

FOURTH DAY

St. Paul, Minnesota, Tuesday, January 18, 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, Ned Moore.

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

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

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

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.

December 20, 2010

The Honorable James P. Metzen
President of the Senate

Dear Senator Metzen:

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

BOARD OF HIGH PRESSURE PIPING SYSTEMS

Robert R. Bastianelli, 3152 Lyman St., Duluth, in the county of Saint Louis, effective January 1, 2011, for a term that expires on December 31, 2013.

David Carlson, 65 Larson Rd., Esko, in the county of Carlton, effective January 1, 2011, for a term that expires on December 31, 2013.

Mark Geisenhoff, 3944 - 35th St. N., Lake Elmo, in the county of Washington, effective January 1, 2011, for a term that expires on December 31, 2013.

Larry Jordan, 10736 Toledo Ln., Brooklyn Park, in the county of Hennepin, effective January 1, 2011, for a term that expires on December 31, 2013.

Mark Kincs, 7522 Whitehall Rd., Shakopee, in the county of Scott, effective January 1, 2011, for a term that expires on December 31, 2013.

Chris Savage, 700 Huron Rd., Marshall, in the county of Lyon, effective January 1, 2011, for a term that expires on December 31, 2013.

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

Sincerely,
Tim Pawlenty, Governor

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Ryan D. Church, whom I have appointed Acting Commissioner of Administration, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Robert J. Weisenburger, whom I have appointed Acting Commissioner of the Bureau of Mediation Services, effective January 3, 2011.

4TH DAY]

TUESDAY, JANUARY 18, 2011

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January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Sara L. Schlauderaff, whom I have appointed Acting Chief Information Officer, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Christine E. Bray, whom I have appointed Acting Commissioner of Corrections, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Paul A. Moe, whom I have appointed Acting Commissioner of Employment and Economic Development, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Barbara S. Schlaefel, whom I have appointed Acting Director of the Office of Higher Education, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Patricia A. Hippe, whom I have appointed Acting Commissioner of the Housing Finance Agency, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Wendy Adler Robinson, whom I have appointed Acting Commissioner of Human Rights, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Michael W. Campion, whom I have appointed Acting Commissioner of Public Safety, effective January 3, 2011.

January 13, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

Enclosed is a copy of the Notice of Appointment for Daniel A. Salomone, whom I have appointed Acting Commissioner of Revenue, effective January 3, 2011.

Sincerely,
Mark Dayton, Governor

January 14, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear President Fischbach:

Pursuant to Rule 10.6 of the Rules of the Senate, we hereby make the following changes in committee membership:

Committee on Environment and Natural Resources - delete Wiger and add Pappas, delete Harrington and add Skoe.

Thank you for your attention to this matter.

Sincerely,
Amy T. Koch, Chair
Committee on Rules and Administration
Senate District 19

Thomas Bakk
DFL Caucus Leader
Senate District 6

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Ortman, Marty, Hoffman, Limmer and Senjem introduced–

S.F. No. 47: A bill for an act relating to taxes; individual income; conforming to the federal extension of the exclusion of dependent health care coverage to adult children through age 26 for tax year 2010; amending Minnesota Statutes 2010, section 290.01, subdivision 19.

Referred to the Committee on Taxes.

Senators Carlson, Saxhaug and Ingebrigtsen introduced–

S.F. No. 48: A bill for an act relating to state lands; modifying stream easement acquisition provisions; modifying state park, state forest, and land exchange provisions; adding to and deleting from state parks and state forests; authorizing public and private sales, conveyances, and exchanges of certain state land; amending Minnesota Statutes 2010, sections 84.0272, subdivision 2; 85.012, subdivision 40; 89.021, by adding a subdivision; 89.032, subdivision 2; 94.342, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senator Metzen introduced–

S.F. No. 49: A bill for an act relating to capital investment; authorizing the sale and issuance of state bonds; appropriating money for grants to metropolitan area cities to address inflow and infiltration in the sewer system.

Referred to the Committee on Capital Investment.

Senators Howe, Brown, Thompson, Kruse and Koch introduced–

S.F. No. 50: A bill for an act relating to energy; allowing certificates of need for new nuclear power plants; authorizing certain lawsuits; requiring a study; amending Minnesota Statutes 2010, section 216B.243, subdivision 3b.

Referred to the Committee on Energy, Utilities and Telecommunications.

Senators Koch and Parry introduced–

S.F. No. 51: A bill for an act relating to veterans; authorizing female-veteran designation for special veteran's license plates or Gold Star license plates; amending Minnesota Statutes 2010,

section 168.123, by adding a subdivision.

Referred to the Committee on State Government Innovation and Veterans.

Senators Rest, Torres Ray and Harrington introduced—

S.F. No. 52: A bill for an act relating to education; establishing a grant program to provide additional student counseling services in high-need public high schools; appropriating money.

Referred to the Committee on Education.

Senators Hoffman and Ortman introduced—

S.F. No. 53: A bill for an act relating to taxation; sales and use tax authorization; city of Fergus Falls.

Referred to the Committee on Taxes.

Senators Latz and Hann introduced—

S.F. No. 54: A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

Referred to the Committee on State Government Innovation and Veterans.

Senators Hann, Daley, Bonoff, Chamberlain and Olson introduced—

S.F. No. 55: A bill for an act relating to education; modifying charter authorizer approval deadline; amending Minnesota Statutes 2010, section 124D.10, subdivision 3.

Referred to the Committee on Education.

Senators Thompson, Olson, Hann, Gazelka and Hall introduced—

S.F. No. 56: A bill for an act relating to education; providing school district budget relief; amending Minnesota Statutes 2010, section 126C.44; repealing Minnesota Statutes 2010, sections 122A.61; 123B.05.

Referred to the Committee on Education.

Senators Carlson, Kruse, Benson, Stumpf and Sparks introduced—

S.F. No. 57: A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; amending Minnesota Statutes 2010, sections 84.027, by adding a subdivision; 115.07; 116.03, by adding a subdivision; 116.07, subdivision 2; 116D.04, subdivisions 3a, 10; 116D.045, subdivisions 1, 3.

Referred to the Committee on Environment and Natural Resources.

Senators Kubly, Bakk and Saxhaug introduced—

S.F. No. 58: A bill for an act relating to game and fish; allowing portable deer stands to be erected and left unattended on public lands during deer season; amending Minnesota Statutes 2010, section 97B.326.

Referred to the Committee on Environment and Natural Resources.

Senator Wiger introduced—

S.F. No. 59: A bill for an act relating to taxation; individual income; providing a military retirement pay subtraction; amending Minnesota Statutes 2010, sections 290.01, subdivision 19b; 290.091, subdivision 2.

Referred to the Committee on Taxes.

Senator Robling introduced—

S.F. No. 60: A bill for an act relating to state government finance; making appropriation reductions for fiscal year 2011, policy changes, and appropriation reductions for fiscal years 2012 and 2013; making changes to tax aids and credits and reducing payments; amending Minnesota Statutes 2010, sections 256B.766; 270A.03, subdivision 7; 273.1384, subdivision 6; 289A.50, subdivision 1; 290.01, subdivision 6; 290A.03, subdivisions 11, 13; 290C.07; 477A.013, subdivision 9; 477A.03; Laws 2010, First Special Session chapter 1, article 5, sections 4; 5; proposing coding for new law in Minnesota Statutes, chapter 477A; repealing Minnesota Statutes 2010, sections 10A.322, subdivision 4; 13.4967, subdivision 2; 290.06, subdivision 23.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS

Senator Koch moved that the name of Senator Howe be added as a co-author to S.F. No. 4. The motion prevailed.

Senator Pogemiller moved that the name of Senator Reinert be added as a co-author to S.F. No. 9. The motion prevailed.

Senator Pogemiller moved that the name of Senator Reinert be added as a co-author to S.F. No. 10. The motion prevailed.

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

Senator Hann moved that the name of Senator Chamberlain be added as a co-author to S.F. No. 32. The motion prevailed.

Senator Hann moved that the name of Senator Newman be added as a co-author to S.F. No. 33. The motion prevailed.

Senator Rest moved that the name of Senator Sheran be added as a co-author to S.F. No. 35. The

motion prevailed.

Senator Stumpf moved that the name of Senator Ingebrigtsen be added as a co-author to S.F. No. 45. The motion prevailed.

Senator Koch moved that Senate Resolution No. 23 be taken from the table. The motion prevailed.

Senate Resolution No. 23: A Senate resolution relating to mileage; setting the miles traveled by members of the Senate in going to and returning from the Capitol.

Senator Koch moved that Senate Resolution No. 23 be now adopted.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

MEMBERS EXCUSED

Senators Anderson, Latz and Pappas were excused from the Session of today.

ADJOURNMENT

Senator Koch moved that the Senate do now adjourn until 11:00 a.m., Thursday, January 20, 2011. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate