 461 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.
461	248				

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

H.F. No. 542 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.
542	443				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 542 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 542, the first engrossment; and insert the language after the enacting clause of S.F. No. 443, the second engrossment; further, delete the title of H.F. No. 542, the first engrossment; and insert the title of S.F. No. 443, the second engrossment.

And when so amended H.F. No. 542 will be identical to S.F. No. 443, and further recommends that H.F. No. 542 be given its second reading and substituted for S.F. No. 443, 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.

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

H.F. No. 1451 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.
1451	1305				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1451 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1451, the second engrossment; and insert the language after the enacting clause of S.F. No. 1305, the first engrossment; further, delete the title of H.F. No. 1451, the second engrossment; and insert the title of S.F. No. 1305, the first engrossment.

And when so amended H.F. No. 1451 will be identical to S.F. No. 1305, and further recommends that H.F. No. 1451 be given its second reading and substituted for S.F. No. 1305, 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.

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

H.F. No. 80 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.
80	33				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 80 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 80, the second engrossment; and insert the language after the enacting clause of S.F. No. 33, the first engrossment; further, delete the title of H.F. No. 80, the second engrossment; and insert the title of S.F. No. 33, the first engrossment.

And when so amended H.F. No. 80 will be identical to S.F. No. 33, and further recommends that H.F. No. 80 be given its second reading and substituted for S.F. No. 33, 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.

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

H.F. No. 740 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.
740	886				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 740 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 740, the third engrossment; and insert the language after the enacting clause of S.F. No. 886, the second engrossment; further, delete the title of H.F. No. 740, the third engrossment; and insert the title of S.F. No. 886, the second engrossment.

And when so amended H.F. No. 740 will be identical to S.F. No. 886, and further recommends that H.F. No. 740 be given its second reading and substituted for S.F. No. 886, 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 HOUSE BILLS

H.F. Nos. 161, 215, 461, 542, 1451, 80 and 740 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senators Thompson, Chamberlain and Benson introduced—

S.F. No. 1649: A bill for an act relating to taxation; individual income; providing for a maximum rate of 7.05 percent on active trade or business income; amending Minnesota Statutes 2012, sections 290.06, subdivision 2c; 290.0675, subdivisions 1, 3.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senator Latz moved that H.F. No. 1451, on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Senator Tomassoni moved that S.F. No. 521 be taken from the table. The motion prevailed.

S.F. No. 521: A bill for an act relating to energy; regulating a biomass mandate project; amending Minnesota Statutes 2012, section 216B.2424, subdivision 5a.

CONCURRENCE AND REPASSAGE

Senator Tomassoni moved that the Senate concur in the amendments by the House to S.F. No. 521 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 521 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 48 and nays 14, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Hoffman	Miller	Scalze
Benson	Dziedzic	Ingebrigtsen	Nelson	Schmit
Bonoff	Eaton	Johnson	Newman	Sheran
Carlson	Eken	Kent	Pappas	Sieben
Champion	Fischbach	Koenen	Pederson, J.	Skoe
Clausen	Franzen	Latz	Reinert	Sparks
Cohen	Goodwin	Lourey	Rest	Stumpf
Dahle	Hawj	Marty	Rosen	Tomassoni
Dahms	Hayden	Metzen	Saxhaug	Weber

Westrom

Wiger

Wiklund

Those who voted in the negative were:

Anderson
Brown
ChamberlainGazelka
Hall
HannKiffmeyer
Limmer
NienowOrtman
Osmek
PrattSenjem
Thompson

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

RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

Pursuant to Rule 26, Senator Bakk, Chair of the Committee on Rules and Administration, designated H.F. Nos. 767, 681 and 92 a Special Orders Calendar to be heard immediately.

SPECIAL ORDER

H.F. No. 767: A bill for an act relating to human services; making changes to continuing care provisions; modifying provisions related to advisory task forces, nursing homes, resident relocation, medical assistance, long-term care consultation services, assessments, and reporting of maltreatment; requiring a report; amending Minnesota Statutes 2012, sections 15.014, subdivision 2; 144.0724, subdivision 12; 144A.071, subdivision 4d; 144A.161; 256B.056, subdivision 3; 256B.057, subdivision 9; 256B.0652, subdivision 5; 256B.0659, subdivision 7, by adding a subdivision; 256B.0911, subdivision 3a; 256B.092, subdivision 7; 256B.441, subdivisions 1, 43, 63; 256B.49, subdivision 14; 256B.492; 626.557, subdivision 10; repealing Minnesota Statutes 2012, section 256B.437, subdivision 8; Laws 2012, chapter 216, article 11, section 31.

Senator Eken moved that the amendment made to H.F. No. 767 by the Committee on Rules and Administration in the report adopted May 1, 2013, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Wiklund moved to amend H.F. No. 767 as follows:

Page 22, line 24, strike "in a face-to-face visit"

The motion prevailed. So the amendment was adopted.

H.F. No. 767 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Dibble moved that the following members be excused for a Conference Committee on S.F. No. 1270 at 2:30 p.m.:

Senators Dibble, Jensen, Kent, Carlson and Pedersen, J. The motion prevailed.

SPECIAL ORDER

H.F. No. 681: A bill for an act relating to civil actions; changing the limitation period for civil actions involving sexual abuse; amending Minnesota Statutes 2012, section 541.073.

Senator Latz moved to amend H.F. No. 681, as amended pursuant to Rule 45, adopted by the Senate May 3, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 534.)

Page 1, line 17, after "(2)" insert "subject to subdivision 4,"

Page 2, line 2, strike "caused" and insert "was a cause of" and strike "personal injury" and insert "damages"

Page 2, after line 4, insert:

"Subd. 4. Vicarious liability or respondeat superior claims. A claim for vicarious liability or liability under the doctrine of respondeat superior must be commenced within six years of the alleged sexual abuse, provided that if the plaintiff was under the age of 18 at the time of the alleged abuse, the claim must be commenced before the plaintiff is 24 years of age. This subdivision does not limit the availability of these claims under other law."

Page 2, line 5, delete "4" and insert "5"

Page 2, delete lines 6 and 7 and insert:

"EFFECTIVE DATE; APPLICABILITY. (a) This section is effective the day following final enactment. Except as provided in paragraph (b), this section applies to actions that were not time-barred before the effective date."

(b) Notwithstanding any other provision of law, in the case of alleged sexual abuse of an individual under the age of 18, if the action would otherwise be time-barred under a previous version of Minnesota Statutes, section 541.073, or other time limit, an action against a person, as defined in section 541.073, subdivision 1, clause (2), may be commenced no later than three years following the effective date of this section. This paragraph does not apply to a claim for vicarious liability or respondeat superior, but does apply to other claims, including negligence. This paragraph applies to actions pending on or commenced on or after the effective date."

Senator Ortman moved to amend the Latz amendment to H.F. No. 681 as follows:

Page 1, line 23, delete "but does"

Page 1, line 24, delete everything before the period

CALL OF THE SENATE

Senator Latz imposed a call of the Senate for the balance of the proceedings on H.F. No. 681. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Ortman amendment to the Latz amendment.

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Limmer	Osmek	Sheran
Benson	Hall	Miller	Pederson, J.	Stumpf
Brown	Hann	Nelson	Petersen, B.	Thompson
Chamberlain	Housley	Newman	Pratt	Weber
Dahms	Ingebrigtsen	Nienow	Rosen	Westrom
Fischbach	Kiffmeyer	Ortman	Ruud	

Those who voted in the negative were:

Bakk	Dziedzic	Jensen	Pappas	Sparks
Bonoff	Eaton	Johnson	Reinert	Tomassoni
Carlson	Eken	Kent	Rest	Torres Ray
Champion	Franzen	Koenen	Saxhaug	Wiger
Clausen	Goodwin	Latz	Scalze	Wiklund
Cohen	Hawj	Lourey	Schmit	
Dahle	Hayden	Marty	Sieben	
Dibble	Hoffman	Metzen	Skoe	

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

The question was taken on the adoption of the Latz amendment. The motion prevailed. So the amendment was adopted.

