

THIRTEENTH DAY

St. Paul, Minnesota, Wednesday, February 9, 2011

The Senate met at 11:30 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 Senator Gary W. Kubly.

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

January 13, 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 HUMAN SERVICES

Lucinda E. Jesson, 1992 Lincoln Ave., Saint Paul, in the county of Ramsey, effective January 13, 2011, for a term expiring on January 5, 2015.

(Referred to the Committee on Health and Human Services.)

January 21, 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 CORRECTIONS

Thomas A. Roy, 1646 Stoney Beach Blvd., Box 12, Sawyer, in the county of Carlton, effective January 31, 2011, for a term expiring on January 5, 2015.

(Referred to the Committee on Judiciary and Public Safety.)

January 21, 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:

DIRECTOR OF THE MINNESOTA OFFICE OF HIGHER EDUCATION

Sheila Wright, 1191 Duckwood Trl., Eagan, in the county of Dakota, effective January 26, 2011, for a term expiring on January 5, 2015.

(Referred to the Committee on Higher Education.)

January 21, 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 PUBLIC SAFETY

Ramona L. Dohman, 9481 Dallas Ln., Maple Grove, in the county of Hennepin, effective March 1, 2011, for a term expiring on January 5, 2015.

(Referred to the Committee on Judiciary and Public Safety.)

Sincerely,
Mark Dayton, Governor

February 7, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

The Subcommittee on Committees of the Committee on Rules and Administration met on February 7, 2011, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 2010

116P.05: Legislative-Citizen Commission on Minnesota Resources - Senators DeKruif, Higgins, Olson and Skoe to serve for a term expiring December 31, 2012.

3.85: Legislative Commission on Pensions and Retirement - Senators Chamberlain, Daley, Pappas, Pogemiller and Rosen to serve a term expiring January 16, 2013.

Pursuant to Minnesota Statutes 2010

Chapter 368: Lessard-Sams Outdoor Heritage Council - Senator Saxhaug, to serve a term expiring January 31, 2015.

Chapter 368: Lessard-Sams Outdoor Heritage Council - James Cox, to serve a term expiring January 31, 2015.

Sincerely,
Amy Koch, Chair
Subcommittee on Committees

February 7, 2011

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

The Subcommittee on Committees of the Committee on Rules and Administration met on February 7, 2011, and noted that the following are serving by virtue of their position:

Pursuant to Minnesota Statutes 2010

116P.05: Legislative-Citizen Commission on Minnesota Resources - Senator Ingebrigtsen, as Chair of the Environment and Natural Resources Budget and Policy Committee, to serve a term expiring December 31, 2012.

Pursuant to Minnesota Statutes 2010

Chapter 368: Lessard-Sams Outdoor Heritage Council - Senator Ingebrigtsen, as Chair of the Environment and Natural Resources Budget and Policy Committee, to serve a term expiring January 31, 2015.

Sincerely,
Amy Koch, Chair
Subcommittee on Committees

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the following change in the membership of the Conference Committee on House File 130:

Delete the name of Nornes and add the name of Dettmer.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 7, 2011

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Carlson and Fischbach introduced—

S.F. No. 268: A bill for an act relating to higher education; temporary freezing and permanent limiting of tuition increases at public higher education institutions; proposing coding for new law in Minnesota Statutes, chapters 136F; 137.

Referred to the Committee on Higher Education.

Senators Marty, Wiger, Torres Ray and Goodwin introduced—

S.F. No. 269: A bill for an act relating to education finance; modifying the school finance system; creating a new education funding framework; making changes to income tax schedules; amending Minnesota Statutes 2010, sections 123B.53, subdivision 5; 124D.4531; 124D.59, subdivision 2; 124D.65, subdivision 5; 125A.76, subdivision 5; 125A.79, subdivision 7; 126C.01, by adding subdivisions; 126C.05, subdivisions 1, 3, 5, 6, 8, 16, 17; 126C.10, subdivisions 1, 2, 2a, 3, 4, 6, 13, 14, 18, by adding subdivisions; 126C.13, subdivisions 4, 5; 126C.17, subdivisions 1, 5, 6; 126C.20; 126C.40, subdivision 1; 127A.51; proposing coding for new law in Minnesota Statutes,

chapters 123B; 126C; repealing Minnesota Statutes 2010, sections 123B.54; 123B.57, subdivisions 3, 4, 5; 123B.591; 125A.76, subdivision 4; 125A.79, subdivision 6; 126C.10, subdivisions 2b, 13a, 13b, 24, 25, 26, 27, 28, 29, 30, 31, 31a, 31b, 32, 33, 34, 35, 36; 126C.12; 126C.126; 127A.50.

Referred to the Committee on Education.

Senators Vandever, Limmer and Sheran introduced–

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

Referred to the Committee on Local Government and Elections.

Senators Robling, Saxhaug and Ingebrigtsen introduced–

S.F. No. 271: A bill for an act relating to game and fish; eliminating magnification restriction for scopes on muzzleloaders used by visually impaired hunters; amending Minnesota Statutes 2010, section 97B.031, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Senators Koch and Olson introduced–

S.F. No. 272: A bill for an act relating to education finance; permitting a onetime fund transfer for Independent School District No. 879, Delano.

Referred to the Committee on Education.

Senators Benson, Jungbauer and Kubly introduced–

S.F. No. 273: A bill for an act relating to telecommunications; prohibiting access stimulation charges; proposing coding for new law in Minnesota Statutes, chapter 237.

Referred to the Committee on Energy, Utilities and Telecommunications.

Senators Tomassoni, Saxhaug and Bakk introduced–

S.F. No. 274: A bill for an act relating to capital investment; appropriating money for facilities for the Iron Range engineering program at Mesabi Range Community and Technical College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Jungbauer, Goodwin, Chamberlain and Nienow introduced–

S.F. No. 275: A bill for an act relating to local government; expanding authority of Anoka County to finance costs of countywide public safety improvements; amending Minnesota Statutes 2010, section 383E.21.

Referred to the Committee on Local Government and Elections.

Senator Newman introduced—

S.F. No. 276: A bill for an act relating to taxation; sales and use; authorizing the city of Hutchinson to impose a sales and use tax.

Referred to the Committee on Taxes.

Senators Nienow, Hann, Ortman, Chamberlain and Benson introduced—

S.F. No. 277: A bill for an act relating to health care; prohibiting the expenditure of state funds to comply with certain federal health care laws.

Referred to the Committee on Health and Human Services.

Senators Sparks, Scheid and Vandever introduced—

S.F. No. 278: A bill for an act relating to commerce; imposing requirements on title insurers and title insurance agents; increasing regulatory requirements for real estate closing agents; amending Minnesota Statutes 2010, section 82.641, subdivisions 1, 2, 3, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 68A; repealing Minnesota Statutes 2010, section 82.641, subdivisions 4, 6.

Referred to the Committee on Commerce and Consumer Protection.

Senator Jungbauer introduced—

S.F. No. 279: A bill for an act relating to energy; modifying obligations under conservation improvement program; removing obsolete provision; amending Minnesota Statutes 2010, section 216B.241, subdivision 1c.

Referred to the Committee on Energy, Utilities and Telecommunications.

Senator Jungbauer introduced—

S.F. No. 280: A bill for an act relating to public safety; providing for display and consumer fireworks; amending Minnesota Statutes 2010, sections 624.20, subdivision 1; 624.21; 624.22, subdivision 2; repealing Minnesota Statutes 2010, section 624.20, subdivision 2.

Referred to the Committee on Judiciary and Public Safety.

Senator Jungbauer introduced—

S.F. No. 281: A bill for an act relating to natural resources; modifying environment and natural resources trust fund provisions; amending Minnesota Statutes 2010, sections 116P.03; 116P.05, subdivision 1; 116P.08, subdivisions 1, 2, by adding subdivisions.

Referred to the Committee on Environment and Natural Resources.

Senator Jungbauer introduced–

S.F. No. 282: A bill for an act relating to local government; repealing comparable worth requirements; amending Minnesota Statutes 2010, sections 13.202, subdivision 9; 128C.20, subdivision 1; 383B.914, subdivision 1; 465.719, subdivision 9; repealing Minnesota Statutes 2010, sections 43A.04, subdivision 10; 128C.15, subdivision 3; 471.991; 471.992; 471.993; 471.994; 471.995; 471.9966; 471.997; 471.9981; 471.999.

Referred to the Committee on Local Government and Elections.

MOTIONS AND RESOLUTIONS

Senator Reinert moved that the name of Senator Bonoff be added as a co-author to S.F. No. 220. The motion prevailed.

Senator Skoe moved that the name of Senator Rest be added as a co-author to S.F. No. 232. The motion prevailed.

Senator Vandever moved that the name of Senator Sheran be added as a co-author to S.F. No. 254. The motion prevailed.

Senator Wiger moved that the names of Senators Olson and Rest be added as co-authors to S.F. No. 255. The motion prevailed.

Senator Saxhaug moved that the names of Senators Rest and Wiger be added as co-authors to S.F. No. 258. The motion prevailed.

Senator Ingebrigtsen moved that his name be stricken as a co-author to S.F. No. 229. The motion prevailed.

Senator Jungbauer moved that S.F. No. 65 be withdrawn from the Committee on Transportation and re-referred to the Committee on Commerce and Consumer Protection. The motion prevailed.

MEMBERS EXCUSED

Senators Cohen, Scheid, Tomassoni and Vandever were excused from the Session of today.

ADJOURNMENT

Senator Koch moved that the Senate do now adjourn until 11:00 a.m., Thursday, February 10, 2011. The motion prevailed.

Upon its adjournment, the Senate attended the Joint Convention in the House Chamber to receive the State of the State message delivered by the Honorable Mark Dayton, Governor.

Cal R. Ludeman, Secretary of the Senate

