

## THIRTY-NINTH DAY

St. Paul, Minnesota, Thursday, April 7, 2011

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

**CALL OF THE SENATE**

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

Prayer was offered by the Chaplain, Rev. Dr. David Van Dyke.

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

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

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

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.

March 25, 2011

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

**BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION**

Bari Amadio, 816 – 9th Ave. S.W., Rochester, in the county of Olmsted, effective March 7, 2011, for a term expiring on January 5, 2015.

Ardythe Gallant, 1826 Johnson St. N.E., Minneapolis, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 5, 2015.

Pierce A. McNally, 308 Ferndale Rd. W., Wayzata, in the county of Hennepin, effective March 21, 2011, for a term expiring on January 5, 2015.

Nancy Paddleford, 700 Thye Ct., Northfield, in the county of Dakota, effective March 28, 2011, for a term expiring on January 5, 2015.

(Referred to the Committee on Education.)

April 4, 2011

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

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

**COMMISSIONER OF REVENUE**

Myron Frans, 1704 Humboldt Ave. S., Minneapolis, in the county of Hennepin, effective April 6, 2011, for a term expiring on January 5, 2015.

This appointment replaces the appointment submitted to you by my letter of January 6, 2011, which was printed in the Senate Journal for January 31, 2011.

(Referred to the Committee on Taxes.)

Sincerely,  
Mark Dayton, Governor

**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. 887:** A bill for an act relating to state government; appropriating money for jobs,

economic development, and housing; modifying certain programs; modifying fees and licensing, registration, and continuing education provisions; amending Minnesota Statutes 2010, sections 116J.035, by adding a subdivision; 116J.8737, subdivisions 1, 2, 4; 116L.04, subdivision 1; 181.723, subdivision 5; 182.6553, subdivision 6; 326B.04, subdivision 2; 326B.091; 326B.098; 326B.13, subdivision 8; 326B.148, subdivision 1; 326B.42, subdivisions 8, 9, 10, by adding subdivisions; 326B.435, subdivision 2; 326B.438; 326B.46, subdivisions 1a, 1b, 2, 3; 326B.47, subdivisions 1, 3; 326B.49, subdivision 1; 326B.56, subdivision 1; 326B.58; 326B.82, subdivisions 2, 3, 7, 9; 326B.821, subdivisions 1, 5, 5a, 6, 7, 8, 9, 10, 11, 12, 15, 16, 18, 19, 20, 22, 23; 326B.865; 326B.89, subdivisions 6, 8; 327.32, subdivisions 1a, 1b, 1e; 327.33, subdivisions 1, 2; 341.321; Laws 2009, chapter 78, article 1, section 18; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2010, sections 326B.82, subdivisions 4, 6; 326B.821, subdivision 3.

Senate File No. 887 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 5, 2011

Senator Michel moved that the Senate do not concur in the amendments by the House to S.F. No. 887, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

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. 1047:** A bill for an act relating to state government financing; establishing the Sunset Advisory Commission; prohibiting legislative liaison positions in state agencies and departments; eliminating assistant commissioner positions and reducing deputy commissioner positions; changing provisions of performance data required in the budget proposal; requiring specific funding information for forecasted programs; implementing zero-based budgeting principles; implementing federal offset program for collection of debts owed to state agencies; providing a state employee salary freeze; providing an HSA-eligible high-deductible health plan for state employees; requiring a 15 percent reduction in the state workforce; requiring a verification audit for dependent eligibility for state employee health insurance; requiring a request for proposals for recommendations on state building efficiency, state vehicle management, tax fraud prevention, and strategic sourcing; requiring reports; appropriating money; amending Minnesota Statutes 2010, sections 15.057; 15.06, subdivision 8; 16A.10, subdivisions 1a, 1b, 1c; 16A.103, subdivision 1a; 16A.11, subdivision 3; 16B.03; 43A.08, subdivision 1; 43A.23, subdivision 1; 45.013; 84.01, subdivision 3; 116.03, subdivision 1; 116J.01, subdivision 5; 116J.035, subdivision 4; 174.02, subdivision 2; 241.01, subdivision 2; 270C.41; Laws 2010, chapter 215, article 6, section 4; proposing coding for new law in Minnesota Statutes, chapters 16A; 16D; 43A; proposing coding for new law as Minnesota Statutes, chapter 3D; repealing Minnesota Statutes 2010, section 197.585, subdivision 5.

Senate File No. 1047 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 6, 2011

Senator Parry moved that the Senate do not concur in the amendments by the House to S.F. No. 1047, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

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. 760:** A bill for an act relating to state government; establishing the health and human services budget; modifying provisions related to continuing care, chemical and mental health, children and family services, human services licensing, health care programs, the Department of Health, and health licensing boards; appropriating money to the departments of health and human services and other health-related boards and councils; making forecast adjustments; requiring reports; imposing fees; imposing criminal penalties; amending Minnesota Statutes 2010, sections 8.31, subdivisions 1, 3a; 62E.14, by adding a subdivision; 62J.04, subdivision 3; 62J.17, subdivision 4a; 62J.692, subdivisions 4, 7; 103I.005, subdivisions 2, 8, 12, by adding a subdivision; 103I.101, subdivisions 2, 5; 103I.105; 103I.111, subdivision 8; 103I.205, subdivision 4; 103I.208, subdivision 2; 103I.501; 103I.531, subdivision 5; 103I.535, subdivision 6; 103I.641; 103I.711, subdivision 1; 103I.715, subdivision 2; 119B.011, subdivision 13; 119B.09, subdivision 10, by adding subdivisions; 119B.125, by adding a subdivision; 119B.13, subdivisions 1, 1a, 7; 144.125, subdivisions 1, 3; 144.128; 144.396, subdivisions 5, 6; 145.925, subdivision 1; 145.928, subdivisions 7, 8; 148.108, by adding a subdivision; 148.191, subdivision 2; 148.212, subdivision 1; 148.231; 151.07; 151.101; 151.102, by adding a subdivision; 151.12; 151.13, subdivision 1; 151.19; 151.25; 151.47, subdivision 1; 151.48; 152.12, subdivision 3; 245A.10, subdivisions 1, 3, 4, by adding subdivisions; 245A.11, subdivision 2b; 245A.143, subdivision 1; 245C.10, by adding a subdivision; 254B.03, subdivision 4; 254B.04, by adding a subdivision; 254B.06, subdivision 2; 256.01, subdivisions 14, 24, 29, by adding a subdivision; 256.969, subdivision 2b; 256B.04, subdivision 18; 256B.056, subdivisions 1a, 3; 256B.057, subdivision 9; 256B.06, subdivision 4; 256B.0625, subdivisions 8, 8a, 8b, 8c, 12, 13e, 17, 17a, 18, 19a, 25, 31a, by adding subdivisions; 256B.0651, subdivision 1; 256B.0652, subdivision 6; 256B.0653, subdivisions 2, 6; 256B.0911, subdivision 3a; 256B.0913, subdivision 4; 256B.0915, subdivisions 3a, 3b, 3e, 3h, 6, 10; 256B.14, by adding a subdivision; 256B.431, subdivisions 2r, 32, 42, by adding a subdivision; 256B.437, subdivision 6; 256B.441, subdivisions 50a, 59; 256B.48, subdivision 1; 256B.49, subdivision 16a; 256B.69, subdivisions 4, 5a, by adding a subdivision; 256B.76, subdivision 4; 256D.02, subdivision 12a; 256D.031, subdivisions 6, 7, 9; 256D.44, subdivision 5; 256D.47; 256D.49, subdivision 3; 256E.30, subdivision 2; 256E.35, subdivisions 5, 6; 256J.12, subdivisions 1a, 2; 256J.37, by adding a subdivision; 256J.38, subdivision 1; 256L.04, subdivision 7; 256L.05, by adding a subdivision; 256L.11, subdivision 7; 256L.12, subdivision 9; 297F.10, subdivision 1; 393.07, subdivision 10; 402A.10, subdivisions 4, 5; 402A.15; 518A.51; Laws 2008, chapter 363, article 18, section 3,

subdivision 5; Laws 2010, First Special Session chapter 1, article 15, section 3, subdivision 6; article 25, section 3, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 1; 145; 148; 151; 214; 256; 256B; 256L; proposing coding for new law as Minnesota Statutes, chapter 256N; repealing Minnesota Statutes 2010, sections 62J.17, subdivisions 1, 3, 5a, 6a, 8; 62J.321, subdivision 5a; 62J.381; 62J.41, subdivisions 1, 2; 103I.005, subdivision 20; 144.1464; 144.147; 144.1487; 144.1488, subdivisions 1, 3, 4; 144.1489; 144.1490; 144.1491; 144.1499; 144.1501; 144.6062; 145.925; 145A.14, subdivisions 1, 2a; 245A.10, subdivision 5; 256.979, subdivisions 5, 6, 7, 10; 256.9791; 256B.055, subdivision 15; 256B.0625, subdivision 8e; 256B.0653, subdivision 5; 256B.0756; 256D.01, subdivisions 1, 1a, 1b, 1e, 2; 256D.03, subdivisions 1, 2, 2a; 256D.031, subdivisions 5, 8; 256D.05, subdivisions 1, 2, 4, 5, 6, 7, 8; 256D.0513; 256D.053, subdivisions 1, 2, 3; 256D.06, subdivisions 1, 1b, 2, 5, 7, 8; 256D.09, subdivisions 1, 2, 2a, 2b, 5, 6; 256D.10; 256D.13; 256D.15; 256D.16; 256D.35, subdivision 8b; 256D.46; Laws 2010, First Special Session chapter 1, article 16, sections 6; 7; Minnesota Rules, parts 3400.0130, subpart 8; 4651.0100, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 16a, 18, 19, 20, 20a, 21, 22, 23; 4651.0110, subparts 2, 2a, 3, 4, 5; 4651.0120; 4651.0130; 4651.0140; 4651.0150; 9500.1243, subpart 3.

Senate File No. 760 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 6, 2011

Senator Hann moved that the Senate do not concur in the amendments by the House to S.F. No. 760, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 42:

**H.F. No. 42:** A bill for an act relating to the financing and operation of state and local government; making changes to individual income, corporate franchise, property, aids, credits, payments, refunds, sales and use, tax increment financing, aggregate material, minerals, local, and other taxes and tax-related provisions; making changes to the green acres and rural preserve programs; authorizing border city development zone powers and local taxes; extending levy limits; modifying regional railroad authority provisions; repealing sustainable forest resource management incentive; authorizing grants to local governments for cooperation, consolidation, and service innovation; providing a science and technology program; reducing certain income rates; allowing capital equipment exemption at time of purchase; directing commissioner of revenue to negotiate a reciprocity agreement with state of Wisconsin and permitting its termination only by law; requiring studies; requiring reports; canceling amounts in the cash flow account; appropriating money; amending Minnesota Statutes 2010, sections 97A.061, subdivisions 1, 3; 126C.01, subdivision 3; 270A.03, subdivision 7; 270B.12, by adding a subdivision; 270C.13, subdivision 1; 272.02, by adding a subdivision; 273.111, subdivision 9, by adding a subdivision; 273.114, subdivisions 2, 5, 6; 273.121, subdivision 1; 273.13, subdivisions 21b, 25, 34; 273.1384, subdivisions 1, 3, 4; 273.1393; 273.1398, subdivision 3; 275.025, subdivisions 1, 3, 4; 275.066; 275.08, subdivisions 1a, 1d; 275.70, subdivision 5; 275.71, subdivisions 2, 4, 5; 276.04, subdivision 2; 279.01, subdivision 1;

289A.20, subdivision 4; 289A.50, subdivision 1; 290.01, subdivisions 6, 19b; 290.06, subdivision 2c; 290.068, subdivision 1; 290.081; 290.091, subdivision 2; 290A.03, subdivisions 11, 13; 297A.61, subdivision 3; 297A.62, by adding a subdivision; 297A.63, by adding a subdivision; 297A.668, subdivision 7, by adding a subdivision; 297A.68, subdivision 5; 297A.70, subdivision 3; 297A.75; 297A.99, subdivision 1; 298.01, subdivision 3; 298.015, subdivision 1; 298.018, subdivision 1; 298.28, subdivision 3; 298.75, by adding a subdivision; 398A.04, subdivision 8; 398A.07, subdivision 2; 469.1763, subdivision 2; 473.757, subdivisions 2, 11; 477A.011, by adding a subdivision; 477A.0124, by adding a subdivision; 477A.013, subdivisions 8, 9, by adding a subdivision; 477A.03; 477A.11, subdivision 1; 477A.12, subdivision 1; 477A.14, subdivision 1; 477A.17; Laws 1996, chapter 471, article 2, section 29, subdivision 1, as amended; Laws 1998, chapter 389, article 8, section 43, subdivisions 3, as amended, 4, as amended, 5, as amended; Laws 2008, chapter 366, article 7, section 19, subdivision 3; Laws 2010, chapter 389, article 7, section 22; proposing coding for new law in Minnesota Statutes, chapters 116W; 275; 373; repealing Minnesota Statutes 2010, sections 10A.322, subdivision 4; 13.4967, subdivision 2; 273.114, subdivision 1; 273.1384, subdivision 6; 279.01, subdivision 4; 289A.60, subdivision 31; 290.06, subdivision 23; 290C.01; 290C.02; 290C.03; 290C.04; 290C.05; 290C.055; 290C.06; 290C.07; 290C.08; 290C.09; 290C.10; 290C.11; 290C.12; 290C.13; 477A.145.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Davids; Anderson, S.; Loon; Runbeck and Lenczewski have been appointed as such committee on the part of the House.

House File No. 42 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 6, 2011

Senator Koch, for Senator Ortman, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 42, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

## REPORTS OF COMMITTEES

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

### **Senator Hann from the Committee on Health and Human Services, to which was referred**

**S.F. No. 742:** A bill for an act relating to health; providing an exception to the hospital moratorium; amending Minnesota Statutes 2010, section 144.551, subdivision 1.

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

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

**S.F. No. 882:** A bill for an act relating to crime; clarifying targeted misdemeanors to include no contact order misdemeanor violations for the purpose of requiring fingerprinting; amending Minnesota Statutes 2010, section 299C.10, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be placed on the Consent Calendar. Report adopted.

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

**S.F. No. 881:** A bill for an act relating to public safety; expanding e-charging to include citations, juvenile adjudication, and implied consent test refusal or failure; amending Minnesota Statutes 2010, section 299C.41, subdivision 1.

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

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

**S.F. No. 885:** A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, and omitted text and obsolete references; removing redundant, conflicting, and superseded provisions; making miscellaneous corrections to laws, statutes, and rules; amending Minnesota Statutes 2010, sections 5.15; 13.04, subdivision 4a; 13.319, subdivision 1; 13.3806, by adding a subdivision; 13.381, subdivision 1; 13.411, subdivision 1; 13.4967, subdivision 1; 13.607, subdivision 1; 13.6401, subdivision 1, by adding a subdivision; 13.6905, subdivision 1, by adding a subdivision; 13.7191, subdivision 1, by adding a subdivision; 13.785, subdivision 1; 13.7931, subdivision 1; 13.841, subdivision 1, by adding a subdivision; 13.851, subdivision 1, by adding a subdivision; 15B.24, subdivision 1; 60A.121, subdivision 5; 82.67, subdivision 3; 115A.072, subdivision 1; 115A.908, subdivision 2; 115B.25, subdivision 8; 115B.34, subdivision 1; 116W.03, subdivision 5; 120B.022, subdivision 1; 121A.15, subdivisions 8, 9; 123B.72, subdivision 3; 123B.76, subdivision 3; 125A.027, subdivision 4; 125A.29; 125A.56, subdivision 1; 127A.45, subdivision 12; 152.027, subdivision 4; 168.1293, subdivision 5; 168D.01, subdivision 4; 168D.02, subdivision 1; 169.771, subdivision 1; 174.82; 203B.06, subdivision 3; 204B.34, subdivision 1; 204C.13, subdivision 6; 205A.10, subdivision 2; 216B.1691, subdivision 5; 216B.1692, subdivisions 1, 2; 216C.01, subdivision 1a; 219.01; 239.002; 244.11, subdivision 3; 245B.031, subdivision 5; 256B.0625, subdivision 14; 260D.07; 268.046, subdivision 1; 273.054; 273.063; 273.1103; 279.33; 295.75, subdivision 9; 297I.01, subdivision 16; 299F.56, subdivisions 11, 16; 299F.57, subdivision 1; 299J.03, subdivision 2; 299M.03, subdivision 2; 326B.118; 326B.986, subdivision 4; 326B.992; 383D.411; 394.21, subdivision 3; 394.232; 462.3535, subdivisions 1, 8; 466.07, subdivision 1; 501B.16; 514.977; 515B.1-102; 517.08, subdivision 1b; 518D.314; 572A.01, subdivision 1; 572A.03, subdivision 2; 576.011, subdivision 1; 580.041, subdivision 2; 580.06, subdivision 2; 609.485, subdivision 2; 609.5314, subdivision 3; 609.902, subdivision 4; 611A.033; 628.56; 628.63; 628.68; 630.18; 631.05; Laws 2009, chapter 88, article 2, section 43; Laws 2010, chapter 184, section 18; Laws 2010, chapter 280, section 40; Laws 2010, chapter 382, section 87, subdivision 8; Laws 2010, chapter 389, article 1, sections 7; 8; 9; repealing

Minnesota Statutes 2010, sections 462.3535, subdivisions 9, 10; 572A.02, subdivision 5; 626.8441, subdivision 1; Laws 2006, chapter 259, article 13, section 10; Laws 2008, chapter 202, section 10; Laws 2009, chapter 82, section 2; Laws 2010, chapter 184, section 7; Laws 2010, chapter 310, article 6, section 1; article 16, section 2; Laws 2010, chapter 359, article 12, section 18; Laws 2010, chapter 392, article 1, section 6; Laws 2010, First Special Session chapter 1, article 15, section 8; Minnesota Rules, part 7890.0120, subpart 3.

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

Page 40, after line 31, insert:

"Sec. 62. Minnesota Statutes 2010, section 524.1-304, is amended to read:

**524.1-304 PRACTICE IN COURT.**

(a) Unless inconsistent with the provisions of this chapter or chapter 525, pleadings, practice, procedure and forms in all probate proceedings shall be governed insofar as practicable by Rules of Civil Procedure provided for in section ~~487.23~~ 484.81 and adopted pursuant thereto.

(b) Notwithstanding paragraph (a), and in addition to its general powers, the court shall have power to correct, modify, vacate, or amend its records, orders, and decrees:

(1) at any time, for the correction of clerical error or pursuant to the provisions of section 524.3-413;

(2) within the time for taking an appeal, for the correction of judicial error;

(3) within two years after petitioner's discovery thereof, for fraud, whether intrinsic or extrinsic, or misrepresentation unless petitioner be a party to such fraud; or

(4) within two years after the date of filing of any record, order, or decree, for excusable neglect, inadvertence, or mistake.

In any case, the petitioner must proceed with due diligence and may be barred by laches or the court may deny relief where it appears that the granting thereof would be inequitable in view of all the facts and circumstances appearing."

Page 58, after line 10, insert:

"Sec. 5. Minnesota Statutes 2010, section 572A.02, subdivision 5, is amended to read:

Subd. 5. **Decision factors.** ~~In comprehensive planning disputes, the arbitration panel shall consider the goals stated in section 4A.08 and the following factors in making a decision. In all other~~ disputes brought under this section, the arbitration panel shall consider the following factors in making a decision:

(1) present population and number of households, past population, and projected population growth of the subject area and adjacent units of local government;

(2) quantity of land within the subject area and adjacent units of local government; and natural terrain including recognizable physical features, general topography, major watersheds, soil conditions, and such natural features as rivers, lakes, and major bluffs;



- (3) degree of contiguity of the boundaries between the municipality and the subject area;
- (4) present pattern of physical development, planning, and intended land uses in the subject area and the municipality including residential, industrial, commercial, agricultural, and institutional land uses and the impact of the proposed action on those land uses;
- (5) the present transportation network and potential transportation issues, including proposed highway development;
- (6) land use controls and planning presently being utilized in the municipality and the subject area, including comprehensive plans for development in the area and plans and policies of the Metropolitan Council, and whether there are inconsistencies between proposed development and existing land use controls and the reasons therefore;
- (7) existing levels of governmental services being provided in the municipality and the subject area, including water and sewer service, fire rating and protection, law enforcement, street improvements and maintenance, administrative services, and recreational facilities and the impact of the proposed action on the delivery of said services;
- (8) existing or potential environmental problems and whether the proposed action is likely to improve or resolve these problems;
- (9) plans and programs by the municipality for providing needed governmental services to the subject area;
- (10) an analysis of the fiscal impact on the municipality, the subject area, and adjacent units of local government, including net tax capacity and the present bonded indebtedness, and the local tax rates of the county, school district, and township;
- (11) relationship and effect of the proposed action on affected and adjacent school districts and communities;
- (12) adequacy of town government to deliver services to the subject area;
- (13) analysis of whether necessary governmental services can best be provided through the proposed action or another type of boundary adjustment; and
- (14) if only a part of a township is annexed, the ability of the remainder of the township to continue or the feasibility of it being incorporated separately or being annexed to another municipality.

Any party to the proceeding may present evidence and testimony on any of the above factors at the hearing on the matter.

Sec. 6. Minnesota Statutes 2010, section 572A.02, subdivision 6, is amended to read:

Subd. 6. **Decision.** The arbitrators, after a hearing on the matter, shall make a decision regarding the dispute within 60 days and transmit an order to the parties and to the Office of Strategic and Long Range Planning in comprehensive planning disputes or to the chief administrative law judge in chapter 414 disputes. Unless appealed by an aggrieved party within 30 days of receipt of the arbitration panel's order by the office, the office shall execute an order in accordance with the arbitration panel's order and shall cause copies of the same to be mailed to all parties entitled to

mailed notice, the secretary of state, the Department of Revenue, the state demographer, individual property owners if initiated in that manner, the affected county auditor, and any other party of record. The affected county auditor shall record the order against the affected property."

Page 58, line 26, delete everything after "10"

Page 58, line 27, delete "subdivision 5"

Renumber the sections in sequence

Amend the title numbers accordingly

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

**Senator Gerlach from the Committee on Commerce and Consumer Protection, to which was referred**

**S.F. No. 1076:** A bill for an act relating to liquor; eliminating certain conditions for a liquor license at TCF Bank Stadium; amending Minnesota Statutes 2010, section 340A.404, subdivision 4a; repealing Minnesota Statutes 2010, section 137.0226.

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

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

**H.F. No. 323** 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.
323	167				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 323 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 323, the first engrossment; and insert the language after the enacting clause of S.F. No. 167, the first engrossment; further, delete the title of H.F. No. 323, the first engrossment; and insert the title of S.F. No. 167, the first engrossment.

And when so amended H.F. No. 323 will be identical to S.F. No. 167, and further recommends that H.F. No. 323 be given its second reading and substituted for S.F. No. 167, and that the Senate File be indefinitely postponed.

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

**SECOND READING OF SENATE BILLS**

S.F. Nos. 742, 882, 881 and 885 were read the second time.

**SECOND READING OF HOUSE BILLS**

H.F. No. 323 was read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senator Cohen introduced—**

**S.F. No. 1103:** A bill for an act relating to arts and culture; appropriating money for the Board of the Arts.

Referred to the Committee on Environment and Natural Resources.

**Senators Latz and Thompson introduced—**

**S.F. No. 1104:** A bill for an act relating to business organizations; regulating the organization and operation of limited liability companies; enacting a revised uniform limited liability company act; providing conforming changes; amending Minnesota Statutes 2010, sections 48A.03, subdivision 4; 181.970, subdivision 2; 270C.721; 273.124, subdivision 8; 290.01, subdivision 3b; 302A.011, by adding subdivisions; 302A.115, subdivision 1; 302A.681; 302A.683; 302A.685; 302A.689; 302A.691; 308A.121, subdivision 1; 308B.801, subdivisions 1, 2, 5; 308B.805, subdivision 1; 308B.835, subdivision 2; 317A.115, subdivision 2; 319B.02, subdivisions 3, 22; 319B.10, subdivision 3; 321.0108; proposing coding for new law in Minnesota Statutes, chapter 302A; proposing coding for new law as Minnesota Statutes, chapter 322C; repealing Minnesota Statutes 2010, sections 302A.687; 322B.01; 322B.02; 322B.03, subdivisions 1, 2, 3, 6, 6a, 7, 8, 10, 11, 12, 13, 14, 15, 17, 17a, 17b, 18, 19, 19a, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 31a, 32, 33, 34, 35, 36, 36a, 37, 38, 39, 40, 41, 41a, 42, 43, 44, 45, 45a, 46, 47, 48, 49, 50, 51; 322B.04; 322B.10; 322B.105; 322B.11; 322B.115; 322B.12, subdivisions 1, 2, 3, 4, 5; 322B.125; 322B.13; 322B.135; 322B.14; 322B.145; 322B.15; 322B.155; 322B.16; 322B.165; 322B.17; 322B.175; 322B.18; 322B.20; 322B.21; 322B.22; 322B.23; 322B.30; 322B.303; 322B.306; 322B.31; 322B.313; 322B.316; 322B.32; 322B.323; 322B.326; 322B.33; 322B.333; 322B.336; 322B.34; 322B.343; 322B.346; 322B.348; 322B.35; 322B.353; 322B.356; 322B.36; 322B.363, subdivisions 1, 2, 3, 4, 5, 6, 7; 322B.366, subdivision 1; 322B.37; 322B.373; 322B.376; 322B.38; 322B.383; 322B.386; 322B.40; 322B.41; 322B.42; 322B.43; 322B.50; 322B.51; 322B.52; 322B.53; 322B.54; 322B.55; 322B.56; 322B.60; 322B.603; 322B.606; 322B.61; 322B.613; 322B.616; 322B.62; 322B.623; 322B.626; 322B.63; 322B.633; 322B.636; 322B.64; 322B.643; 322B.646; 322B.65; 322B.653; 322B.656; 322B.66; 322B.663; 322B.666; 322B.67; 322B.673; 322B.676; 322B.679; 322B.68; 322B.683; 322B.686; 322B.689; 322B.69; 322B.693; 322B.696; 322B.699; 322B.70; 322B.71; 322B.72; 322B.73; 322B.74; 322B.75; 322B.755; 322B.76; 322B.77; 322B.78; 322B.80; 322B.803; 322B.806; 322B.81; 322B.813; 322B.816, subdivisions 1, 2, 4, 5, 6; 322B.82; 322B.823;

322B.826; 322B.83; 322B.833; 322B.836; 322B.84; 322B.843; 322B.846; 322B.85; 322B.853; 322B.856; 322B.86; 322B.863; 322B.866; 322B.87; 322B.873, subdivisions 1, 4; 322B.876, subdivision 1; 322B.88; 322B.883; 322B.90; 322B.905; 322B.91, subdivisions 1, 2; 322B.915; 322B.92; 322B.925; 322B.93; 322B.935; 322B.94; 322B.945; 322B.95; 322B.955; 322B.960, subdivisions 1, 4, 5; 322B.975.

Referred to the Committee on Judiciary and Public Safety.

**Senators Sheran and Rosen introduced—**

**S.F. No. 1105:** A bill for an act relating to health professions; modifying licensure requirements for alcohol and drug counselors; proposing coding for new law as Minnesota Statutes, chapter 148F; repealing Minnesota Statutes 2010, sections 148C.01, subdivisions 1, 1a, 2, 2a, 2b, 2c, 2d, 2e, 2f, 2g, 4, 4a, 5, 7, 9, 10, 11, 11a, 12, 12a, 13, 14, 15, 16, 17, 18; 148C.015; 148C.03, subdivisions 1, 4; 148C.0351, subdivisions 1, 3, 4; 148C.0355; 148C.04, subdivisions 1, 2, 3, 4, 5a, 6, 7; 148C.044; 148C.045; 148C.05; 148C.055; 148C.07; 148C.075; 148C.08; 148C.09, subdivisions 1, 1a, 2, 4; 148C.091; 148C.093; 148C.095; 148C.099; 148C.10, subdivisions 1, 2, 3; 148C.11; 148C.12, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15; Minnesota Rules, parts 4747.0010; 4747.0020; 4747.0030; 4747.0040; 4747.0050; 4747.0060; 4747.0070, subparts 1, 2, 3, 6; 4747.0200; 4747.0400, subpart 1; 4747.0700; 4747.0800; 4747.0900; 4747.1100, subparts 1, 2, 4, 5, 6, 7, 8, 9; 4747.1400; 4747.1500.

Referred to the Committee on Health and Human Services.

**Senators Gazelka and Carlson introduced—**

**S.F. No. 1106:** A bill for an act relating to natural resources; modifying operating provisions for certain recreational vehicles; providing for dual registration of certain motorcycles; modifying special vehicle use on roadways; amending Minnesota Statutes 2010, sections 84.777, subdivision 2; 84.788, by adding a subdivision; 84.9257; 168.002, subdivision 18; 168A.085; 169.045, subdivisions 1, 2, 3, 5, 6, 7, 8.

Referred to the Committee on Environment and Natural Resources.

**Senators Howe and Kelash introduced—**

**S.F. No. 1107:** A bill for an act relating to commerce; preventing unfair business practices by credit and debit card companies; proposing coding for new law as Minnesota Statutes, chapter 325O.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Higgins, Dibble and Langseth introduced—**

**S.F. No. 1108:** A bill for an act relating to capital investment; appropriating money for Phase I renovation of Nicollet Mall; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Magnus introduced–**

**S.F. No. 1109:** A bill for an act relating to human services; modifying nursing home rate equalization; amending Minnesota Statutes 2010, section 256B.48, subdivision 1.

Referred to the Committee on Health and Human Services.

**Senator Magnus introduced–**

**S.F. No. 1110:** A bill for an act relating to human services; adjusting medical assistance operating payment rates for low-payment rate nursing facilities; appropriating money; amending Minnesota Statutes 2010, section 256B.434, by adding a subdivision.

Referred to the Committee on Health and Human Services.

**Senator Nienow introduced–**

**S.F. No. 1111:** A bill for an act relating to agriculture; permitting certain sales of certain food products by farmers; amending Minnesota Statutes 2010, section 32.393, subdivision 1.

Referred to the Committee on Agriculture and Rural Economies.

**Senator Chamberlain introduced–**

**S.F. No. 1112:** A bill for an act relating to public officials; changing a definition in the campaign finance and public disclosure law; amending Minnesota Statutes 2010, section 10A.01, subdivision 35.

Referred to the Committee on Local Government and Elections.

**Senator Chamberlain introduced–**

**S.F. No. 1113:** A bill for an act relating to retirement; city of White Bear Lake and White Bear Lake Volunteer Fire Department Relief Association; authorizing the use of special actuarial work in determining the 2009 and 2010 special fund financial requirements and minimum municipal obligations.

Referred to the Committee on Local Government and Elections.

**Senator Reinert introduced–**

**S.F. No. 1114:** A bill for an act relating to retirement; Public Employees Retirement Association general employees retirement plan; Seaway Port Authority of Duluth; including Seaway Port Authority of Duluth employees in PERA-general retirement coverage; authorizing the purchase of allowable service credit for prior Seaway Port Authority of Duluth employment; amending Minnesota Statutes 2010, section 353.01, subdivisions 2a, 6.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Ingebrigtsen, Gazelka, Olson and Saxhaug introduced–**

**S.F. No. 1115:** A bill for an act relating to natural resources; modifying nonnative species provisions; modifying requirements for permits to control or harvest aquatic plants; providing criminal penalties and civil penalties; amending Minnesota Statutes 2010, sections 84D.01, subdivisions 8a, 16, 21, by adding subdivisions; 84D.02, subdivision 6; 84D.03, subdivisions 3, 4; 84D.09; 84D.10, subdivisions 1, 3, 4; 84D.11, subdivision 2a; 84D.13, subdivisions 3, 4, 5, 6, 7; 84D.15, subdivision 2; 103G.615, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 84D; 86B; repealing Minnesota Statutes 2010, section 84D.02, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

**Senators Ingebrigtsen, Tomassoni, Sparks, Wiger and Parry introduced–**

**S.F. No. 1116:** A bill for an act relating to State Lottery; authorizing director of the State Lottery to adopt rules for video lottery ticket dispensing machines; amending Minnesota Statutes 2010, sections 297A.65; 349.15, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 349A.

Referred to the Committee on State Government Innovation and Veterans.

**Senator Miller introduced–**

**S.F. No. 1117:** A bill for an act relating to state lands; providing for conveyance of state land to United States Fish and Wildlife Service.

Referred to the Committee on Transportation.

**Senators Magnus, Rosen, Skoe, Ingebrigtsen and Sparks introduced–**

**S.F. No. 1118:** A bill for an act relating to agriculture; imposing penalties and remedies for certain offenses; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Agriculture and Rural Economies.

**Senator Harrington introduced–**

**S.F. No. 1119:** A bill for an act relating to public nuisances; specifying certain acts as a nuisance; amending Minnesota Statutes 2010, section 617.81, subdivision 2.

Referred to the Committee on Judiciary and Public Safety.

**Senator Nienow introduced–**

**S.F. No. 1120:** A bill for an act relating to human services; amending continuing care policy provisions; making changes to the telephone equipment program; making changes to disability services provisions; reforming comprehensive assessments and case management services; making changes to nursing facility provisions; making technical and conforming changes; providing for rulemaking authority; requiring reports; amending Minnesota Statutes 2010, sections 144A.071,

subdivisions 3, 4a, 5a; 144A.073, subdivision 3c, by adding a subdivision; 144D.03, subdivision 2; 144D.04, subdivision 2; 237.50; 237.51; 237.52; 237.53; 237.54; 237.55; 237.56; 245A.03, subdivision 7; 245A.11, subdivision 8; 245B.02, subdivision 20; 245B.06, subdivision 7; 252.32, subdivision 1a; 252.40; 252.41, subdivisions 1, 3; 252.42; 252.43; 252.44; 252.45; 252.451, subdivisions 2, 5; 252.46, subdivision 1a; 252A.21, subdivision 2; 256.476, subdivision 11; 256B.0625, subdivision 19c; 256B.0659, subdivisions 1, 2, 3, 3a, 4, 9, 11, 13, 14, 19, 21, 30; 256B.0911, subdivisions 1, 1a, 2b, 2c, 3, 3a, 3b, 3c, 4a, 4c, 6; 256B.0913, subdivisions 7, 8; 256B.0915, subdivisions 1a, 1b, 3c, 6; 256B.0916, subdivision 7; 256B.092, subdivisions 1, 1a, 1b, 1e, 1g, 2, 3, 5, 7, 8, 8a, 9, 11; 256B.096, subdivision 5; 256B.19, subdivision 1e; 256B.431, subdivisions 2t, 26; 256B.438, subdivisions 1, 3, 4, by adding a subdivision; 256B.441, subdivision 55a, by adding a subdivision; 256B.49, subdivisions 13, 14, 15, 21; 256B.4912; 256B.501, subdivision 4b; 256B.5013, subdivision 1; 256B.5015, subdivision 1; 256B.765; 256G.02, subdivision 6; Laws 2009, chapter 79, article 8, section 81, as amended; proposing coding for new law in Minnesota Statutes, chapter 252; repealing Minnesota Statutes 2010, sections 144A.073, subdivisions 4, 5; 252.46, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, 20, 21; 256.0112, subdivision 6; 256B.092, subdivision 8a; 256B.49, subdivision 16a; 256B.501, subdivision 8.

Referred to the Committee on Health and Human Services.

**Senators DeKruif, Dibble, Gimse and Parry introduced—**

**S.F. No. 1121:** A bill for an act relating to transportation; modifying provisions relating to overweight vehicle permits; modifying provision governing medical waiver to operate commercial vehicle in intrastate commerce; removing obsolete language and making clarifying changes; amending Minnesota Statutes 2010, sections 169.86, subdivisions 4, 5; 221.0314, subdivision 3a.

Referred to the Committee on Transportation.

**Senators Magnus, Harrington, Jungbauer, Latz and Wolf introduced—**

**S.F. No. 1122:** A bill for an act relating to employment; modifying reliance on credit or criminal history for employment requirements; amending Minnesota Statutes 2010, sections 181.981, subdivision 1; 364.021.

Referred to the Committee on Jobs and Economic Growth.

**Senators Harrington, Pogemiller, Limmer and Newman introduced—**

**S.F. No. 1123:** A bill for an act relating to public safety; including unlawful possession of a firearm by a minor for purposes of orders to enjoin gang activity; amending Minnesota Statutes 2010, section 617.91, subdivision 4.

Referred to the Committee on Judiciary and Public Safety.

**Senator Wolf introduced—**

**S.F. No. 1124:** A bill for an act relating to public safety; modifying provisions relating to child passenger restraint systems; amending Minnesota Statutes 2010, section 169.685, subdivision 6.

Referred to the Committee on Transportation.

**Senators Thompson and Sparks introduced—**

**S.F. No. 1125:** A bill for an act relating to insurance; regulating claims processing for insurance on portable electronics products; permitting use of an automated claims processing system subject to certain requirements and safeguards; amending Minnesota Statutes 2010, sections 72B.02, by adding a subdivision; 72B.03, subdivision 1, by adding a subdivision; 72B.041, subdivision 2, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Dibble and Higgins introduced—**

**S.F. No. 1126:** A bill for an act relating to transportation; modifying provisions relating to contract bid preferences for highway construction projects; making clarifying changes; amending Minnesota Statutes 2010, section 161.321.

Referred to the Committee on Transportation.

**Senator Dibble introduced—**

**S.F. No. 1127:** A bill for an act relating to transportation; providing for working capital loans to certain small businesses to secure contracts with government agencies; amending Minnesota Statutes 2010, section 161.3212.

Referred to the Committee on Transportation.

**Senator Dibble introduced—**

**S.F. No. 1128:** A bill for an act relating to transportation; regulating design, accessibility, and maintenance of transit shelters and stops; requiring access in special transportation service buses; proposing coding for new law in Minnesota Statutes, chapter 473.

Referred to the Committee on Transportation.

**Senators Tomassoni and Bakk introduced—**

**S.F. No. 1129:** A bill for an act relating to retirement; fire and police department aid; relief associations; providing an extension for submitting reports.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Pederson and Bonoff introduced—**

**S.F. No. 1130:** A bill for an act relating to unemployment insurance; modifying unemployment insurance and workforce development provisions; amending Minnesota Statutes 2010, sections 116L.17, subdivision 1; 116L.561, subdivision 7; 268.035, subdivisions 4, 19a, 20, 23, 29; 268.051, subdivisions 5, 6, 8; 268.057, subdivision 2; 268.07, subdivisions 2, 3b; 268.085, subdivision 3;



268.095, subdivision 10; 268.115, subdivision 1; 268.184, subdivisions 1, 1a; Laws 2009, chapter 78, article 3, section 16.

Referred to the Committee on Jobs and Economic Growth.

### MOTIONS AND RESOLUTIONS

Senator Rosen moved that the name of Senator Harrington be added as a co-author to S.F. No. 434. The motion prevailed.

Senator Pederson moved that his name be stricken as a co-author to S.F. No. 1100. The motion prevailed.

Senator Koch moved that Senate Resolution No. 65 be withdrawn from the Committee on Rules and Administration and laid on the table. The motion prevailed.

#### **Senator Koch introduced –**

**Senate Resolution No. 68:** A Senate resolution congratulating Joshua James Wedemeier of Montrose for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

#### **Senator Koch introduced –**

**Senate Resolution No. 69:** A Senate resolution congratulating Jonathan Jeffrey Wedemeier of Montrose for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

#### **Senator Lourey introduced –**

**Senate Resolution No. 70:** A Senate resolution congratulating Cody Cottingham of Mora, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

### CALENDAR

**H.F. No. 613:** A bill for an act relating to local government; providing for terms for members of the Red Wing Port Authority; amending Minnesota Statutes 2010, section 469.081, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 39:** A bill for an act relating to natural resources; eliminating specific requirements for rulemaking on the Mississippi River Corridor Critical Area; amending Minnesota Statutes 2010, section 116G.15, subdivision 1; repealing Minnesota Statutes 2010, section 116G.15, subdivisions 2, 3, 4, 5, 6, 7.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 35 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Harrington	Latz	Reinert	Sparks
Berglin	Higgins	Lourey	Rest	Stumpf
Bonoff	Howe	Marty	Saxhaug	Torres Ray
Cohen	Kelash	Metzen	Sheran	Wiger
Dibble	Kubly	Pappas	Sieben	
Goodwin	Langseth	Pogemiller	Skoe	

So the bill passed and its title was agreed to.

**S.F. No. 626:** A bill for an act relating to human services; modifying certain nursing facility provisions; amending Minnesota Statutes 2010, sections 12A.10, by adding a subdivision; 144A.071, subdivisions 3, 4a; 144A.073, subdivision 3c, by adding a subdivision; 256B.431, subdivision 26; 256B.437, subdivision 4; 256B.441, by adding a subdivision; repealing Minnesota Statutes 2010, section 144A.073, subdivisions 4, 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

**S.F. No. 156:** A bill for an act relating to elections; allowing flexibility in the time provided for canvassing primary election returns for counties, municipalities, and school districts; amending Minnesota Statutes 2010, sections 204C.32, subdivision 1; 205.065, subdivision 5; 205A.03, subdivision 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### MEMBERS EXCUSED

Senators Jungbauer and Tomassoni were excused from the Session of today. Senator Ortman was excused from the Session of today from 11:00 to 11:25 a.m.

### ADJOURNMENT

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

Cal R. Ludeman, Secretary of the Senate