Senator Hall moved to amend the Latz amendment to H.F. No. 681, adopted by the Senate May 8, 2013, as follows:

Page 1, line 22, delete "three" and insert "one"

The question was taken on the adoption of the Hall amendment to the Latz amendment.

The roll was called, and there were yeas 18 and nays 48, as follows:

Those who voted in the affirmative were:

Anderson	Benson	Chamberlain	Dahms	Gazelka
----------	--------	-------------	-------	---------

Hall	Kiffmeyer	Nienow	Pratt	Thompson
Hann	Limmer	Ortman	Rosen	
Ingebrigtsen	Newman	Osmek	Ruud	

Those who voted in the negative were:

Bakk	Eaton	Johnson	Petersen, B.	Sparks
Bonoff	Eken	Kent	Reinert	Stumpf
Brown	Fischbach	Koenen	Rest	Tomassoni
Carlson	Franzen	Latz	Saxhaug	Torres Ray
Champion	Goodwin	Marty	Scalze	Weber
Clausen	Hawj	Metzen	Schmit	Westrom
Cohen	Hayden	Miller	Senjem	Wiger
Dahle	Hoffman	Nelson	Sheran	Wiklund
Dibble	Housley	Pappas	Sieben	
Dziedzic	Jensen	Pederson, J.	Skoe	

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

H.F. No. 681 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 92: A bill for an act relating to employment; regulating the minimum wage; modifying overtime and parental leave provisions; amending Minnesota Statutes 2012, sections 177.24, subdivision 1, by adding a subdivision; 177.25, subdivisions 1, 3, 5, by adding a subdivision; 181.941, subdivision 1; 181.943; repealing Minnesota Rules, part 5200.0080, subpart 7.

CALL OF THE SENATE

Senator Eaton imposed a call of the Senate for the balance of the proceedings on H.F. No. 92. The Sergeant at Arms was instructed to bring in the absent members.

Senator Dahle moved to amend H.F. No. 92, as amended pursuant to Rule 45, adopted by the Senate May 7, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 3.)

Page 2, after line 7, insert:

"Sec. 2. Minnesota Statutes 2012, section 177.24, is amended by adding a subdivision to read:

Subd. 3a. **Gratuities; credit cards or charges.** (a) Gratuities presented to an employee via inclusion on a debit, charge, or credit card shall be credited to that pay period in which they are received by the employee and for which they appear on the employee's tip statement.

(b) Where a tip is given by a customer through a debit, charge, or credit card, the full amount of tip must be allowed the employee.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 3. **REPEALER.**

Minnesota Rules, part 5200.0080, subpart 7, is repealed.

EFFECTIVE DATE. This section is effective August 1, 2013."

Amend the title accordingly

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

Senator Dahms moved to amend H.F. No. 92, as amended pursuant to Rule 45, adopted by the Senate May 7, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 3.)

Page 1, line 18, delete ", at"

Page 1, delete line 19

Page 1, line 20, delete everything before the period

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Limmer	Osmek	Senjem
Benson	Hall	Miller	Pederson, J.	Sparks
Brown	Hann	Nelson	Petersen, B.	Thompson
Chamberlain	Housley	Newman	Pratt	Weber
Dahms	Ingebrigtsen	Nienow	Rosen	Westrom
Fischbach	Kiffmeyer	Ortman	Ruud	

Those who voted in the negative were:

Bakk	Dziedzic	Jensen	Pappas	Skoe
Bonoff	Eaton	Johnson	Reinert	Stumpf
Carlson	Eken	Kent	Rest	Tomassoni
Champion	Franzen	Koenen	Saxhaug	Torres Ray
Clausen	Goodwin	Latz	Scalze	Wiger
Cohen	Hawj	Lourey	Schmit	Wiklund
Dahle	Hayden	Marty	Sheran	
Dibble	Hoffman	Metzen	Sieben	

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

Senator Hoffman moved to amend H.F. No. 92, as amended pursuant to Rule 45, adopted by the Senate May 7, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 3.)

Page 2, after line 6, insert:

"(e) Notwithstanding paragraph (b), a large employer that is a long-term care provider licensed under chapter 245A must pay employees who are allowed to sleep for all or part of a shift the federal minimum wage set in United States Code, title 29, section 206, for all sleep hours."

The motion prevailed. So the amendment was adopted.

H.F. No. 92 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 39 and nays 28, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Jensen	Pappas	Skoe
Bonoff	Eaton	Johnson	Reinert	Sparks
Carlson	Eken	Kent	Rest	Stumpf
Champion	Franzen	Koenen	Saxhaug	Tomassoni
Clausen	Goodwin	Latz	Scalze	Torres Ray
Cohen	Hawj	Lourey	Schmit	Wiger
Dahle	Hayden	Marty	Sheran	Wiklund
Dibble	Hoffman	Metzen	Sieben	

Those who voted in the negative were:

Anderson	Gazelka	Limmer	Osmek	Senjem
Benson	Hall	Miller	Pederson, J.	Thompson
Brown	Hann	Nelson	Petersen, B.	Weber
Chamberlain	Housley	Newman	Pratt	Westrom
Dahms	Ingebrigtsen	Nienow	Rosen	
Fischbach	Kiffmeyer	Ortman	Ruud	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House, First Reading of House Bills and Reports of Committees.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 316, 1112, 1510 and 894.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 8, 2013

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 316: A bill for an act relating to transportation; motor vehicles; amending fees for certain motor vehicle titling transactions; amending Minnesota Statutes 2012, section 168A.29, subdivision 1.

Senator Bakk moved that H.F. No. 316 be laid on the table. The motion prevailed.

H.F. No. 1112: A bill for an act relating to business organizations; modifying certain duties and responsibilities of the secretary of state; providing a standard of conduct for directors of certain cooperatives; amending Minnesota Statutes 2012, sections 5.002; 308B.215, subdivision 1; 321.0809; 321.0906; 321.1206; 323A.1102; 333.055, subdivision 2; 333.22, subdivision 2; 336.9-531; 336A.14; proposing coding for new law in Minnesota Statutes, chapter 308A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1030, now on General Orders.

H.F. No. 1510: A bill for an act relating to Hennepin County; updating and making technical corrections to county contract provisions; amending Minnesota Statutes 2012, sections 383B.158, subdivisions 1, 2, 5; 383B.1581, subdivisions 2, 3; 383B.1582; 383B.1584; repealing Minnesota Statutes 2012, section 383B.1585.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1351, now on General Orders.

H.F. No. 894: A bill for an act relating to elections; making policy, technical, and clarifying changes to various provisions related to election law, including provisions related to absentee voting, redistricting, ballots, registration, voting, caucuses, campaigns, the loss and restoration of voting rights, vacancies in nomination, county government structure, and election administration; providing an electronic roster pilot project and task force; requiring reports; appropriating money; amending Minnesota Statutes 2012, sections 5B.06; 13.851, subdivision 10; 103C.225, subdivision 3; 103C.305, subdivision 3; 103C.311, subdivision 2; 123A.48, subdivision 14; 201.054, subdivision 2, by adding a subdivision; 201.061, subdivision 3; 201.071, subdivision 2; 201.091, subdivision 8; 201.12, subdivision 3; 201.13, subdivision 1a; 201.14; 201.157; 201.275; 202A.14, subdivision 1; 203B.02, subdivision 1; 203B.04, subdivisions 1, 5; 203B.05, subdivision 1; 203B.06, subdivisions 1, 3; 203B.08, subdivision 3; 203B.081; 203B.121, subdivisions 1, 2, 3, 4, 5; 203B.227; 203B.28; 204B.04, by adding a subdivision; 204B.13, subdivisions 1, 2, 5, by adding subdivisions; 204B.18, subdivision 2; 204B.22, subdivision 1; 204B.28, subdivision 1; 204B.32, subdivision 1; 204B.33; 204B.35, subdivision 4; 204B.36, subdivision 1; 204B.45, subdivisions 1, 2; 204B.46; 204C.14; 204C.15, subdivision 1; 204C.19, subdivision 2; 204C.25; 204C.27; 204C.35, subdivision 1, by adding a subdivision; 204C.36, subdivision 1; 204D.08, subdivision 6; 204D.09, subdivision 2; 204D.11, subdivisions 1, 4, 5, 6; 204D.13, subdivision 3; 204D.14, subdivisions 1, 3; 204D.15, subdivision 3; 204D.16; 204D.165; 204D.19, subdivision 2, by adding a subdivision; 205.02, subdivision 2; 205.10, subdivision 3; 205.13, subdivision 1a; 205.16, subdivisions 4, 5; 205.17, subdivisions 1, 3; 205A.04, by adding a subdivision; 205A.05, subdivisions 1, 2; 205A.07, subdivisions 3, 3a, 3b; 205A.08, subdivision 1; 206.57, by adding a subdivision; 206.61, subdivision 4; 206.89, subdivision 2, by adding a subdivision; 206.895; 206.90, subdivision 6; 208.04, subdivisions 1, 2; 211B.045; 211B.37; 241.065, subdivision 2;

340A.416, subdivisions 2, 3; 340A.602; 375.20; 447.32, subdivisions 2, 3, 4; Laws 1963, chapter 276, section 2, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 2; 204B; 244; repealing Minnesota Statutes 2012, sections 2.484; 203B.04, subdivision 6; 204B.12, subdivision 2a; 204B.13, subdivisions 4, 6; 204B.22, subdivision 2; 204B.42; 204D.11, subdivisions 2, 3; 205.17, subdivisions 2, 4; 205A.08, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 677, now on General Orders.

REPORTS OF COMMITTEES

Senator Skoe from the Committee on Taxes, to which was referred

H.F. No. 1444: A bill for an act relating to government finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers, tort claims, and certain contingent appropriations; modifying various provisions related to transportation finance and policy; making technical and clarifying changes; amending Minnesota Statutes 2012, sections 161.20, subdivision 3; 161.44, by adding a subdivision; 168A.01, subdivision 6a; 171.05, subdivision 2, by adding a subdivision; 171.061, subdivision 4; 174.40, by adding a subdivision; 219.1651; 299E.01, subdivisions 2, 3; 398A.10, by adding a subdivision; Laws 2009, chapter 9, section 1; proposing coding for new law in Minnesota Statutes, chapters 161; 174; repealing Minnesota Statutes 2012, sections 161.04, subdivision 6; 174.285, subdivision 8.

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

Delete everything after the enacting clause and insert:

"ARTICLE 1

TRANSPORTATION AND PUBLIC SAFETY APPROPRIATIONS

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

	<u>2014</u>		<u>2015</u>		<u>Total</u>
<u>General</u>	\$ 171,020,000	\$	171,149,000	\$	342,169,000
<u>Airports</u>	18,959,000		18,959,000		37,918,000
<u>C.S.A.H.</u>	594,883,000		607,505,000		1,202,388,000
<u>M.S.A.S.</u>	152,219,000		155,060,000		307,279,000
<u>Special Revenue</u>	60,937,000		61,233,000		122,170,000
<u>H.U.T.D.</u>	10,406,000		10,406,000		20,812,000
<u>State Government Special Revenue</u>	59,841,000		64,742,000		124,583,000
<u>Environmental</u>	69,000		69,000		138,000
<u>Trunk Highway</u>	1,588,887,000		1,621,491,000		3,210,378,000

Notwithstanding Minnesota Statutes, section 16A.28, subdivision 6, this appropriation is available for five years after appropriation. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

(2) Aviation Support and Services 6,386,000 6,386,000

Appropriations by Fund

Airports 5,286,000 5,286,000

Trunk Highway 1,100,000 1,100,000

\$65,000 in each year is from the state airports fund for the Civil Air Patrol.

(b) Transit 17,148,000 17,167,000

Appropriations by Fund

General 16,373,000 16,392,000

Trunk Highway 775,000 775,000

\$100,000 in each year is from the general fund for the administrative expenses of the Minnesota Council on Transportation Access under Minnesota Statutes, section 174.285.

(c) Passenger Rail 500,000 500,000

This appropriation is from the general fund for passenger rail system planning, alternatives analysis, environmental analysis, design, and preliminary engineering under Minnesota Statutes, sections 174.632 to 174.636.

(d) Freight 5,153,000 5,153,000

Appropriations by Fund

General 256,000 256,000

Trunk Highway 4,897,000 4,897,000

Subd. 3. State Roads

(a) Operations and Maintenance 257,395,000 257,395,000

(b) Program Planning and Delivery 206,470,000 206,470,000

\$130,000 in each year is available for administrative costs of the targeted group business program.

\$266,000 in each year is available for grants to metropolitan planning organizations outside the seven-county metropolitan area.

\$75,000 in each year is available for a transportation research contingent account to finance research projects that are reimbursable from the federal government or from other sources. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$600,000 in each year is available for grants for transportation studies outside the metropolitan area to identify critical concerns, problems, and issues. These grants are available: (1) to regional development commissions; (2) in regions where no regional development commission is functioning, to joint powers boards established under agreement of two or more political subdivisions in the region to exercise the planning functions of a regional development commission; and (3) in regions where no regional development commission or joint powers board is functioning, to the department's district office for that region.

<u>(c) State Road Construction Total</u>	<u>805,400,000</u>	<u>806,600,000</u>
---	--------------------	--------------------

<u>(1) Economic Recovery Funds - Federal Highway Aid</u>	<u>1,000,000</u>	<u>1,000,000</u>
---	------------------	------------------

This appropriation is to complete projects using funds made available to the commissioner of transportation under title XII of the American Recovery and Reinvestment Act of 2009, Public Law 111-5, and implemented under Minnesota Statutes, section 161.36, subdivision 7. The base appropriation is \$1,000,000 in fiscal year 2016 and \$0 in fiscal year 2017.

<u>(2) State Road Construction</u>	<u>804,400,000</u>	<u>805,600,000</u>
---	--------------------	--------------------

It is estimated that these appropriations will be funded as follows:

<u>Appropriations by Fund</u>		
<u>Federal Highway Aid</u>	<u>489,200,000</u>	<u>482,200,000</u>
<u>Highway User Taxes</u>	<u>315,200,000</u>	<u>323,400,000</u>

The commissioner of transportation shall notify the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance of any significant events that should cause these estimates to change.

This appropriation is for the actual construction, reconstruction, and improvement of trunk highways, including design-build contracts and consultant usage to support these activities. This includes the cost of actual payment to landowners for lands acquired for highway rights-of-way, payment to lessees, interest subsidies, and relocation expenses.

The base appropriation for state road construction for fiscal years 2016 and 2017 is \$635,000,000 in each year.

The commissioner may expend up to one-half of one percent of the federal appropriations under this paragraph as grants to opportunity industrialization centers and other nonprofit job training centers for job training programs related to highway construction.

The commissioner may transfer up to \$15,000,000 each year to the transportation revolving loan fund.

The commissioner may receive money covering other shares of the cost of partnership projects. These receipts are appropriated to the commissioner for these projects.

(d) Highway Debt Service

158,417,000

189,821,000

\$148,917,000 the first year and \$180,321,000 the second year are for transfer to the state

bond fund. If an appropriation is insufficient to make all transfers required in the year for which it is made, the commissioner of management and budget shall notify the Committee on Finance of the senate and the Committee on Ways and Means of the house of representatives of the amount of the deficiency and shall then transfer that amount under the statutory open appropriation. Any excess appropriation cancels to the trunk highway fund.

(e) Electronic Communications 5,171,000 5,171,000

Appropriations by Fund

<u>General</u>	<u>3,000</u>	<u>3,000</u>
<u>Trunk Highway</u>	<u>5,168,000</u>	<u>5,168,000</u>

The general fund appropriation is to equip and operate the Roosevelt signal tower for Lake of the Woods weather broadcasting.

Subd. 4. Local Roads

(a) County State Aids 594,883,000 607,505,000

This appropriation is from the county state-aid highway fund under Minnesota Statutes, sections 161.082 to 161.085, and Minnesota Statutes, chapter 162. This appropriation is available until spent.

If the commissioner of transportation determines that a balance remains in the county state-aid highway fund following the appropriations and transfers made in this subdivision, and that the appropriations made are insufficient for advancing county state-aid highway projects, an amount necessary to advance the projects, not to exceed the balance in the county state-aid highway fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation shall notify the commissioner of management and budget and the chairs and ranking minority members of the

legislative committees with jurisdiction over transportation finance concerning funds appropriated.

(b) <u>Municipal State Aids</u>	<u>152,219,000</u>	<u>155,060,000</u>
--	--------------------	--------------------

This appropriation is from the municipal state-aid street fund for municipal state-aid streets under Minnesota Statutes, chapter 162. This appropriation is available until spent.

If the commissioner of transportation determines that a balance remains in the municipal state-aid street fund following the appropriations made in this subdivision, and that the appropriations made are insufficient for advancing municipal state-aid street projects, an amount necessary to advance the projects, not to exceed the balance in the municipal state-aid street fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation shall notify the commissioner of management and budget and the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance concerning funds appropriated.

Subd. 5. Agency Management

(a) <u>Agency Services</u>	<u>41,997,000</u>	<u>41,997,000</u>
-----------------------------------	-------------------	-------------------

Appropriations by Fund

<u>Airports</u>	<u>25,000</u>	<u>25,000</u>
<u>Trunk Highway</u>	<u>41,972,000</u>	<u>41,972,000</u>

(b) <u>Buildings</u>	<u>17,838,000</u>	<u>17,838,000</u>
-----------------------------	-------------------	-------------------

Appropriations by Fund

<u>General</u>	<u>54,000</u>	<u>54,000</u>
<u>Trunk Highway</u>	<u>17,784,000</u>	<u>17,784,000</u>

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 6. Transfers

(a) With the approval of the commissioner of management and budget, the commissioner of transportation may transfer unencumbered balances among the appropriations from the trunk highway fund and the state airports fund made in this section. No transfer may be made from the appropriations for state road construction or for debt service. Transfers under this paragraph may not be made between funds. Transfers under this paragraph must be reported immediately to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation finance.

(b) The commissioner shall transfer from the flexible highway account in the county state-aid highway fund: (1) \$3,700,000 in the first year to the trunk highway fund; and (2) the remainder in each year to the county turnback account in the county state-aid highway fund. The funds transferred are for highway turnback purposes as provided under Minnesota Statutes, section 161.081, subdivision 3.

Subd. 7. Use of State Road Construction Appropriations

Any money appropriated to the commissioner of transportation for state road construction for any fiscal year before the first year is available to the commissioner during the biennium to the extent that the commissioner spends the money on the state road construction project for which the money was originally encumbered during the fiscal year for which it was appropriated. The commissioner of transportation shall report to the commissioner of management and budget by August 1, 2013, and August 1, 2014, on a form the commissioner of management and budget provides, on expenditures made

during the previous fiscal year that are authorized by this subdivision.

Subd. 8. Contingent Appropriation

The commissioner of transportation, with the approval of the governor and the written approval of at least five members of a group consisting of the members of the Legislative Advisory Commission under Minnesota Statutes, section 3.30, and the ranking minority members of the legislative committees with jurisdiction over transportation finance, may transfer all or part of the unappropriated balance in the trunk highway fund to an appropriation: (1) for trunk highway design, construction, or inspection in order to take advantage of an unanticipated receipt of income to the trunk highway fund or to take advantage of federal advanced construction funding; (2) for trunk highway maintenance in order to meet an emergency; or (3) to pay tort or environmental claims. Nothing in this subdivision authorizes the commissioner to increase the use of federal advanced construction funding beyond amounts specifically authorized. Any transfer as a result of the use of federal advanced construction funding must include an analysis of the effects on the long-term trunk highway fund balance. The amount transferred is appropriated for the purpose of the account to which it is transferred.

Sec. 4. <u>METROPOLITAN COUNCIL</u>	<u>\$</u>	<u>64,889,000</u>	<u>\$</u>	<u>64,970,000</u>
--	------------------	--------------------------	------------------	--------------------------

This appropriation is from the general fund for transit system operations under Minnesota Statutes, sections 473.371 to 473.449.

Sec. 5. DEPARTMENT OF PUBLIC SAFETY

Subdivision 1. <u>Total Appropriation</u>	<u>\$</u>	<u>309,107,000</u>	<u>\$</u>	<u>314,333,000</u>
--	------------------	---------------------------	------------------	---------------------------

Appropriations by Fund

	<u>2014</u>	<u>2015</u>
<u>General</u>	<u>88,945,000</u>	<u>88,974,000</u>

<u>Special Revenue</u>	<u>60,937,000</u>	<u>61,233,000</u>
<u>H.U.T.D.</u>	<u>10,406,000</u>	<u>10,406,000</u>
<u>Trunk Highway</u>	<u>88,909,000</u>	<u>88,909,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>59,841,000</u>	<u>64,742,000</u>
<u>Environmental</u>	<u>69,000</u>	<u>69,000</u>

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Administration and Related Services

(a) Office of Communications 504,000 504,000

Appropriations by Fund

<u>General</u>	<u>111,000</u>	<u>111,000</u>
<u>Trunk Highway</u>	<u>393,000</u>	<u>393,000</u>

(b) Public Safety Support 8,439,000 8,439,000

Appropriations by Fund

<u>General</u>	<u>3,467,000</u>	<u>3,467,000</u>
<u>H.U.T.D.</u>	<u>1,366,000</u>	<u>1,366,000</u>
<u>Trunk Highway</u>	<u>3,606,000</u>	<u>3,606,000</u>

\$380,000 in each year is from the general fund for payment of public safety officer survivor benefits under Minnesota Statutes, section 299A.44. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$1,367,000 in each year is from the general fund to be deposited in the public safety officer's benefit account. This money is available for reimbursements under Minnesota Statutes, section 299A.465.

\$600,000 in each year is from the general fund and \$100,000 in each year is from the trunk highway fund for soft body armor reimbursements under Minnesota Statutes, section 299A.38.

\$792,000 in each year is from the general fund for transfer by the commissioner of management and budget to the trunk highway fund on December 31, 2013, and December 31, 2014, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.

\$610,000 in each year is from the highway user tax distribution fund for transfer by the commissioner of management and budget to the trunk highway fund on December 31, 2013, and December 31, 2014, respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for highway user tax distribution fund purposes in the administration and related services program.

\$716,000 in each year is from the highway user tax distribution fund for transfer by the commissioner of management and budget to the general fund on December 31, 2013, and December 31, 2014, respectively, in order to reimburse the general fund for expenses not related to the fund. These represent amounts appropriated out of the general fund for operation of the criminal justice data network related to driver and motor vehicle licensing.

Before January 15, 2015, the commissioner of public safety shall review the amounts and purposes of the transfers under this paragraph and shall recommend necessary changes to the legislative committees with jurisdiction over transportation finance.

<u>(c) Technology and Support Service</u>		<u>3,685,000</u>	<u>3,685,000</u>
	<u>Appropriations by Fund</u>		
<u>General</u>	<u>1,322,000</u>	<u>1,322,000</u>	
<u>H.U.T.D.</u>	<u>19,000</u>	<u>19,000</u>	

<u>Trunk Highway</u>	<u>2,344,000</u>	<u>2,344,000</u>
----------------------	------------------	------------------

Subd. 3. State Patrol

<u>(a) Patrolling Highways</u>	<u>72,522,000</u>	<u>72,522,000</u>
---------------------------------------	-------------------	-------------------

Appropriations by Fund

<u>General</u>	<u>37,000</u>	<u>37,000</u>
----------------	---------------	---------------

<u>H.U.T.D.</u>	<u>92,000</u>	<u>92,000</u>
-----------------	---------------	---------------

<u>Trunk Highway</u>	<u>72,393,000</u>	<u>72,393,000</u>
----------------------	-------------------	-------------------

<u>(b) Commercial Vehicle Enforcement</u>	<u>7,796,000</u>	<u>7,796,000</u>
--	------------------	------------------

<u>(c) Capitol Security</u>	<u>3,105,000</u>	<u>3,105,000</u>
------------------------------------	------------------	------------------

This appropriation is from the general fund.

The commissioner may not: (1) spend any money from the trunk highway fund for capitol security; or (2) permanently transfer any state trooper from the patrolling highways activity to capitol security.

The commissioner may not transfer any money appropriated to the commissioner under this section: (1) to capitol security; or (2) from capitol security.

<u>(d) Vehicle Crimes Unit</u>	<u>693,000</u>	<u>693,000</u>
---------------------------------------	----------------	----------------

This appropriation is from the highway user tax distribution fund.

This appropriation is to investigate: (1) registration tax and motor vehicle sales tax liabilities from individuals and businesses that currently do not pay all taxes owed; and (2) illegal or improper activity related to sale, transfer, titling, and registration of motor vehicles.

Subd. 4. Driver and Vehicle Services

<u>(a) Vehicle Services</u>	<u>28,259,000</u>	<u>28,357,000</u>
------------------------------------	-------------------	-------------------

Appropriations by Fund

<u>Special Revenue</u>	<u>20,023,000</u>	<u>20,121,000</u>
------------------------	-------------------	-------------------

<u>H.U.T.D.</u>	<u>8,236,000</u>	<u>8,236,000</u>
-----------------	------------------	------------------

The special revenue fund appropriation is from the vehicle services operating account.

\$1,000,000 in each year is from the special revenue fund for ten additional positions to enhance customer service related to vehicle title issuance.

\$98,000 the second year is from the special revenue fund for the vehicle services portion of a new telephone system. This amount is for transfer to the Office of Enterprise Technology for initial construction and development of the system. This is a onetime appropriation and is available until expended.

<u>(b) Driver Services</u>	<u>28,749,000</u>	<u>28,947,000</u>
-----------------------------------	-------------------	-------------------

Appropriations by Fund

<u>Special Revenue</u>	<u>28,748,000</u>	<u>28,946,000</u>
<u>Trunk Highway</u>	<u>1,000</u>	<u>1,000</u>

The special revenue fund appropriation is from the driver services operating account.

\$150,000 in the second year is from the special revenue fund for two new positions to implement facial recognition.

\$52,000 the second year is from the special revenue fund for the driver services portion of a new telephone system. This amount is for transfer to the Office of Enterprise Technology for initial construction and development of the system. This is a onetime appropriation and is available until expended.

\$37,000 in the first year and \$33,000 in the second year are from the special revenue fund for one half-time position to assist with the Novice Driver Improvement Task Force under Minnesota Statutes, section 171.0701, subdivision 1a. The base appropriation for this position is \$6,000 in fiscal year 2016 and \$0 in fiscal year 2017.

<u>Subd. 5. Traffic Safety</u>	<u>435,000</u>	<u>435,000</u>
---------------------------------------	----------------	----------------

The commissioner of public safety shall spend 50 percent of the money available to the state under United States Code, title 23, section 164, and the remaining 50 percent must be transferred to the commissioner of transportation for hazard elimination activities under United States Code, title 23, section 152.

Subd. 6. Pipeline Safety	<u>1,354,000</u>	<u>1,354,000</u>
---------------------------------	------------------	------------------

This appropriation is from the pipeline safety account in the special revenue fund.

Subd. 7. Emergency Management	<u>3,079,000</u>	<u>3,029,000</u>
--------------------------------------	------------------	------------------

Appropriations by Fund

General	<u>2,406,000</u>	<u>2,356,000</u>
Special Revenue	<u>604,000</u>	<u>604,000</u>
Environmental	<u>69,000</u>	<u>69,000</u>

\$604,000 each year is appropriated from the fire safety account in the special revenue fund. These amounts must be used to fund the hazardous materials and chemical assessment teams.

\$555,000 the first year and \$505,000 the second year are from the general fund to reinstate the school safety center and to provide for school safety. The commissioner of public safety shall work collaboratively with the School Climate Council and the school climate center established under Minnesota Statutes, sections 121A.07 and 127A.052.

Subd. 8. Criminal Apprehension	<u>42,853,000</u>	<u>42,932,000</u>
---------------------------------------	-------------------	-------------------

Appropriations by Fund

General	<u>40,905,000</u>	<u>40,984,000</u>
State Government		
Special Revenue	<u>7,000</u>	<u>7,000</u>
Trunk Highway	<u>1,941,000</u>	<u>1,941,000</u>

Notwithstanding Minnesota Statutes, section 161.20, subdivision 3, \$1,941,000 each year

is appropriated from the trunk highway fund for laboratory analysis related to driving while impaired cases.

\$125,000 in each year is from the general fund to replace forensic laboratory equipment at the Bureau of Criminal Apprehension. \$200,000 in each year is from the general fund to improve forensic laboratory staffing at the Bureau of Criminal Apprehension.

\$310,000 the first year and \$389,000 the second year are from the general fund to maintain Livescan fingerprinting machines.

Subd. 9. Fire Marshal

9,555,000

9,555,000

This appropriation is from the fire safety account in the special revenue fund and is for activities under Minnesota Statutes, section 299F.012.

Of this amount: (1) \$7,187,000 each year is for activities under Minnesota Statutes, section 299F.012; and (2) \$2,368,000 the first year and \$2,368,000 the second year are for transfers to the general fund under Minnesota Statutes, section 297I.06, subdivision 3.

Subd. 10. Alcohol and Gambling Enforcement

2,235,000

2,235,000

Appropriations by Fund

General	<u>1,582,000</u>	<u>1,582,000</u>
Special Revenue	<u>653,000</u>	<u>653,000</u>

This appropriation is from the alcohol enforcement account in the special revenue fund. Of this appropriation, \$500,000 each year shall be transferred to the general fund.

Subd. 11. Office of Justice Programs

36,106,000

36,106,000

Appropriations by Fund

General	<u>36,010,000</u>	<u>36,010,000</u>
State Government		
Special Revenue	<u>96,000</u>	<u>96,000</u>

Up to 2.5 percent of the grant money appropriated in this subdivision may be used to administer the grant program.

\$1,500,000 in each year is from the general fund for victim assistance grants. The funds must be distributed through an open and competitive grant process for existing crime victim programs. The funds must be used to meet the needs of underserved and unserved areas and populations.

\$1,500,000 in each year is from the general fund for youth intervention programs under Minnesota Statutes, section 299A.73. The appropriations must be used to create new programs statewide in underserved areas and to help existing programs serve unmet needs in the program's communities.

\$50,000 in each year is from the general fund for a grant to the Upper Midwest Community Policing Institute for use in training community safety personnel about the use of de-escalation strategies for handling returning veterans in crisis. This is a onetime appropriation, and the unencumbered balance in the first year does not cancel but is available for the second year. The commissioner shall consult with the Peace Officers Standards and Training (POST) Board regarding the design and content of the course, and must also ensure that the training opportunities are reasonably distributed throughout the state.

Subd. 12. Emergency Communication Networks

59,738,000

64,639,000

This appropriation is from the state government special revenue fund for 911 emergency telecommunications services.

(a) Public Safety Answering Points
\$13,664,000 each year is to be distributed as provided in Minnesota Statutes, section 403.113, subdivision 2.

(b) Medical Resource Communication Centers
\$683,000 each year is for grants to the Minnesota Emergency Medical

Services Regulatory Board for the Metro East and Metro West Medical Resource Communication Centers that were in operation before January 1, 2000.

(c) **ARMER Debt Service** \$23,261,000 each year is to the commissioner of management and budget to pay debt service on revenue bonds issued under Minnesota Statutes, section 403.275.

Any portion of this appropriation not needed to pay debt service in a fiscal year may be used by the commissioner of public safety to pay cash for any of the capital improvements for which bond proceeds were appropriated by Laws 2005, chapter 136, article 1, section 9, subdivision 8, or Laws 2007, chapter 54, article 1, section 10, subdivision 8.

(d) **ARMER State Backbone Operating Costs** \$9,250,000 the first year and \$9,650,000 the second year are to the commissioner of transportation for costs of maintaining and operating the first and third phases of the statewide radio system backbone.

(e) **ARMER Improvements** \$1,000,000 each year is for the Statewide Radio Board for costs of design, construction, maintenance of, and improvements to those elements of the statewide public safety radio and communication system that support mutual aid communications and emergency medical services or provide enhancement of public safety communication interoperability.

\$600,000 the first year and \$1,000,000 the second year are for transfer to the commissioner of transportation for maintenance of the Allied Radio Matrix for Emergency Response.

Sec. 6. **TORT CLAIMS**

\$ 600,000 \$ 600,000

This appropriation is to the commissioner of management and budget.

If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Sec. 7. REAUTHORIZATION; 2008 BOND SALE EXPENSES FOR TRUNK HIGHWAY BONDS.

\$1,414,600 of the amount appropriated in Laws 2008, chapter 152, article 2, section 6, for trunk highway bond sale expenses, which was reported to the legislature according to Minnesota Statutes, section 16A.642, subdivision 1, is reauthorized and does not cancel under the terms of that subdivision. This appropriation for the bond sale expenses and the bond sale authorization in Laws 2008, chapter 152, article 2, section 7, subdivision 1, as amended, are available until December 31, 2019.

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

ARTICLE 2

TRANSPORTATION POLICY AND FINANCE

Section 1. Minnesota Statutes 2012, section 161.20, subdivision 3, is amended to read:

Subd. 3. **Trunk highway fund appropriations.** The commissioner may expend trunk highway funds only for trunk highway purposes. Payment of expenses related to Bureau of Criminal Apprehension laboratory, Explore Minnesota Tourism kiosks, Minnesota Safety Council, ~~tor~~ ~~claims~~; driver education programs, Emergency Medical Services Board, Mississippi River Parkway Commission, payments to MN.IT Services in excess of actual costs incurred for trunk highway purposes, and personnel costs incurred on behalf of the Governor's Office do not further a highway purpose and do not aid in the construction, improvement, or maintenance of the highway system.

Sec. 2. Minnesota Statutes 2012, section 161.53, is amended to read:

161.53 RESEARCH ACTIVITIES.

(a) The commissioner may set aside in each fiscal year up to two percent of the total amount of all funds appropriated to the commissioner other than county state-aid and municipal state-aid highway funds for transportation research including public and private research partnerships. The commissioner shall spend this money for (1) research to improve the design, construction, maintenance, management, and environmental compatibility of transportation systems, including research into and implementation of innovations in bridge-monitoring technology and bridge inspection technology; bridge inspection techniques and best practices; and the cost-effectiveness of deferred or lower cost highway and bridge design and maintenance activities and their impacts on long-term trunk highway costs and maintenance needs; (2) research on transportation policies that enhance energy efficiency and economic development; (3) programs for implementing and monitoring research results; and (4) development of transportation education and outreach activities.

(b) Of all funds appropriated to the commissioner other than state-aid funds, the commissioner shall spend at least 0.1 percent, but not exceeding ~~\$1,200,000~~ \$2,000,000 in any fiscal year, for research and related activities performed by the Center for Transportation Studies of the University of Minnesota. The center shall establish a technology transfer and training center for Minnesota transportation professionals. By June 30, 2018, the center shall conduct research on transportation

policy and economic competitiveness, including, but not limited to, innovative transportation finance options and economic development, transportation impacts of industry clusters and freight, and transportation technology impacts on economic competitiveness.

Sec. 3. Minnesota Statutes 2012, section 168A.29, subdivision 1, is amended to read:

Subdivision 1. **Amounts.** (a) The department must be paid the following fees:

(1) for filing an application for and the issuance of an original certificate of title, the sum of:

(i) until December 31, 2016, \$6.25 of which \$3.25 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705; until June 30, 2012, a surcharge of \$1.75 must be added to the fee and credited to the driver and vehicle services technology account; and from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver and vehicle services technology account; and

(ii) on and after January 1, 2017, \$8.25 of which \$4.15 must be paid into the vehicle services operating account;

(2) for each security interest when first noted upon a certificate of title, including the concurrent notation of any assignment thereof and its subsequent release or satisfaction, the sum of \$2, except that no fee is due for a security interest filed by a public authority under section 168A.05, subdivision 8;

(3) until December 31, 2016, for the transfer of the interest of an owner and the issuance of a new certificate of title, the sum of \$5.50 of which \$2.50 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705; until June 30, 2012, a surcharge of \$1.75 must be added to the fee and credited to the driver and vehicle services technology account; and from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver and vehicle services technology account;

(4) for each assignment of a security interest when first noted on a certificate of title, unless noted concurrently with the security interest, the sum of \$1; and

(5) for issuing a duplicate certificate of title, the sum of \$7.25 of which \$3.25 must be paid into the vehicle services operating account of the special revenue fund under section 299A.705; ~~until June 30, 2012, a surcharge of \$1.75 must be added to the fee and credited to the driver and vehicle services technology account;~~ from July 1, 2012, to June 30, 2016, a surcharge of \$1 must be added to the fee and credited to the driver and vehicle services technology account.

(b) ~~After June 30, 1994,~~ In addition to ~~each of the fees the fee~~ required under paragraph (a), clause (1) and (3), the department must be paid \$3.50. The additional \$3.50 fee collected under this paragraph must be deposited in the special revenue fund and credited to the public safety motor vehicle account established in section 299A.70.

Sec. 4. Minnesota Statutes 2012, section 171.05, subdivision 2, is amended to read:

Subd. 2. **Person less than 18 years of age.** (a) Notwithstanding any provision in subdivision 1 to the contrary, the department may issue an instruction permit to an applicant who is 15, 16, or 17 years of age and who:

(1) has completed a course of driver education in another state, has a previously issued valid license from another state, or is enrolled in either:

(i) a public, private, or commercial driver education program that is approved by the commissioner of public safety and that includes classroom and behind-the-wheel training; or

(ii) an approved behind-the-wheel driver education program when the student is receiving full-time instruction in a home school within the meaning of sections 120A.22 and 120A.24, the student is working toward a homeschool diploma, the student is taking home-classroom driver training with classroom materials approved by the commissioner of public safety, and the student's parent has certified the student's homeschool and home-classroom driver training status on the form approved by the commissioner;

(2) has completed the classroom phase of instruction in the driver education program or has completed 15 hours of classroom instruction in a program that presents classroom and behind-the-wheel instruction concurrently;

(3) has passed a test of the applicant's eyesight;

(4) has passed a department-administered test of the applicant's knowledge of traffic laws;

(5) has completed the required application, which must be approved by (i) either parent when both reside in the same household as the minor applicant or, if otherwise, then (ii) the parent or spouse of the parent having custody or, in the event there is no court order for custody, then (iii) the parent or spouse of the parent with whom the minor is living or, if items (i) to (iii) do not apply, then (iv) the guardian having custody of the minor, (v) the foster parent or the director of the transitional living program in which the child resides or, in the event a person under the age of 18 has no living father, mother, or guardian, or is married or otherwise legally emancipated, then (vi) the applicant's adult spouse, adult close family member, or adult employer; provided, that the approval required by this clause contains a verification of the age of the applicant and the identity of the parent, guardian, adult spouse, adult close family member, or adult employer; and

(6) has paid ~~the fee~~ all fees required in section 171.06, subdivision 2.

(b) For the purposes of determining compliance with the certification of paragraph (a), clause (1), item (ii), the commissioner may request verification of a student's homeschool status from the superintendent of the school district in which the student resides and the superintendent shall provide that verification.

(c) The instruction permit is valid for two years from the date of application and may be renewed upon payment of a fee equal to the fee for issuance of an instruction permit under section 171.06, subdivision 2.

(d) The commissioner of public safety shall adopt rules to carry out the provisions of this section. The rules adopted under this section are exempt from the rulemaking provisions of chapter 14. The rules are subject to section 14.386, except that section 14.386, paragraph (b), does not apply.

EFFECTIVE DATE. Paragraph (a) is effective June 1, 2014. Paragraph (d) is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2012, section 171.061, subdivision 4, is amended to read:

Subd. 4. **Fee; equipment.** (a) The agent may charge and retain a filing fee of ~~\$5~~ \$8 for each application. Except as provided in paragraph (c), the fee shall cover all expenses involved in

receiving, accepting, or forwarding to the department the applications and fees required under sections 171.02, subdivision 3; 171.06, subdivisions 2 and 2a; and 171.07, subdivisions 3 and 3a.

(b) The statutory fees and the filing fees imposed under paragraph (a) may be paid by credit card or debit card. The driver's license agent may collect a convenience fee on the statutory fees and filing fees not greater than the cost of processing a credit card or debit card transaction. The convenience fee must be used to pay the cost of processing credit card and debit card transactions. The commissioner shall adopt rules to administer this paragraph using the exempt procedures of section 14.386, except that section 14.386, paragraph (b), does not apply.

(c) The department shall maintain the photo identification equipment for all agents appointed as of January 1, 2000. Upon the retirement, resignation, death, or discontinuance of an existing agent, and if a new agent is appointed in an existing office pursuant to Minnesota Rules, chapter 7404, and notwithstanding the above or Minnesota Rules, part 7404.0400, the department shall provide and maintain photo identification equipment without additional cost to a newly appointed agent in that office if the office was provided the equipment by the department before January 1, 2000. All photo identification equipment must be compatible with standards established by the department.

(d) A filing fee retained by the agent employed by a county board must be paid into the county treasury and credited to the general revenue fund of the county. An agent who is not an employee of the county shall retain the filing fee in lieu of county employment or salary and is considered an independent contractor for pension purposes, coverage under the Minnesota State Retirement System, or membership in the Public Employees Retirement Association.

(e) Before the end of the first working day following the final day of the reporting period established by the department, the agent must forward to the department all applications and fees collected during the reporting period except as provided in paragraph (d).

Sec. 6. Minnesota Statutes 2012, section 174.40, is amended by adding a subdivision to read:

Subd. 7a. **Related non-infrastructure activities.** (a) The commissioner may not expend an appropriation from the bond proceeds fund, or provide financial assistance from such appropriations, for the purposes specified in this subdivision.

(b) Subject to appropriations made specifically for the purposes of this subdivision, the commissioner may expend funds for non-infrastructure activities to encourage walking and bicycling to school, including:

- (1) planning activities;
- (2) public awareness campaigns and outreach to press and community leaders;
- (3) traffic education and enforcement in the vicinity of schools;
- (4) student sessions on bicycle and pedestrian safety, health, and the environment; and
- (5) financial assistance for training, volunteers, and managers of safe routes to school programs.

Sec. 7. Minnesota Statutes 2012, section 299A.73, subdivision 3, is amended to read:

Subd. 3. **Grant allocation formula.** Up to ~~one~~ five percent of the appropriations to the grants-in-aid to the youth intervention program may be used for a grant to the Minnesota Youth Intervention Programs Association for expenses in providing ~~collaborative~~ collaboration, program

development, professional development training and, technical assistance to, tracking, and analyzing and reporting outcome data for the community-based grantees of the program. The Minnesota Youth Intervention Programs Association is not required to meet the match obligation under subdivision 2.

Sec. 8. Minnesota Statutes 2012, section 299E.01, subdivision 3, is amended to read:

Subd. 3. **Powers and duties transferred.** All powers, duties and responsibilities heretofore assigned by law to the commissioner of administration relating to the general function of security in ~~such~~ Capitol complex state-owned buildings are hereby transferred to the commissioner of public safety. The commissioner of public safety shall have the final authority regarding public safety and security in the Capitol complex. The commissioner of administration shall have the powers, duties, and responsibilities relating to the Capitol complex of state-owned buildings as provided under chapter 16B.

Sec. 9. Minnesota Statutes 2012, section 398A.04, is amended by adding a subdivision to read:

Subd. 2a. **Bus rapid transit development.** A regional rail authority may exercise the powers conferred under this section to: plan, establish, acquire, develop, purchase, enlarge, extend, improve, maintain, equip, regulate, and protect; and pay costs of construction and operation of a bus rapid transit system located within its county on transit ways included in and approved by the Metropolitan Council's 2030 Transportation Policy Plan. This subdivision applies only to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

EFFECTIVE DATE. This section is effective the day following final enactment and applies only to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 10. Minnesota Statutes 2012, section 398A.10, is amended by adding a subdivision to read:

Subd. 4. **Definition.** For purposes of this section, "project" means the initial construction of a minimum operable segment of a new light rail transit or commuter rail line, but does not include infill stations, project enhancements, extensions, or supportive infrastructure, constructed after the rail transit is operational.

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

Sec. 11. Minnesota Statutes 2012, section 473.39, is amended by adding a subdivision to read:

Subd. 1s. **Obligations.** After July 1, 2013, in addition to other authority in this section, the council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$35,800,000 for capital expenditures as prescribed in the council's transit capital improvement program and for related costs, including the costs of issuance and sale of the obligations.

EFFECTIVE DATE. This section is effective the day following final enactment and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 12. Laws 2009, chapter 9, section 1, the effective date, is amended to read:

EFFECTIVE DATE. This section is effective the day following final enactment, and expires on June 30, ~~2013~~ 2016.

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

Sec. 13. FINANCIAL ASSISTANCE FOR NORTHSTAR COMMUTER RAIL EXPENSES; GREATER MINNESOTA.

The portion of the cost to provide financial assistance for the Greater Minnesota Transit component of the Northstar Commuter Rail is exempt from the requirements in Minnesota Statutes, section 174.24, subdivision 1.

Sec. 14. MINNESOTA DEPARTMENT OF TRANSPORTATION DISTRICT 1 CONSTRUCTION PROJECTS.

(a) Notwithstanding any law to the contrary, the commissioner of transportation must select and implement either the M-1 or the E-2 layout, as identified in the alternatives analysis conducted by the Department of Transportation, or variations of the M-1 or E-2 layouts, for the project involving the relocation of marked U.S. Highway 53 between Eveleth and Virginia.

(b) Notwithstanding any law to the contrary, the commissioner of transportation must select and implement the South Route layout, as identified and selected in 2010 as the preferred alternative, for the project involving marked U.S. Highway 169 between Tower and Ely.

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

Sec. 15. NOVICE DRIVER EDUCATION IMPROVEMENT TASK FORCE.

(a) The Novice Driver Education Improvement Task Force is established to ensure driver education programs in Minnesota meet the Novice Teen Driver Education and Training Administrative Standards published by the United States Department of Transportation, National Highway Traffic Safety Administration.

(b) The task force consists of 21 members:

(1) the commissioner of public safety or the commissioner's designee;

(2) two representatives from and designated by the Minnesota Association of Student Councils;

(3) one representative from and designated by Mothers Against Drunk Driving;

(4) one representative from and designated by Minnesotans for Safe Driving;

(5) two representatives from law enforcement organizations, such as the Minnesota Chiefs of Police Association and the Minnesota Sheriffs' Association, appointed by the commissioner;

(6) one representative from and designated by the American Automobile Association;

(7) one representative from and designated by the Minnesota Safety Council;

(8) two representatives from and designated by the Minnesota PTA;

(9) five driver educators from the Minnesota Driver and Traffic Safety Education Association designated by the commissioner; and

(10) five driver educators from commercial driving schools, designated by the commissioner.

(c) Any vacancies shall be filled by the appointing or designating authorities.

(d) Members shall serve without compensation.

(e) Members shall be appointed or designated by August 1, 2013.

(f) The commissioner or the commissioner's designee shall convene the first meeting of the task force after all appointments have been made. At the first meeting, the task force shall elect a chair from among its members by majority vote. The first meeting must take place by September 1, 2013.

(g) The duties of the task force are to examine and compare Minnesota law and rules concerning driver education with the Novice Teen Driver Education and Training Administrative Standards, identify discrepancies, and determine to what extent, if any, state law should be modified to conform with federal standards.

(h) The commissioner shall provide support staff and administrative services for the task force.

(i) The task force shall submit a report no later than August 31, 2015, to the chairs and ranking minority members of the committees in the house of representatives and senate having jurisdiction over transportation policy and finance, containing its recommendation as to whether or to what extent Minnesota's driver education programs should conform to national standards referenced in paragraph (a), and if so, providing draft legislation necessary or desirable to achieve the recommended level of federal conformity. The report may present recommendations for improving Minnesota's driver education curriculum and identify associated costs.

EFFECTIVE DATE. This section is effective the day following final enactment and is repealed September 1, 2015, or the day after the task force submits its report, as required in paragraph (i), whichever occurs first.

Sec. 16. TRANSIT WAY COMMUNITY ENGAGEMENT.

(a) In all phases of a transit way project in which the Metropolitan Council is the lead transportation authority, the council may partner and contract for services with local community-based organizations to promote community engagement activities along the project corridor. The community-based organizations may include those organizations representative of low-income people, people of color, people with disabilities, other cultural constituencies, or small businesses.

(b) For purposes of this section, project phases may include, but are not limited to:

(1) feasibility studies, alternatives analysis, preplanning, environmental analysis, land acquisition, easements, design, preliminary and final engineering, construction, and station development;

(2) review of existing public transit service along the corridor; and

(3) pedestrian, bicycle, or nonmotorized improvement projects associated with the corridor.

(c) Any community engagement activities conducted under this section shall be reported to the senate and house of representatives chairs and ranking minority members of the committees and divisions with primary jurisdiction over transportation policy and finance.

Sec. 17. TRANSPORTATION INFRASTRUCTURE HIRING AND RECRUITMENT.

(a) In the construction, maintenance, replacement, and improvement of transit and transportation infrastructure, the lead transportation authority is encouraged to: (1) make every effort to employ, and encourage the construction manager and other subcontractors and vendors to employ, women

and members of minority communities; (2) make every effort to contract with women-owned and minority-owned small businesses designated as small targeted group businesses under Minnesota Statutes, section 16C.16; and (3) may contract with a community-based employment assistance firm to create an employment program to recruit, hire, and retain women and minorities for the project construction workforce. In monitoring progress on meeting these goals, reports may track workers from zip codes that have high rates of poverty and unemployment.

(b) The commissioner of transportation shall make all reasonable efforts to increase participation in Department of Transportation highway projects of small businesses located in economically disadvantaged areas of Minnesota, within the meaning of Minnesota Statutes, section 16C.16, subdivision 7.

Sec. 18. **REPEALER.**

Minnesota Statutes 2012, section 174.285, subdivision 8, is repealed."

Delete the title and insert:

"A bill for an act relating to government finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers, tort claims, and contingent appropriations; modifying policy relating to transportation, transit, and public safety; amending Minnesota Statutes 2012, sections 161.20, subdivision 3; 161.53; 168A.29, subdivision 1; 171.05, subdivision 2; 171.061, subdivision 4; 174.40, by adding a subdivision; 299A.73, subdivision 3; 299E.01, subdivision 3; 398A.04, by adding a subdivision; 398A.10, by adding a subdivision; 473.39, by adding a subdivision; Laws 2009, chapter 9, section 1; repealing Minnesota Statutes 2012, section 174.285, subdivision 8."

And when so amended the bill do pass. Senator Ortman questioned the reference thereon and, under Rule 21, the bill was referred to the Committee on Rules and Administration.

RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of House Bills.

REPORTS OF COMMITTEES

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

H.F. No. 1444: A bill for an act relating to government finance; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers, tort claims, and certain contingent appropriations; modifying various provisions related to transportation finance and policy; making technical and clarifying changes; amending Minnesota Statutes 2012, sections 161.20, subdivision 3; 161.44, by adding a subdivision; 168A.01, subdivision 6a; 171.05, subdivision 2, by adding a subdivision; 171.061, subdivision 4; 174.40, by adding a subdivision; 219.1651; 299E.01, subdivisions 2, 3; 398A.10, by adding a subdivision; Laws 2009, chapter 9, section 1; proposing coding for new law in Minnesota Statutes, chapters 161; 174; repealing Minnesota Statutes 2012, sections 161.04, subdivision 6; 174.285, subdivision 8.

Reports the same back with the recommendation that the report from the Committee on Taxes, shown in the Journal for May 8, 2013, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass".

Senator Bakk moved that the Committee Report on H.F. No. 1444 be now adopted.

CALL OF THE SENATE

Senator Ortman imposed a call of the Senate for the balance of the proceedings on H.F. No. 1444. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Bakk motion.

The roll was called, and there were yeas 33 and nays 26, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Johnson	Rest	Stumpf
Bonoff	Eken	Kent	Saxhaug	Tomassoni
Carlson	Franzen	Koenen	Scalze	Torres Ray
Champion	Goodwin	Latz	Schmit	Wiger
Clausen	Hawj	Lourey	Sheran	Wiklund
Cohen	Hayden	Marty	Skoe	
Dziedzic	Hoffman	Pappas	Sparks	

Those who voted in the negative were:

Anderson	Fischbach	Kiffmeyer	Ortman	Weber
Benson	Gazelka	Limmer	Pederson, J.	Westrom
Brown	Hall	Miller	Pratt	
Chamberlain	Hann	Nelson	Rosen	
Dahms	Ingebrigtsen	Newman	Senjem	
Dibble	Jensen	Nienow	Thompson	

The motion prevailed. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. No. 1444 was read the second time.

MEMBERS EXCUSED

Senators Housley, Jensen and Torres Ray were excused from the Session of today from 11:00 to 11:25 a.m. Senators Pedersen, B. and Ruud were excused from the Session of today from 11:00 to 11:25 a.m. and at 7:00 p.m. Senator Rest was excused from the Session of today from 2:15 to 2:45 p.m. Senator Senjem was excused from the Session of today from 2:35 to 3:05 p.m. Senator Tomassoni was excused from the Session of today from 3:00 to 3:20 p.m. Senators Dahle, Housley and Osmek were excused from the Session of today at 5:55 p.m. Senator Sieben was excused from the Session of today at 6:35 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 12:00 noon., Thursday, May 9, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate