

**THIRTY-THIRD DAY**

St. Paul, Minnesota, Tuesday, March 29, 2011

The Senate met at 10:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Senator Limmer 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. Kevin McDonough.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America, led by military service veteran, Mr. Lee Ulferts.

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

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

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.

February 10, 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 RIGHTS

Kevin M. Lindsey, 1947 Dayton Ave., Saint Paul, in the county of Ramsey, effective March 2, 2011, for a term expiring on January 5, 2015.

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

March 8, 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:

METROPOLITAN COUNCIL

James Brimeyer, 1306 Westwood Hills Rd., Saint Louis Park, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 1, 2015.

Steven Chávez, 1587 Skyline Path, Eagan, in the county of Dakota, effective March 7, 2011, for a term expiring on January 1, 2015.

Jon Commers, 2294 Commonwealth Ave., Saint Paul, in the county of Ramsey, effective March 7, 2011, for a term expiring on January 1, 2015.

Gary Cunningham, 3236 Harriet Ave. S., Minneapolis, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 1, 2015.

John Đoàn, 11482 Goodhue St. N.E., Blaine, in the county of Anoka, effective March 7, 2011, for a term expiring on January 1, 2015.

Adam Duininck, 3628 - 24th Ave. S., Minneapolis, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 1, 2015.

Steven Elkins, 8709 Sandro Rd., Bloomington, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 1, 2015.

Richard Kramer, 1471 Barclay St., Saint Paul, in the county of Ramsey, effective March 7, 2011, for a term expiring on January 1, 2015.

Harry Melander, 716 Park Ave., Mahtomedi, in the county of Washington, effective March 7, 2011, for a term expiring on January 1, 2015.

Jennifer Munt, 5261 Beachside Dr., Minnetonka, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 1, 2015.

Edward Reynoso, 3606 - 145th Ave. N.E., Ham Lake, in the county of Anoka, effective March 7, 2011, for a term expiring on January 1, 2015.

Sandra Rummel, 4011 Lakehill Cir., White Bear Lake, in the county of Ramsey, effective March 7, 2011, for a term expiring on January 1, 2015.

Lona Schreiber, 10001 Zane Ave. N., Brooklyn Park, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 1, 2015.

Roxanne Smith, 10118 Fernwood Ln., Champlin, in the county of Hennepin, effective March 7, 2011, for a term expiring on January 1, 2015.

Gary Van Eyll, 336 Highwood Dr. Cir., Chaska, in the county of Carver, effective March 7, 2011, for a term expiring on January 1, 2015.

Wendy Wulff, 17326 Greentree Path, Lakeville, in the county of Dakota, effective March 7, 2011, for a term expiring on January 1, 2015.

(Referred to the Committee on Local Government and Elections.)

Sincerely,  
Mark Dayton, Governor

#### 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. 42 and 1140.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 28, 2011

#### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**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.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 27, now on General Orders.

**H.F. No. 1140:** 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 and tort claims; authorizing an account and certain contingent appropriations; providing for use of revenues from metropolitan transportation area sales tax; reducing funding for 2010 state road construction; authorizing temporary transfers from metropolitan livable communities fund accounts, right-of-way loan acquisition fund for transit operating deficits, and Metropolitan Council operating budget; establishing direct appropriation from transit assistance fund; establishing an account; modifying various provisions related to transportation finance and policy; modifying provisions related to licensing drivers; mandating and amending legislative reports; making technical and clarifying changes; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 16A.88; 162.06, subdivision 1; 162.12, subdivision 1; 168.12, subdivision 5; 171.06, subdivision 2; 171.0701; 171.13, subdivision 1, by adding a subdivision; 174.93; 297A.992, subdivision 5, by adding a subdivision; Laws 2009, chapter 36, article 1, section 3, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 171.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 898.

## REPORTS OF COMMITTEES

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

**Senator Robling from the Committee on Finance, to which was re-referred**

**S.F. No. 898:** A bill for an act relating to transportation; appropriating money for transportation, Metropolitan Council, and public safety activities and programs; providing for fund transfers, contingent appropriations, and tort claims; creating trunk highway economic development account; modifying provisions for distribution of town road account; modifying provisions for plates for physically disabled persons; expanding eligibility for Gold Star license plates; adjusting and clarifying driver's license fees; extending coverage of certain permit; allowing driver and vehicle transaction applicants to add \$2 donation for anatomical gift program; creating anatomical gift account; extending expiration date for collection of technology surcharge; requiring information and reports concerning fixed guideway investments; modifying provisions relating to aviation fuel taxes and aircraft property taxes; authorizing fund transfers; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 161.04, by adding a subdivision; 162.06, subdivision 1; 162.081, subdivision 4; 162.12, subdivision 1; 168.013, subdivision 21; 168.021; 168.12, subdivision 5; 168.1253, subdivision 1; 168.33, subdivision 7; 168A.29, subdivision 1; 169.345, subdivisions 1, 3; 169.86, subdivision 5; 171.06, subdivision 2; 174.93; 270.075, by adding a subdivision; 296A.09, subdivisions 2, 6; 296A.17, subdivision 3; 299A.705, subdivision 3; 360.511, by adding a subdivision; 360.531, subdivisions 1, 2, by adding a subdivision; 360.57; Laws 2009, chapter 36, article 1, section 3, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Minnesota Statutes 2010, section 360.531, subdivisions 3, 4, 6.

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

Page 36, delete sections 19 to 22

Page 37, delete sections 24 to 25

Page 38, delete sections 26 to 28

Page 40, delete section 32

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 12, delete everything after the semicolon

Page 1, line 13, delete everything before "authorizing"

Amend the title numbers accordingly

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

**Senator Robling from the Committee on Finance, to which was referred**

**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; continuing the employee salary freeze; providing an HSA-eligible high-deductible health plan for employees and a high-deductible plan for eligible former employees; requiring a 15 percent reduction in the state workforce; requiring 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; 43A.316, subdivision 8; 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.

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

Page 11, line 22, delete "\$...,000" and insert "\$167,000"

Page 15, line 4, before "To" insert a period

Page 17, line 20, delete "\$...,000" and insert "\$794,000" and delete "\$...,000" and insert "\$864,000"

Page 36, delete section 35

Page 38, line 12, after "Universities" insert ", peace officers licensed under chapter 626,"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, delete "continuing the" and insert "providing a state"

Page 1, line 10, delete everything before the semicolon and insert "state employees"

Page 1, line 11, before "verification" insert "a"

Amend the title numbers accordingly

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

#### **Senator Robling from the Committee on Finance, to which was re-referred**

**S.F. No. 760:** A bill for an act relating to state government; establishing the health and human services budget; modifying provisions related to health care and human services; amending health licensing boards; 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.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 16, section 47; 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; 1031.005, 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.

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

Page 10, lines 24 to 26, reinstate the stricken language

Page 106, line 3, after the second comma, insert "with family income greater than 75 percent of the federal poverty guidelines"

Page 159, line 33, delete "66,299,000" and insert "67,012,000" and delete "66,142,000" and insert "66,910,000" and delete "132,441,000" and insert "133,922,000"

Page 160, line 4, delete "6,203,228,000" and insert "6,203,941,000" and delete "6,007,918,000" and insert "6,008,686,000" and delete "12,211,146,000" and insert "12,212,627,000"

Page 168, line 6, delete the colon

Page 168, line 7, delete "(1)"

Page 168, line 10, delete the semicolon and insert a period

Page 168, delete lines 11 to 16

Page 168, delete lines 28 to 32

Page 176, line 6, delete "119,111,000" and insert "119,824,000" and delete "112,821,000" and insert "113,589,000"

Page 176, line 11, delete "45,268,000" and insert "45,981,000" and delete "45,325,000" and insert "46,093,000"

Page 177, line 25, delete "30,209,000" and insert "30,922,000" and delete "30,209,000" and insert "30,977,000"

Page 180, delete lines 18 to 22 and insert:

"Regional Grants. \$585,000 in fiscal year 2012 and \$585,000 in fiscal year 2013 are for regional emergency medical services programs, to be distributed equally to the eight emergency medical service regions. Notwithstanding Minnesota Statutes, section 144E.50, 100 percent of the appropriation shall be granted to the emergency medical service regions.

**Cooper/Sams Volunteer Ambulance Program.** \$700,000 in fiscal year 2012 and \$700,000 in fiscal year 2013 are for the Cooper/Sams Volunteer Ambulance Program under Minnesota Statutes, section 144E.40.

(a) Of this amount, \$611,000 in fiscal year 2012 and \$611,000 in fiscal year 2013 are for the ambulance service personnel longevity award and incentive program, under Minnesota Statutes, section 144E.40.

(b) Of this amount, \$89,000 in fiscal year 2012 and \$89,000 in fiscal year 2013 are for the operations of the ambulance service personnel longevity award and incentive program, under Minnesota Statutes, section 144E.40.

**Ambulance Training Grant.** \$361,000 in fiscal year 2012 and \$361,000 in fiscal year 2013 are for training grants.



EMSRB Board Operations. \$1,096,000 in fiscal year 2012 and \$1,096,000 in fiscal year 2013 are for operations."

Amend the title accordingly

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

### SECOND READING OF SENATE BILLS

S.F. Nos. 898, 1047 and 760 were read the second time.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

#### Senator Lourey introduced—

**S.F. No. 1056:** A bill for an act relating to state lands; authorizing public and private sales of certain tax-forfeited lands bordering public waters.

Referred to the Committee on Environment and Natural Resources.

#### Senator Senjem introduced—

**S.F. No. 1057:** A bill for an act relating to debt service; amending the use of bond sale premiums; amending Minnesota Statutes 2010, sections 16A.641, subdivision 7; 16A.642, subdivision 2.

Referred to the Committee on Finance.

#### Senator Jungbauer introduced—

**S.F. No. 1058:** A bill for an act relating to motor vehicles; modifying provisions related to pickup trucks; amending Minnesota Statutes 2010, sections 168.002, subdivisions 24, 26, 40, by adding subdivisions; 168.021, subdivision 1; 168.12, subdivisions 1, 2, 2b, 2c, 2d, 2e; 168.123, subdivision 1; 168.1235, subdivision 1; 168.124, subdivision 1; 168.125, subdivision 1; 168.1253, subdivision 1; 168.1255, subdivision 1; 168.129, subdivision 1; 168.1296, subdivision 1; 168.1298, subdivision 1; Laws 2008, chapter 350, article 1, section 5, as amended.

Referred to the Committee on Transportation.

#### Senators Limmer, Dibble, Senjem, Sheran and Jungbauer introduced—

**S.F. No. 1059:** A bill for an act relating to railroads; requiring counseling for railroad employees following train accidents; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Transportation.

**Senators Rest, Benson, Senjem, Higgins and Limmer introduced—**

**S.F. No. 1060:** A bill for an act relating to capital investment; appropriating money for phase 1 Capitol security and access improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Benson, Rest, Senjem, Higgins and Limmer introduced—**

**S.F. No. 1061:** A bill for an act relating to capital investment; appropriating money for phase 1 Capitol security and access improvements.

Referred to the Committee on Capital Investment.

**Senator Gerlach introduced—**

**S.F. No. 1062:** A bill for an act relating to education; allowing qualified individuals receiving a retirement annuity to serve as a coach during a sports season; amending Minnesota Statutes 2010, section 122A.18, subdivision 3.

Referred to the Committee on Education.

**MOTIONS AND RESOLUTIONS**

Senator Rosen moved that the name of Senator Pappas be added as a co-author to S.F. No. 749. The motion prevailed.

Senator Saxhaug moved that his name be stricken as a co-author to S.F. No. 835. The motion prevailed.

Senator Berglin moved that the name of Senator Higgins be added as a co-author to S.F. No. 917. The motion prevailed.

Senator Tomassoni moved that the name of Senator Higgins be added as a co-author to S.F. No. 947. The motion prevailed.

Senator Limmer moved that the name of Senator Higgins be added as a co-author to S.F. No. 1014. The motion prevailed.

**SPECIAL ORDERS**

Pursuant to Rule 26, Senator Koch, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 958, 1029, 924 and H.F. No. 12.

**SPECIAL ORDER**

**S.F. No. 958:** A bill for an act relating to public safety; acquiring an easement for the correctional

facility in Faribault; appropriating money for the courts, public defenders, public safety, corrections, certain other criminal justice agencies, boards, and commissions; amending Minnesota Statutes 2010, section 297I.06, subdivision 3.

Senator Latz moved to amend S.F. No. 958 as follows:

Page 2, line 24, delete "11,066,000" and insert "11,816,000" and delete "11,066,000" and insert "11,816,000"

Page 9, after line 3, insert:

"Sec. 18. Minnesota Statutes 2010, section 357.021, subdivision 2, is amended to read:

Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator shall be as follows:

(1) In every civil action or proceeding in said court, including any case arising under the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff, petitioner, or other moving party shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$316, except in marriage dissolution actions the fee is ~~\$340~~ \$346.

The defendant or other adverse or intervening party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$316, except in marriage dissolution actions the fee is ~~\$340~~ \$346.

The party requesting a trial by jury shall pay \$100.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed or proceedings under chapter 103E, except the provisions therein as to appeals.

(2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8 for an uncertified copy.

(3) Issuing a subpoena, \$16 for each name.

(4) Filing a motion or response to a motion in civil, family, excluding child support, and guardianship cases, \$100.

(5) Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically mentioned, \$55.

(6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment from another court, \$40.

(7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of judgment, \$5.

(8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name certified to.

(9) Filing and indexing trade name; or recording basic science certificate; or recording certificate of physicians, osteopaths, chiropractors, veterinarians, or optometrists, \$5.

(10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

(11) For the deposit of a will, \$27.

(12) For recording notary commission, \$20.

(13) Filing a motion or response to a motion for modification of child support, a fee of \$100.

(14) All other services required by law for which no fee is provided, such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.

(15) In addition to any other filing fees under this chapter, a surcharge in the amount of \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption petition filed in district court to fund the fathers' adoption registry under section 259.52.

The fees in clauses (3) and (5) need not be paid by a public authority or the party the public authority represents."

Correct the section totals and the appropriation summary

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Marty moved to amend S.F. No. 958 as follows:

Page 7, line 18, delete "1,670,000" and insert "3,341,000" and delete "1,670,000" and insert "3,341,000"

Page 9, after line 3, insert:

"Sec. 18. Minnesota Statutes 2010, section 357.021, subdivision 2, is amended to read:

Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator shall be as follows:

(1) In every civil action or proceeding in said court, including any case arising under the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff, petitioner, or other moving party shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$324, except in marriage dissolution actions the fee is ~~\$340~~ \$354.

The defendant or other adverse or intervening party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$324, except in marriage dissolution actions the fee is ~~\$340~~ \$354.

The party requesting a trial by jury shall pay \$100.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed or proceedings under chapter 103E, except the provisions therein as to appeals.

(2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8 for an uncertified copy.

(3) Issuing a subpoena, \$16 for each name.

(4) Filing a motion or response to a motion in civil, family, excluding child support, and guardianship cases, \$100.

(5) Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically mentioned, \$55.

(6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment from another court, \$40.

(7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of judgment, \$5.

(8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name certified to.

(9) Filing and indexing trade name; or recording basic science certificate; or recording certificate of physicians, osteopaths, chiropractors, veterinarians, or optometrists, \$5.

(10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

(11) For the deposit of a will, \$27.

(12) For recording notary commission, \$20.

(13) Filing a motion or response to a motion for modification of child support, a fee of \$100.

(14) All other services required by law for which no fee is provided, such fee as compares

favorably with those herein provided, or such as may be fixed by rule or order of the court.

(15) In addition to any other filing fees under this chapter, a surcharge in the amount of \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption petition filed in district court to fund the fathers' adoption registry under section 259.52.

The fees in clauses (3) and (5) need not be paid by a public authority or the party the public authority represents."

Correct the section totals and the appropriation summary

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson	Gerlach	Koch	Nienow	Senjem
Brown	Gimse	Kruse	Olson	Thompson
Carlson	Hall	Lillie	Ortman	Vandever
Chamberlain	Hann	Limmer	Parry	Wolf
Dahms	Hoffman	Magnus	Pederson	
DeKruif	Howe	Michel	Reinert	
Fischbach	Ingebrigtsen	Miller	Robling	
Gazelka	Jungbauer	Newman	Rosen	

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

Senator Harrington moved to amend S.F. No. 958 as follows:

Page 7, line 32, delete "108,006,000" and insert "108,937,000" and delete "108,006,000" and insert "108,937,000"

Page 8, line 2, delete "107,906,000" and insert "108,837,000" and delete "107,906,000" and insert "108,837,000"

Page 9, after line 3, insert:

"Sec. 18. Minnesota Statutes 2010, section 357.021, subdivision 6, is amended to read:

Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided in this paragraph, the court shall impose and the court administrator shall collect a \$75 ~~\$77~~ surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense, other than a violation of a law or ordinance relating to vehicle parking, for which there shall be a \$12 surcharge. When a defendant is convicted of more than one offense in a case, the surcharge

shall be imposed only once in that case. In the Second Judicial District, the court shall impose, and the court administrator shall collect, an additional \$1 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense, including a violation of a law or ordinance relating to vehicle parking, if the Ramsey County Board of Commissioners authorizes the \$1 surcharge. The surcharge shall be imposed whether or not the person is sentenced to imprisonment or the sentence is stayed. The surcharge shall not be imposed when a person is convicted of a petty misdemeanor for which no fine is imposed.

(b) If the court fails to impose a surcharge as required by this subdivision, the court administrator shall show the imposition of the surcharge, collect the surcharge, and correct the record.

(c) The court may not waive payment of the surcharge required under this subdivision. Upon a showing of indigency or undue hardship upon the convicted person or the convicted person's immediate family, the sentencing court may authorize payment of the surcharge in installments.

(d) The court administrator or other entity collecting a surcharge shall forward it to the commissioner of management and budget.

(e) If the convicted person is sentenced to imprisonment and has not paid the surcharge before the term of imprisonment begins, the chief executive officer of the correctional facility in which the convicted person is incarcerated shall collect the surcharge from any earnings the inmate accrues from work performed in the facility or while on conditional release. The chief executive officer shall forward the amount collected to the court administrator or other entity collecting the surcharge imposed by the court.

(f) A person who successfully completes a diversion or similar program for a violation of chapter 169 must pay the surcharge described in this subdivision.

(g) The surcharge does not apply to administrative citations issued pursuant to section 169.999.

Sec. 19. Minnesota Statutes 2010, section 357.021, subdivision 7, is amended to read:

**Subd. 7. Disbursement of surcharges by commissioner of management and budget.** (a) Except as provided in paragraphs (b), (c), and (d), the commissioner of management and budget shall disburse surcharges received under subdivision 6 and section 97A.065, subdivision 2, as follows:

(1) one percent shall be credited to the game and fish fund to provide peace officer training for employees of the Department of Natural Resources who are licensed under sections 626.84 to 626.863, and who possess peace officer authority for the purpose of enforcing game and fish laws;

(2) 39 percent shall be credited to the peace officers training account in the special revenue fund; and

(3) 60 percent shall be credited to the general fund.

(b) The commissioner of management and budget shall credit \$3 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, to the general fund.

(c) In addition to any amounts credited under paragraph (a), the commissioner of management and budget shall credit \$47 ~~\$49~~ of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, and the \$12 parking surcharge, to the general fund.

(d) If the Ramsey County Board of Commissioners authorizes imposition of the additional \$1 surcharge provided for in subdivision 6, paragraph (a), the court administrator in the Second Judicial District shall transmit the surcharge to the commissioner of management and budget. The \$1 special surcharge is deposited in a Ramsey County surcharge account in the special revenue fund and amounts in the account are appropriated to the trial courts for the administration of the petty misdemeanor diversion program operated by the Second Judicial District Ramsey County Violations Bureau."

Correct the section totals and the appropriation summary

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Goodwin moved to amend S.F. No. 958 as follows:

Page 3, line 7, delete "11,367,000" and insert "12,367,000" and delete "11,367,000" and insert "12,367,000"

Page 9, after line 3, insert:

"Sec. 18. Minnesota Statutes 2010, section 357.021, subdivision 2, is amended to read:

Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator shall be as follows:

(1) In every civil action or proceeding in said court, including any case arising under the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff, petitioner, or other moving party shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$318, except in marriage dissolution actions the fee is ~~\$340~~ \$348.

The defendant or other adverse or intervening party, or any one or more of several defendants or



other adverse or intervening parties appearing separately from the others, shall pay, when the first paper is filed for that party in said action, a fee of ~~\$340~~ \$318, except in marriage dissolution actions the fee is ~~\$340~~ \$348.

The party requesting a trial by jury shall pay \$100.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed or proceedings under chapter 103E, except the provisions therein as to appeals.

(2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8 for an uncertified copy.

(3) Issuing a subpoena, \$16 for each name.

(4) Filing a motion or response to a motion in civil, family, excluding child support, and guardianship cases, \$100.

(5) Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically mentioned, \$55.

(6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment from another court, \$40.

(7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of judgment, \$5.

(8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name certified to.

(9) Filing and indexing trade name; or recording basic science certificate; or recording certificate of physicians, osteopaths, chiropractors, veterinarians, or optometrists, \$5.

(10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

(11) For the deposit of a will, \$27.

(12) For recording notary commission, \$20.

(13) Filing a motion or response to a motion for modification of child support, a fee of \$100.

(14) All other services required by law for which no fee is provided, such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.

(15) In addition to any other filing fees under this chapter, a surcharge in the amount of \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption petition filed in district court to fund the fathers' adoption registry under section 259.52.

The fees in clauses (3) and (5) need not be paid by a public authority or the party the public authority represents."

Correct the section totals and the appropriation summary

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson	Gerlach	Koch	Newman	Senjem
Brown	Gimse	Kruse	Nienow	Thompson
Carlson	Hall	Lillie	Olson	Vandever
Chamberlain	Hann	Limmer	Ortman	Wolf
Dahms	Hoffman	Magnus	Parry	
DeKruif	Howe	Michel	Pederson	
Fischbach	Ingebrigtsen	Miller	Reinert	
Gazelka	Jungbauer	Nelson	Rosen	

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

Senator Harrington moved to amend S.F. No. 958 as follows:

Page 5, line 11, delete "32,760,000" and insert "34,358,000" and delete "32,759,000" and insert "34,357,000"

Page 5, line 13, delete "32,664,000" and insert "34,262,000" and delete "32,663,000" and insert "34,261,000"

Page 9, after line 3, insert:

"Sec. 18. Minnesota Statutes 2010, section 357.021, subdivision 6, is amended to read:

Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided in this paragraph, the court shall impose and the court administrator shall collect a \$~~75~~ \$79 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense, other than a violation of a law or ordinance relating to vehicle parking, for which there shall be a \$12 surcharge. When a defendant is convicted of more than one offense in a case, the surcharge shall be imposed only once in that case. In the Second Judicial District, the court shall impose, and the court administrator shall collect, an additional \$1 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense, including a violation of a law or ordinance relating to vehicle parking, if the Ramsey County Board of Commissioners authorizes the \$1 surcharge. The surcharge shall be imposed whether or not the person is sentenced to imprisonment or the sentence is stayed. The surcharge shall not be imposed when a person is convicted of a petty misdemeanor for which no fine is imposed.

(b) If the court fails to impose a surcharge as required by this subdivision, the court administrator shall show the imposition of the surcharge, collect the surcharge, and correct the record.

(c) The court may not waive payment of the surcharge required under this subdivision. Upon a showing of indigency or undue hardship upon the convicted person or the convicted person's immediate family, the sentencing court may authorize payment of the surcharge in installments.

(d) The court administrator or other entity collecting a surcharge shall forward it to the commissioner of management and budget.

(e) If the convicted person is sentenced to imprisonment and has not paid the surcharge before the term of imprisonment begins, the chief executive officer of the correctional facility in which the convicted person is incarcerated shall collect the surcharge from any earnings the inmate accrues from work performed in the facility or while on conditional release. The chief executive officer shall forward the amount collected to the court administrator or other entity collecting the surcharge imposed by the court.

(f) A person who successfully completes a diversion or similar program for a violation of chapter 169 must pay the surcharge described in this subdivision.

(g) The surcharge does not apply to administrative citations issued pursuant to section 169.999.

Sec. 19. Minnesota Statutes 2010, section 357.021, subdivision 7, is amended to read:

Subd. 7. **Disbursement of surcharges by commissioner of management and budget.** (a) Except as provided in paragraphs (b), (c), and (d), the commissioner of management and budget shall disburse surcharges received under subdivision 6 and section 97A.065, subdivision 2, as follows:

(1) one percent shall be credited to the game and fish fund to provide peace officer training for employees of the Department of Natural Resources who are licensed under sections 626.84 to 626.863, and who possess peace officer authority for the purpose of enforcing game and fish laws;

(2) 39 percent shall be credited to the peace officers training account in the special revenue fund; and

(3) 60 percent shall be credited to the general fund.

(b) The commissioner of management and budget shall credit \$3 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, to the general fund.

(c) In addition to any amounts credited under paragraph (a), the commissioner of management and budget shall credit \$47 \$51 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, and the \$12 parking surcharge, to the general fund.

(d) If the Ramsey County Board of Commissioners authorizes imposition of the additional \$1 surcharge provided for in subdivision 6, paragraph (a), the court administrator in the Second Judicial District shall transmit the surcharge to the commissioner of management and budget. The \$1 special surcharge is deposited in a Ramsey County surcharge account in the special revenue fund and amounts in the account are appropriated to the trial courts for the administration of the petty misdemeanor diversion program operated by the Second Judicial District Ramsey County Violations Bureau."

Correct the section totals and the appropriation summary

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Harrington moved to amend S.F. No. 958 as follows:

Page 4, line 27, delete "\$6,757,000" and insert "\$10,007,000"

Page 4, line 29, delete "\$5,618,000" and insert "\$2,368,000"

Page 4, lines 34 and 35, delete "\$5,757,000" and insert "\$10,007,000"

Page 8, delete section 17 and insert:

"Sec. 17. Minnesota Statutes 2010, section 299F.012, is amended to read:

**299F.012 FIRE SAFETY ACCOUNT.**

Subdivision 1. ~~Authorized programs within~~ Expenditures for department programs; grants to fire departments. (a) From the revenues appropriated from the fire safety account, established under section 297I.06, subdivision 3, the commissioner of public safety may expend funds for the activities and programs identified by the advisory committee established under subdivision 2 and recommended to the commissioner of public safety. The commissioner shall not expend funds without the recommendation of the advisory committee established under subdivision 2. These funds are to be used to provide resources needed for identified activities and programs of the Minnesota fire service and to ensure the State Fire Marshal Division responsibilities are fulfilled.

(b) The commissioner may make grants annually to fire departments from the money authorized by the revenues appropriated from the fire safety account to qualifying fire departments. These grants must be for the activities and programs, including training, that are recommended by the fire service advisory committee established under subdivision 2. The commissioner may make block grants. Block grants must be awarded on a per-firefighter basis and these funds must be used for the purpose of firefighter training. The commissioner shall consult with the fire service advisory committee in

establishing grant distribution guidelines. In addition, the commissioner may make matching grants to a qualifying fire department applicant's base on criteria established by the fire service advisory committee. Grants made pursuant to this subdivision may only be given to those departments that are certified as eligible by the commissioner. Grant funds not expended by a department during the first year of the biennium do not cancel and may be carried over into the second fiscal year.

Subd. 2. **Fire Service Advisory Committee.** The Fire Service Advisory Committee shall provide recommendations to the commissioner of public safety on fire service-related issues and shall consist of representatives of each of the following organizations: two appointed by the president of the Minnesota State Fire Chiefs Association, two appointed by the president of the Minnesota State Fire Department Association, two appointed by the president of the Minnesota Professional Fire Fighters, two appointed by the president of the League of Minnesota Cities, one appointed by the president of the Minnesota Association of Townships, one appointed by the president of the Insurance Federation of Minnesota, one appointed jointly by the presidents of the Minnesota Chapter of the International Association of Arson Investigators and the Fire Marshals Association of Minnesota, and the commissioner of public safety or the commissioner's designee. The commissioner of public safety must ensure that at least three of the members of the advisory committee work and reside in counties outside of the seven-county metropolitan area. The committee shall provide funding recommendations to the commissioner of public safety from the fire safety fund for the following purposes:

- (1) for the Minnesota Board of Firefighter Training and Education;
- (2) for programs and staffing for the State Fire Marshal Division; and
- (3) for fire-related regional response team programs and any other fire service programs that have the potential for statewide impact.

Subd. 3. **Report Reports; accounting; carryover.** (a) The commissioner of public safety shall, by December 1 of each year, (1) provide an accounting of how the funds in the fire safety account were spent in the preceding fiscal year and (2) report any funds not spent in a fiscal year to the chairs of the committees of the house of representatives and the senate having jurisdiction over public safety finance.

(b) Each fire department receiving a grant shall report annually by August 1 to the commissioner the purposes for which the money was used in the past year and the anticipated use of the money in the next year. For block grants, this report must be submitted along with a new grant request submission. If the report is not submitted, the commissioner may redistribute that money to other departments and applicants. The commissioner may establish a procedure to audit expenditure of money appropriated for grants to fire departments under this section.

(c) Money in the account does not cancel but remains available for expenditures for the programs identified in subdivisions 1 and 2.

Sec. 18. Minnesota Statutes 2010, section 357.021, subdivision 6, is amended to read:

Subd. 6. **Surcharges on criminal and traffic offenders.** (a) Except as provided in this paragraph, the court shall impose and the court administrator shall collect a \$75 \$82 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense, other than a violation of a law or ordinance relating to vehicle parking, for which there shall

be a \$12 surcharge. When a defendant is convicted of more than one offense in a case, the surcharge shall be imposed only once in that case. In the Second Judicial District, the court shall impose, and the court administrator shall collect, an additional \$1 surcharge on every person convicted of any felony, gross misdemeanor, misdemeanor, or petty misdemeanor offense, including a violation of a law or ordinance relating to vehicle parking, if the Ramsey County Board of Commissioners authorizes the \$1 surcharge. The surcharge shall be imposed whether or not the person is sentenced to imprisonment or the sentence is stayed. The surcharge shall not be imposed when a person is convicted of a petty misdemeanor for which no fine is imposed.

(b) If the court fails to impose a surcharge as required by this subdivision, the court administrator shall show the imposition of the surcharge, collect the surcharge, and correct the record.

(c) The court may not waive payment of the surcharge required under this subdivision. Upon a showing of indigency or undue hardship upon the convicted person or the convicted person's immediate family, the sentencing court may authorize payment of the surcharge in installments.

(d) The court administrator or other entity collecting a surcharge shall forward it to the commissioner of management and budget.

(e) If the convicted person is sentenced to imprisonment and has not paid the surcharge before the term of imprisonment begins, the chief executive officer of the correctional facility in which the convicted person is incarcerated shall collect the surcharge from any earnings the inmate accrues from work performed in the facility or while on conditional release. The chief executive officer shall forward the amount collected to the court administrator or other entity collecting the surcharge imposed by the court.

(f) A person who successfully completes a diversion or similar program for a violation of chapter 169 must pay the surcharge described in this subdivision.

(g) The surcharge does not apply to administrative citations issued pursuant to section 169.999.

Sec. 19. Minnesota Statutes 2010, section 357.021, subdivision 7, is amended to read:

**Subd. 7. Disbursement of surcharges by commissioner of management and budget.** (a) Except as provided in paragraphs (b), (c), and (d), the commissioner of management and budget shall disburse surcharges received under subdivision 6 and section 97A.065, subdivision 2, as follows:

(1) one percent shall be credited to the game and fish fund to provide peace officer training for employees of the Department of Natural Resources who are licensed under sections 626.84 to 626.863, and who possess peace officer authority for the purpose of enforcing game and fish laws;

(2) 39 percent shall be credited to the peace officers training account in the special revenue fund; and

(3) 60 percent shall be credited to the general fund.

(b) The commissioner of management and budget shall credit \$3 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, to the general fund.

(c) In addition to any amounts credited under paragraph (a), the commissioner of management and budget shall credit \$47 ~~\$54~~ of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, and the \$12 parking surcharge, to the general fund.

(d) If the Ramsey County Board of Commissioners authorizes imposition of the additional \$1 surcharge provided for in subdivision 6, paragraph (a), the court administrator in the Second Judicial District shall transmit the surcharge to the commissioner of management and budget. The \$1 special surcharge is deposited in a Ramsey County surcharge account in the special revenue fund and amounts in the account are appropriated to the trial courts for the administration of the petty misdemeanor diversion program operated by the Second Judicial District Ramsey County Violations Bureau."

Correct the section totals and the appropriation summary

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S.F. No. 958 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 36 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Cohen	Harrington	Kubly	Lourey
Berglin	Dibble	Higgins	Langseth	Marty
Bonoff	Goodwin	Kelash	Latz	Metzen

Pappas  
Pogemiller  
Reinert

Rest  
Saxhaug  
Sheran

Sieben  
Skoe  
Sparks

Stumpf  
Tomassoni  
Torres Ray

Wiger

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1029:** A bill for an act relating to state government; appropriating money for environment, natural resources, commerce, energy, utilities, and telecommunications; appropriating money from the environment and natural resources trust fund; modifying provisions for taking game and fish; modifying certain licenses and restrictions for hunting and fishing; modifying grant programs; modifying solid waste provisions; creating accounts; modifying disposition of certain receipts; modifying trail and surface water use provisions; modifying Mineral Coordinating Committee and citizen oversight committees; modifying Petroleum Tank Release Cleanup Act; modifying sunset dates; modifying environmental review and permit requirements; modifying certain rulemaking requirements; requiring studies and rulemaking; amending Minnesota Statutes 2010, sections 17.135; 84.033, subdivision 1; 84.035, subdivision 6; 84.925, subdivision 1; 84D.15, subdivision 2; 85.018, subdivision 5; 85.019, subdivisions 4b, 4c; 85.052, subdivision 4; 85.32, subdivision 1; 86B.106; 86B.121; 89.039, subdivision 1; 89.21; 93.0015, subdivisions 1, 3; 97A.055, subdivision 4b, by adding a subdivision; 97A.465, subdivision 5; 97A.502; 97B.031, subdivision 5; 97B.325; 97B.326; 97B.405; 97B.667; 103G.271, subdivision 6; 103G.301, by adding a subdivision; 115.073; 115A.1314; 115A.1320, subdivision 1; 115C.09, subdivision 3c; 115C.13; 116.07, subdivisions 4h, 7c; 116.0711, by adding a subdivision; 116D.04, subdivision 2a, as amended; 116G.15, subdivision 1; 299C.40, subdivision 1; 357.021, subdivision 7; 609.66, subdivision 1h; proposing coding for new law in Minnesota Statutes, chapters 84; 89; 97A; 97C; 103G; 115A; repealing Minnesota Statutes 2010, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 85.013, subdivision 2b; 89.06; 89.35; 89.36; 89.37; 89.38; 89.39; 89.391; 97B.511; 97B.515, subdivision 3; 116G.15, subdivisions 2, 3, 4, 5, 6, 7.

Senator Parry moved to amend S.F. No. 1029 as follows:

Page 97, line 15, after the period, insert "This additional amount shall be added to the base budget for fiscal years 2014 and 2015 only. The enhanced unclaimed property compliance program shall sunset June 30, 2015."

The motion prevailed. So the amendment was adopted.

Senator Gazelka moved to amend S.F. No. 1029 as follows:

Page 83, line 9, after the period, insert "\$100,000 is for a grant to the Minnesota Public Television Association to develop and produce a documentary identifying the challenges presented by aquatic invasive species. The documentary shall be available to the Department of Natural Resources to distribute to watercraft license purchasers and the general public through on-line and other media."

The motion prevailed. So the amendment was adopted.

Senator Sieben moved to amend S.F. No. 1029 as follows:

Page 6, after line 9, insert:



"\$370,000 each year is from the environmental fund for environmental health tracking and biomonitoring of a representative sample of the population, including indigenous people and people of color. Of this amount, \$320,000 each year is for transfer to the Department of Health."

Correct the section totals and the appropriation summary

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Ingebrigtsen moved to amend S.F. No. 1029 as follows:

Page 45, delete section 46

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 1029 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 37 and nays 28, as follows:

Those who voted in the affirmative were:

Benson	DeKruif	Hann	Kruse	Nelson
Brown	Fischbach	Hoffman	Lillie	Newman
Carlson	Gazelka	Howe	Limmer	Nienow
Chamberlain	Gerlach	Ingebrigtsen	Magnus	Olson
Dahms	Gimse	Jungbauer	Michel	Ortman
Daley	Hall	Koch	Miller	Parry

Pederson  
Robling

Rosen  
Senjem

Thompson  
Vandevier

Wolf

Those who voted in the negative were:

Bakk  
Berglin  
Bonoff  
Cohen  
Dibble  
Goodwin

Harrington  
Higgins  
Kelash  
Kubly  
Langseth  
Latz

Lourey  
Marty  
Metzen  
Pappas  
Pogemiller  
Reinert

Rest  
Saxhaug  
Sheran  
Sieben  
Skoe  
Sparks

Stumpf  
Tomassoni  
Torres Ray  
Wiger

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

Senator Koch moved that S.F. No. 1029 be laid on the table. The motion prevailed.

### SPECIAL ORDER

**S.F. No. 924:** A bill for an act relating to higher education; amending postsecondary education provisions; prohibiting use of certain public funds to support human cloning; appropriating money; amending Minnesota Statutes 2010, sections 135A.51, subdivision 2; 136A.1787; 136G.01; 136G.03, subdivisions 1, 18, 27; 136G.05, subdivisions 1, 6, 8; 299A.45, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 145; repealing Minnesota Statutes 2010, section 136G.11, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10.

Senator Pogemiller moved to amend S.F. No. 924 as follows:

Page 5, line 18, delete "546,827,000" and insert "592,530,000" and delete "546,827,000" and insert "592,530,000"

Page 6, line 1, delete "509,693,000" and insert "555,396,000" and delete "509,693,000" and insert "555,396,000"

Page 6, line 9, delete "522,643,000" and insert "605,779,000" and delete "522,643,000" and insert "605,779,000"

Page 6, line 17, delete "459,547,000" and insert "542,683,000" and delete "459,547,000" and insert "542,683,000"

Page 15, after line 23, insert:

"Sec. 11. Minnesota Statutes 2010, section 290.06, subdivision 2c, is amended to read:

Subd. 2c. **Schedules of rates for individuals, estates, and trusts.** (a) The income taxes imposed by this chapter upon married individuals filing joint returns and surviving spouses as defined in section 2(a) of the Internal Revenue Code must be computed by applying to their taxable net income the following schedule of rates:

- (1) On the first ~~\$25,680~~ \$33,770, 5.35 percent;
- (2) On all over ~~\$25,680~~ \$33,770, but not over ~~\$102,030~~ \$134,170, 7.05 percent;
- (3) On all over ~~\$102,030~~ \$134,170, but not over \$250,000, 7.85 percent.;

(4) On all over \$250,000, 8.40 percent.

Married individuals filing separate returns, estates, and trusts must compute their income tax by applying the above rates to their taxable income, except that the income brackets will be one-half of the above amounts.

(b) The income taxes imposed by this chapter upon unmarried individuals must be computed by applying to taxable net income the following schedule of rates:

(1) On the first ~~\$17,570~~ \$23,100, 5.35 percent;

(2) On all over ~~\$17,570~~ \$23,100, but not over ~~\$57,710~~ \$75,890, 7.05 percent;

(3) On all over ~~\$57,710~~ \$75,890, but not over \$141,250, 7.85 percent.;

(4) On all over \$141,250, 8.40 percent.

(c) The income taxes imposed by this chapter upon unmarried individuals qualifying as a head of household as defined in section 2(b) of the Internal Revenue Code must be computed by applying to taxable net income the following schedule of rates:

(1) On the first ~~\$21,630~~ \$28,440, 5.35 percent;

(2) On all over ~~\$21,630~~ \$28,440, but not over ~~\$86,910~~ \$114,290, 7.05 percent;

(3) On all over ~~\$86,910~~ \$114,290, but not over \$212,500, 7.85 percent.;

(4) On all over \$212,500, 8.40 percent.

(d) In lieu of a tax computed according to the rates set forth in this subdivision, the tax of any individual taxpayer whose taxable net income for the taxable year is less than an amount determined by the commissioner must be computed in accordance with tables prepared and issued by the commissioner of revenue based on income brackets of not more than \$100. The amount of tax for each bracket shall be computed at the rates set forth in this subdivision, provided that the commissioner may disregard a fractional part of a dollar unless it amounts to 50 cents or more, in which case it may be increased to \$1.

(e) An individual who is not a Minnesota resident for the entire year must compute the individual's Minnesota income tax as provided in this subdivision. After the application of the nonrefundable credits provided in this chapter, the tax liability must then be multiplied by a fraction in which:

(1) the numerator is the individual's Minnesota source federal adjusted gross income as defined in section 62 of the Internal Revenue Code and increased by the additions required under section 290.01, subdivision 19a, clauses (1), (5), (6), (7), (8), (9), (12), (13), (16), and (17), and reduced by the Minnesota assignable portion of the subtraction for United States government interest under section 290.01, subdivision 19b, clause (1), and the subtractions under section 290.01, subdivision 19b, clauses (8), (9), (13), (14), (15), and (17), after applying the allocation and assignability provisions of section 290.081, clause (a), or 290.17; and

(2) the denominator is the individual's federal adjusted gross income as defined in section 62 of the Internal Revenue Code of 1986, increased by the amounts specified in section 290.01,

subdivision 19a, clauses (1), (5), (6), (7), (8), (9), (12), (13), (16), and (17), and reduced by the amounts specified in section 290.01, subdivision 19b, clauses (1), (8), (9), (13), (14), (15), and (17).

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2010.

Sec. 12. Minnesota Statutes 2010, section 290.06, subdivision 2d, is amended to read:

Subd. 2d. **Inflation adjustment of brackets.** (a) For taxable years beginning after December 31, ~~2000~~ 2011, the minimum and maximum dollar amounts for each rate bracket for which a tax is imposed in subdivision 2c shall be adjusted for inflation by the percentage determined under paragraph (b). For the purpose of making the adjustment as provided in this subdivision all of the rate brackets provided in subdivision 2c shall be the rate brackets as they existed for taxable years beginning after December 31, ~~1999~~ 2010, and before January 1, ~~2001~~ 2012. The rate applicable to any rate bracket must not be changed. The dollar amounts setting forth the tax shall be adjusted to reflect the changes in the rate brackets. The rate brackets as adjusted must be rounded to the nearest \$10 amount. If the rate bracket ends in \$5, it must be rounded up to the nearest \$10 amount.

(b) The commissioner shall adjust the rate brackets and by the percentage determined pursuant to the provisions of section 1(f) of the Internal Revenue Code, except that in section 1(f)(3)(B) the word "~~1999~~" "2010" shall be substituted for the word "1992." For ~~2001~~ 2012, the commissioner shall then determine the percent change from the 12 months ending on August 31, ~~1999~~ 2010, to the 12 months ending on August 31, ~~2000~~ 2011, and in each subsequent year, from the 12 months ending on August 31, ~~1999~~ 2010, to the 12 months ending on August 31 of the year preceding the taxable year. The determination of the commissioner pursuant to this subdivision shall not be considered a "rule" and shall not be subject to the Administrative Procedure Act contained in chapter 14.

No later than December 15 of each year, the commissioner shall announce the specific percentage that will be used to adjust the tax rate brackets.

**EFFECTIVE DATE.** This section is effective for taxable years beginning after December 31, 2011."

Correct the subdivision and section totals and the appropriations by fund accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Nienow questioned whether the amendment was germane.

The President ruled that the amendment was germane.

The question was taken on the adoption of the Pogemiller amendment.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

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

Torres Ray

Wiger

Those who voted in the negative were:

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

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

Senator Nelson moved to amend S.F. No. 924 as follows:

Page 15, line 18, before "No" insert:

**"Subdivision 1. Use of funds prohibited."**

Page 15, after line 22, insert:

**"Subd. 2. Scientific research.** Nothing in this section shall affect areas of scientific research not specifically addressed by subdivision 1, including research in the use of nuclear transfer or other cloning techniques to produce molecules, DNA, cells other than human embryos, tissues, organs, plants, or animals other than humans. In addition, nothing in this section shall affect the scientific field of stem cell research, unless explicitly prohibited."

Senator Pappas moved to amend the Nelson amendment to S.F. No. 924 as follows:

Page 1, after line 3, insert:

"Page 15, line 16, after "HUMAN" insert "REPRODUCTIVE"

Page 15, delete line 19 and insert "either support human reproductive cloning or to pay for any expenses incidental to human reproductive cloning. For "

Page 15, line 20, delete everything after the comma and insert ""human reproductive cloning" means the creation of a human fetus that is substantially genetically identical to a previously born human being."

Page 15, delete lines 21 and 22"

The question was taken on the adoption of the Pappas amendment to the Nelson amendment.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Marty moved to amend the Nelson amendment to S.F. No. 924 as follows:

Page 1, line 9, delete ", unless explicitly" and insert ". This section does not prohibit the use of state or federal funds for research using somatic cell nuclear transfer embryos to seek cures for Parkinson's disease, Alzheimer's disease, amyotrophic lateral sclerosis (ALS), cystic fibrosis, macular degeneration, spinal cord injury, cancer, diabetes, heart disease, or any other medical disease or condition"

Page 1, line 10, delete "prohibited"

The question was taken on the adoption of the Marty amendment to the Nelson amendment.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The question was taken on the adoption of the Nelson amendment.

The roll was called, and there were yeas 41 and nays 23, as follows:

Those who voted in the affirmative were:

Benson	Gerlach	Kruse	Nienow	Sparks
Brown	Gimse	Langseth	Olson	Stumpf
Carlson	Hall	Lillie	Ortman	Thompson
Chamberlain	Hann	Limmer	Parry	Vandever
Dahms	Hoffman	Magnus	Pederson	Wolf
Daley	Howe	Michel	Robling	
DeKruif	Ingebrigtsen	Miller	Rosen	
Fischbach	Jungbauer	Nelson	Senjem	
Gazelka	Koch	Newman	Skoe	

Those who voted in the negative were:

Bakk	Goodwin	Lourey	Reinert	Tomassoni
Berglin	Harrington	Marty	Rest	Torres Ray
Bonoff	Higgins	Metzen	Saxhaug	Wiger
Cohen	Kelash	Pappas	Sheran	
Dibble	Latz	Pogemiller	Sieben	

The motion prevailed. So the amendment was adopted.

Senator Pappas moved to amend S.F. No. 924 as follows:

Page 13, after line 2, insert:

"Section 1. Minnesota Statutes 2010, section 135A.01, is amended to read:

**135A.01 FUNDING POLICY.**

It is the policy of the legislature to provide stable funding for public postsecondary institutions and that the state and students share the cost of public postsecondary education. ~~The legislature intends to provide at least 67 percent of the combined revenue from tuition, the university fee at the University of Minnesota, and state general fund appropriations to public postsecondary institutions. It is also the policy of the legislature that the budgetary process serves to support high quality public postsecondary education.~~

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the negative were:

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

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

S.F. No. 924 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 37 and nays 27, as follows:

Those who voted in the affirmative were:

Benson	Chamberlain	DeKruif	Gerlach	Hann
Brown	Dahms	Fischbach	Gimse	Hoffman
Carlson	Daley	Gazelka	Hall	Howe

Ingebrigtsen	Limmer	Newman	Pederson	Vandevveer
Jungbauer	Magnus	Nienow	Robling	Wolf
Koch	Michel	Olson	Rosen	
Kruse	Miller	Ortman	Senjem	
Lillie	Nelson	Parry	Thompson	

Those who voted in the negative were:

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

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

Senator Koch moved that S.F. No. 924 be laid on the table. The motion prevailed.

### SPECIAL ORDER

**H.F. No. 12:** A bill for an act relating to taxation; property; making changes to the green acres and rural preserve programs; amending Minnesota Statutes 2010, sections 273.111, subdivision 9, by adding a subdivision; 273.114, subdivisions 2, 5, 6; repealing Minnesota Statutes 2010, section 273.114, subdivision 1.

Senator Howe moved to amend H.F. No. 12, as amended pursuant to Rule 45, adopted by the Senate March 28, 2011, as follows:

(The text of the amended House File is identical to S.F. No. 222.)

Page 2, line 7, after "Agriculture" insert "or by the county geospatial information systems service"

The motion prevailed. So the amendment was adopted.

H.F. No. 12 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 53 and nays 8, as follows:

Those who voted in the affirmative were:

Benson	Gimse	Koch	Newman	Sheran
Bonoff	Goodwin	Kruse	Nienow	Sieben
Brown	Hall	Langseth	Olson	Skoe
Carlson	Hann	Lillie	Ortman	Sparks
Chamberlain	Harrington	Limmer	Parry	Stumpf
Dahms	Higgins	Lourey	Pederson	Thompson
Daley	Hoffman	Magnus	Reinert	Tomassoni
DeKruif	Howe	Metzen	Robling	Vandevveer
Fischbach	Ingebrigtsen	Michel	Rosen	Wolf
Gazelka	Jungbauer	Miller	Saxhaug	
Gerlach	Kelash	Nelson	Senjem	

Those who voted in the negative were:

Bakk	Berglin	Cohen	Dibble	Latz
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Marty

Torres Ray

Wiger

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Jungbauer moved that S.F. No. 754 be withdrawn from the Committee on Local Government and Elections and returned to its author. The motion prevailed.

Senator Jungbauer moved that S.F. No. 66 be withdrawn from the Committee on Environment and Natural Resources and returned to its author. The motion prevailed.

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 and First Reading of House Bills.

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1010.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 29, 2011

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

**H.F. No. 1010:** A bill for an act relating to state government; appropriating money for environment, natural resources, commerce, and energy; creating accounts; modifying disposition of certain receipts; modifying responsibilities and authorities; creating an advisory committee; modifying Petroleum Tank Release Cleanup Act; modifying cooperative electric association petition provisions; repealing definitions and requirements; requiring rulemaking on wild rice standards; amending Minnesota Statutes 2010, sections 85.052, subdivision 4; 89.21; 97A.055, by adding a subdivision; 97A.071, subdivision 2; 97A.075; 103G.271, subdivision 6; 103G.301, subdivision 2; 103G.615, subdivision 2; 115A.1314; 115A.1320, subdivision 1; 115C.09, subdivision 3c; 115C.13; 116P.04, by adding a subdivision; 116P.05, subdivision 2; 216B.026, subdivision 1; 290.431; 290.432; 357.021, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 16E; 84; 89; 97A; 103G; repealing Minnesota Statutes 2010, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 84.027, subdivision 11; 116P.09, subdivision 4; 116P.14.

Senator Koch moved that H.F. No. 1010 be laid on the table. The motion prevailed.

**MEMBERS EXCUSED**

Senator Scheid was excused from the Session of today. Senator Nelson was excused from the Session of today from 10:00 to 11:30 a.m. Senator Daley was excused from the Session of today from 10:00 a.m. to 12:40 p.m. Senator Bakk was excused from the Session of today from 11:15 to 11:25 a.m. Senator Wolf was excused from the Session of today from 11:25 to 11:35 a.m. Senator Robling was excused from the Session of today from 11:35 to 11:45 a.m. Senator Bonoff was excused from the Session of today from 2:00 to 2:20 p.m. Senator Kubly was excused from the Session of today at 2:50 p.m. Senators Pogemiller and Rest were excused from the Session of today at 3:35 p.m.

**ADJOURNMENT**

Senator Koch moved that the Senate do now adjourn until 10:00 a.m., Wednesday, March 30, 2011. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate