

FORTY-NINTH DAY

St. Paul, Minnesota, Thursday, May 5, 2011

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Nathan Sahlberg.

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

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

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

The President declared a quorum present.

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

REPORTS OF COMMITTEES

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

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

S.F. No. 1125: A bill for an act relating to insurance; regulating claims processing for insurance

on portable electronics products; permitting use of an automated claims processing system subject to certain requirements and safeguards; amending Minnesota Statutes 2010, sections 72B.02, by adding a subdivision; 72B.03, subdivision 1, by adding a subdivision; 72B.041, subdivision 2, by adding a subdivision.

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

Page 1, line 16, after the semicolon, insert "and"

Page 1, line 18, delete "; and" and insert a period

Page 1, delete lines 19 and 20

Page 3, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 2010, section 72B.041, subdivision 1, is amended to read:

Subdivision 1. **Application.** (a) An individual applying for a resident adjuster license must make application to the commissioner on the appropriate National Association of Insurance Commissioners (NAIC) Uniform Individual Application in a format prescribed by the commissioner and declare under penalty of suspension, revocation, or refusal of the license that the statements made in the application are true, correct, and complete to the best of the individual's knowledge and belief. Before approving the application, the commissioner must find that the individual:

- (1) is at least 18 years of age;
- (2) is eligible to designate this state as the individual's home state;
- (3) is trustworthy, reliable, and of good reputation, evidence of which must be determined by the commissioner;
- (4) has not committed any act that is a ground for probation, suspension, revocation, or refusal of an adjuster's license as set forth in section 72B.08;
- (5) has successfully passed the examination for the lines of authority for which the individual has applied; and
- (6) has paid the fees set forth in subdivision 9.

An applicant for licensing as a public adjuster solicitor under sections 72B.01 to 72B.14 must be at least 18 years of age, must be competent and trustworthy, and must not have been engaged in any practice which would be grounds for suspension or revocation of a license under sections 72B.01 to 72B.14 within the three years next preceding the date of the application.

In the case of any applicant who has been convicted of a felony within the ten years next preceding the date of the application, and who in the judgment of the commissioner, meets the other qualifications, the commissioner may impose the additional requirement of the filing of a bond in accordance with the requirements of section 72B.08, subdivision 8.

(b) A business entity applying for a resident adjuster license must make application to the commissioner on the appropriate NAIC Uniform Business Entity Application in a format prescribed by the commissioner and declare under penalty of suspension, revocation, or refusal of the license that the statements made in the application are true, correct, and complete to the best

of the business entity's knowledge and belief. Before approving the application, the commissioner shall find that the business entity:

- (1) is eligible to designate this state as its home state;
- (2) has designated a licensed independent or public adjuster responsible for the business entity's compliance with the insurance laws, rules, and regulations of this state;
- (3) has not committed an act that is a ground for probation, suspension, revocation, or refusal of an adjuster's license as set forth in section 72B.08; and
- (4) has paid the fees set forth in subdivision 9.

(c) No resident of Canada may be licensed under this section or may designate Minnesota as the applicant's home state, unless the applicant has successfully passed the adjuster examination and has complied with the other applicable provisions of this section, except that such applicant shall not be subject to paragraph (a), clause (2), and section 270C.72, subdivision 4.

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

Page 4, lines 9 and 19, after "license" insert "to adjust claims relating to portable electronics insurance claims relating to coverage regulated by section 60K.381"

Page 4, after line 28, insert:

"Sec. 6. Minnesota Statutes 2010, section 72B.05, is amended to read:

72B.05 NONRESIDENTS.

(a) Unless refused licensure pursuant to section 72B.08, a nonresident person shall receive a nonresident adjuster license if:

- (1) the person is currently licensed in good standing as an adjuster in the person's resident or home state;
- (2) the person has submitted the proper request for licensure and has paid the fees required by section 72B.041, subdivision 9;
- (3) the person has submitted or transmitted to the commissioner the appropriate completed application for licensure; and
- (4) the person's designated home state awards nonresident adjuster licenses to persons of this state on the same basis.

(b) The commissioner may verify the adjuster's licensing status through any appropriate database, including the producer database maintained by the National Association of Insurance Commissioners, its affiliates, or its subsidiaries, or may request certification of good standing as described in section 72B.041, subdivision 5.

(c) As a condition to the continuation of a nonresident adjuster license, the licensee must maintain a resident adjuster license in the licensee's home state. The nonresident adjuster license issued under this chapter must terminate and be surrendered immediately to the commissioner if the resident adjuster license terminates for any reason, unless the termination is due to the adjuster

being issued a new resident adjuster license in the adjuster's new home state. The new state resident adjuster license must have reciprocity with the licensing nonresident states, otherwise, the nonresident adjuster license must terminate. Notice of resident adjuster license termination must be given to any state that issued a nonresident adjuster license. Notice must be given within 30 days of the termination date; if terminated for change in the resident home state, then the notice must include both the previous and current address. Maintaining a resident adjuster license is required for the nonresident adjuster license to remain valid.

(d) No resident of Canada may be licensed under this section, unless the applicant is licensed as a resident adjuster under the laws of another state, except that such applicant shall not be subject to section 270C.72, subdivision 4.

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

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety. Amendments adopted. Report adopted.

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

S.F. No. 1268: A bill for an act relating to commerce; regulating pay day lenders; authorizing the imposition of certain fees and charges; amending Minnesota Statutes 2010, section 47.59, subdivision 6.

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

Page 2, delete lines 16 and 17 and insert:

"(7) except on an unsecured loan transaction that is either a consumer small loan, as defined in section 47.60, subdivision 1, paragraph (a), or a loan transaction that is a consumer short-term loan, as defined in section 47.601, subdivision 1, paragraph (d), the following fees and charges that are contracted for between a licensee and a borrower with respect to a non-recourse collateralized loan: fees for transporting, storing, securing, insuring, and maintaining the collateral for the loan."

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

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

S.F. No. 425: A bill for an act relating to commerce; regulating certain practices with respect to event tickets; proposing coding for new law in Minnesota Statutes, chapter 325E.

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

Page 2, delete lines 26 to 33

Page 2, line 34, delete "(4)" and insert "(3)"

Page 3, line 4, delete "(5)" and insert "(4)"

Page 3, line 10, delete "(6)" and insert "(5)"

And when so amended the bill be re-referred to the Committee on Commerce and Consumer Protection without recommendation. Amendments adopted. Report adopted.

Senator Gimse from the Committee on Transportation, to which was referred

S.F. No. 430: A bill for an act relating to traffic regulations; modifying provisions relating to disability parking; amending Minnesota Statutes 2010, sections 169.345, subdivision 1; 169.346, subdivision 3.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 169.345, subdivision 1, is amended to read:

Subdivision 1. **Scope of privilege.** (a) A motor vehicle that prominently displays the certificate authorized by this section or that bears disability plates issued under section 168.021 may be parked by or solely for the benefit of a physically disabled person:

- (1) in a designated parking space for disabled persons, as provided in section 169.346;
- (2) in a metered parking space without obligation to pay the meter fee and without time restrictions unless time restrictions are separately posted on official signs; and
- (3) without time restrictions in a nonmetered space where parking is otherwise allowed for passenger vehicles but restricted to a maximum period of time and that does not specifically prohibit the exercise of disabled parking privileges in that space.

A person may park a motor vehicle for a physically disabled person in a parking space described in clause (1) or (2) only when actually transporting the physically disabled person for the sole benefit of that person and when the parking space is within a reasonable distance from the drop-off point.

(b) For purposes of this subdivision, a certificate is prominently displayed if it is displayed so that it may be viewed from the front and rear of the motor vehicle by hanging it from the rearview mirror attached to the front windshield of the motor vehicle. If there is no rearview mirror or if the certificate holder's disability precludes placing the certificate on the mirror, the certificate must be displayed on the dashboard on the driver's side of the vehicle. No part of the certificate may be obscured.

(c) Notwithstanding paragraph (a), clauses (1), (2), and (3), this section does not permit parking in areas prohibited by sections 169.32 and 169.34, in designated no parking spaces, or in parking spaces reserved for specified purposes or vehicles. A local governmental unit may, by ordinance, prohibit parking on any street or highway to create a fire lane, or to accommodate heavy traffic during morning and afternoon rush hours and these ordinances also apply to physically disabled persons.

Sec. 2. Minnesota Statutes 2010, section 169.346, subdivision 3, is amended to read:

Subd. 3. **Misdemeanor; enforcement.** A person who violates subdivision 1 is guilty of a misdemeanor and must be fined not less than \$100 and not more than \$200. This subdivision

must be enforced in the same manner as parking ordinances or regulations in the governmental subdivision in which the violation occurs. Law enforcement officers may tag motor vehicles parked on either private or public property in violation of subdivision 1. Parking enforcement employees or agents of statutory or home rule charter cities or towns may tag or otherwise issue citations for motor vehicles parked on public property in violation of subdivision 1. If a holder of a disability certificate or disability plates allows a person who is not otherwise eligible to use the certificate or plates, then the holder is not eligible to be issued or to use a disability certificate or plates for 12 months after the date of violation. Except when the permit or certificate is expired by, or is otherwise invalid for, more than 90 days, a physically disabled person, or a person parking a motor vehicle for a disabled person, who is charged with violating subdivision 1 because the person parked in a parking space for physically disabled persons without the required certificate, license plates, or permit must not be convicted if the person (1) produces in court or before the court appearance the required certificate, permit, or evidence that the person has been issued plates under section 168.021, (2) surrenders the expired permit or certificate, and (3) demonstrates entitlement to the certificate, plates, or permit at the time of arrest or tagging. To be valid, the certificate or permit must show that it is owned by the same person that owned the expired certificate or permit displayed at the time the tag was issued. The registered vehicle owner is subject to the provisions of this subdivision."

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

Senator Gimse from the Committee on Transportation, to which was referred

S.F. No. 520: A bill for an act relating to highways; removing Route No. 332 from trunk highway system; repealing Minnesota Statutes 2010, section 161.115, subdivision 263.

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

Senator Gimse from the Committee on Transportation, to which was referred

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.

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

Senator Gimse from the Committee on Transportation, to which was referred

S.F. No. 1078: A bill for an act relating to transportation; providing for alternative financing and investment in transportation projects; amending Minnesota Statutes 2010, section 174.02, by adding a subdivision.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 174.02, is amended by adding a subdivision to read:

Subd. 9. **Alternative financing and investment in a pilot transportation project.** (a) The commissioner may select one pilot transportation project on the trunk highway system to implement the authority granted in this subdivision. In connection with this pilot project, the commissioner may enter into agreements with governmental or nongovernmental entities, including private and nonprofit entities, to finance or invest in the transportation project, including repayment agreements. An agreement under this subdivision is subject to (1) the availability of state money or other dedicated revenue or resources; and (2) the approval of the commissioner of management and budget.

(b) The commissioner shall submit to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over transportation policy and finance, a listing of all agreements executed under this subdivision. The listing must identify each agreement, the contracting entities, contract amount, duration, and any repayment requirements. The listing may be submitted electronically, and is subject to section 3.195, subdivision 1.

(c) The pilot project is subject to transportation planning, programming, and procurement requirements. Use of this subdivision must not result in the delay of any project programmed in the statewide transportation improvement program.

(d) This subdivision does not preempt any other statute or provide any new toll facility authority or design-build contracting authority.

(e) Any repayment agreement under this subdivision must comply with all applicable debt and other financial policies and requirements."

Delete the title and insert:

"A bill for an act relating to transportation; providing for alternative financing and investment in a pilot transportation project; amending Minnesota Statutes 2010, section 174.02, by adding a subdivision."

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

Senator Gimse from the Committee on Transportation, to which was referred

S.F. No. 1083: A bill for an act relating to motor vehicles; modifying definition of public impound lot; amending Minnesota Statutes 2010, section 168B.011, subdivision 12.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 168B.011, subdivision 12, is amended to read:

Subd. 12. **Public impound lot.** "Public impound lot" means an impound lot owned by or ~~contracting with~~ exclusively contracted solely for public use by a unit of government under section 168B.09."

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

Senator Gimse from the Committee on Transportation, to which was referred

S.F. No. 1215: A bill for an act relating to drivers' license; providing for acceptable methods of payment; imposing surcharge; amending Minnesota Statutes 2010, section 171.061, subdivision 4.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State Government Innovation and Veterans. Report adopted.

Senator Vandever from the Committee on Local Government and Elections, to which was referred

S.F. No. 1340: A bill for an act relating to counties; giving counties authority to provide for the general welfare; establishing an alternative service delivery pilot program for waivers; amending Minnesota Statutes 2010, section 375.18, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 402A.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2010, section 375.18, is amended by adding a subdivision to read:

Subd. 16. **General welfare.** (a) A county may exercise all powers necessary or fairly implied by an express delegation by the state of a duty or a grant of power, incident or essential to the exercise of an express delegation of a duty or a grant of power, and not expressly denied by or inconsistent with the laws and regulations of the state or the United States.

(b) A county may adopt reasonable ordinances, resolutions, and regulations relating to its property, affairs, and operations, and provide for the general health, safety, and welfare of the county, provided that the action is not expressly denied by or inconsistent with the laws and regulations of the state or the United States.

(c) In exercising these powers, a county must not act in conflict or inconsistent with the powers and duties of other political subdivisions within the county.

(d) The authority granted in this section is subject to section 471.633."

Page 2, line 30, after "notify" insert "(1)" and after "agreements" insert ", and (2) any person or organization that represents potentially affected service recipients"

Page 3, line 16, delete "and"

Page 3, after line 16, insert:

"(7) describe how the county will seek out and take into consideration the advice of those receiving services who may be affected by the pilot project; and"

Page 3, line 17, delete "(7)" and insert "(8)"

Page 3, line 22, after the period, insert "The coordinator and commissioner must consult with appropriate stakeholders."

Page 3, line 29, after the period, insert "The coordinator and commissioner must consult with appropriate stakeholders."

Page 4, after line 8, insert:

"Sec. 4. **[402A.85] COUNTY EMPLOYEES.**

(a) Any restructuring of county agencies under the MAGIC Act must include efforts to ensure that fair and equitable arrangements are carried out to protect the interests of county employees and to provide the best possible service to the public. The county shall make an effort to train and retrain existing employees for a changing work environment. Where a MAGIC Act pilot project may involve a loss of existing positions and employment, the county shall assist affected employees in finding suitable employment.

(b) Options available to employees whose positions will be eliminated by implementation of a MAGIC Act pilot project must include, at a minimum, job and training opportunities necessary to qualify for another job in the same, an equal, or a lower classification within the county.

(c) Procedures for notifying employees affected by MAGIC Act pilot projects must be negotiated into collective bargaining agreements under chapter 179A. Upon notification of a proposed pilot project, the bargaining unit is afforded the opportunity to bargain over any changes to an employee's working conditions or employment status contained within the proposed business plan. Nothing in this section shall be construed as diminishing any rights of employers or employees as defined in collective bargaining agreements under this chapter or chapter 179A.

(d) Employees of any pilot project remain employees of the county or counties sponsoring the project and remain members of their existing collective bargaining unit, if any."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on State Government Innovation and Veterans. Amendments adopted. Report adopted.

SECOND READING OF SENATE BILLS

S.F. Nos. 1268, 430, 520, 1058, 1078 and 1083 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Kruse and Thompson introduced—

S.F. No. 1384: A bill for an act proposing an amendment to the Minnesota Constitution by adding a section to article IV; requiring a three-fifths vote to enact a law imposing or increasing certain taxes.

Referred to the Committee on Taxes.

Senators Pappas, Marty and Latz introduced—

S.F. No. 1385: A bill for an act relating to public safety; amending provisions for juvenile prostitutes found in need of protection or services; defining sexually exploited youth; increasing penalty assessments imposed in certain prostitution crimes and amending distribution of the assessment; clarifying and recodifying certain provisions and modifying certain definitions in the prostitution laws; appropriating money to the commissioner of public safety to develop a statewide victim services model; requiring a report to the legislature; amending Minnesota Statutes 2010, sections 260B.007, subdivisions 6, 16; 260C.007, subdivisions 6, 11, by adding a subdivision; 609.321, subdivisions 4, 8, 9; 609.324, subdivisions 2, 3, by adding subdivisions; 609.3241; 626.558, subdivision 2a; repealing Minnesota Statutes 2010, sections 260B.141, subdivision 5; 260C.141, subdivision 6.

Referred to the Committee on Judiciary and Public Safety.

Senator Skoe introduced—

S.F. No. 1386: A bill for an act relating to taxation; minerals; Island Lake Township; amending Minnesota Statutes 2010, section 298.75, by adding a subdivision.

Referred to the Committee on Taxes.

Senator Hann introduced—

S.F. No. 1387: A bill for an act relating to taxation; providing for a contingent reduction in the MinnesotaCare provider tax; amending Minnesota Statutes 2010, sections 295.52, by adding a subdivision; 297I.05, subdivision 5.

Referred to the Committee on Taxes.

Senators Lillie, Brown, Gazelka, Rosen and Vandever introduced—

S.F. No. 1388: A bill for an act relating to firearms; directing the commissioner of human services to report mental health commitment information to the National Instant Criminal Background Check System for the purpose of facilitating firearms background checks; creating a reporting requirement; extending time period for renewal of permit to purchase a pistol from a federally licensed dealer; providing for an annual background check; requiring courts to report certain data to the National Instant Criminal Background Check System for the purpose of firearms background checks; clarifying and delimiting the authority of public officials to disarm individuals at any time; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law duty to retreat in cases of self defense outside the home; expanding the boundaries of dwelling for purposes of self-defense; creating a presumption in the case of a person entering a dwelling or occupied vehicle by stealth or force; extending the rights available to a person in that person's dwelling to a person defending against entry of that person's occupied vehicle; providing for the recognition by Minnesota of other states' permits to carry a pistol within and under the laws of Minnesota; amending Minnesota Statutes 2010, sections 245.041; 609.065; 624.713, by adding a subdivision; 624.7131, subdivisions 2, 6, 8; 624.714, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Judiciary and Public Safety.

Senators Nienow, Chamberlain, Carlson and Kruse introduced—

S.F. No. 1389: A bill for an act relating to firearms; directing the commissioner of human services to report mental health commitment information to the National Instant Criminal Background Check System for the purpose of facilitating firearms background checks; creating a reporting requirement; extending time period for renewal of permit to purchase a pistol from a federally licensed dealer; providing for an annual background check; requiring courts to report certain data to the National Instant Criminal Background Check System for the purpose of firearms background checks; clarifying and delimiting the authority of public officials to disarm individuals at any time; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law duty to retreat in cases of self defense outside the home; expanding the boundaries of dwelling for purposes of self-defense; creating a presumption in the case of a person entering a dwelling or occupied vehicle by stealth or force; extending the rights available to a person in that person's dwelling to a person defending against entry of that person's occupied vehicle; providing for the recognition by Minnesota of other states' permits to carry a pistol within and under the laws of Minnesota; amending Minnesota Statutes 2010, sections 245.041; 609.065; 624.713, by adding a subdivision; 624.7131, subdivisions 2, 6, 8; 624.714, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Judiciary and Public Safety.

Senators Dibble and Gazelka introduced—

S.F. No. 1390: A bill for an act relating to gambling; requiring a study and report on the social and economic costs of gambling in Minnesota; appropriating money.

Referred to the Committee on Health and Human Services.

Senators Latz, Dibble, Bonoff, Rest and Higgins introduced—

S.F. No. 1391: A bill for an act relating to capital investment; appropriating money for the Southwest Corridor light rail transit line; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Sparks, Langseth, Senjem and Rosen introduced—

S.F. No. 1392: A bill for an act relating to capital investment; appropriating money for the Shell Rock River watershed; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Newman introduced—

S.F. No. 1393: A bill for an act relating to elections; prohibiting certain individuals from marking a ballot for a voter; amending Minnesota Statutes 2010, section 204C.15, subdivision 1.

Referred to the Committee on Local Government and Elections.

Senator Metzen introduced—

S.F. No. 1394: A bill for an act relating to capital investment; appropriating money for a grade separated crossing for the North Urban Regional Trail in West Saint Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Pappas and Senjem introduced—

S.F. No. 1395: A bill for an act relating to capital investment; appropriating money for a regional ballpark in St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Nelson introduced—

S.F. No. 1396: A bill for an act relating to education; amending charter authorizer transfer provisions; amending Minnesota Statutes 2010, section 124D.10, subdivision 23.

Referred to the Committee on Education.

Senator Pederson introduced—

S.F. No. 1397: A bill for an act relating to property taxation; authorizing cities to provide incentive valuation reductions for certain vacant properties; amending Minnesota Statutes 2010, section 273.11, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Taxes.

Senator Tomassoni introduced—

S.F. No. 1398: A bill for an act relating to retirement; general employees retirement plan of Public Employees Retirement Association; authorizing purchase of service and salary credit for certain former employees of Babbitt and Buhl for eligible unreported employment.

Referred to the Committee on State Government Innovation and Veterans.

MOTIONS AND RESOLUTIONS

Senator Vandever moved that his name be stricken as a co-author to S.F. No. 1241. The motion prevailed.

Senator Newman moved that the name of Senator Nelson be added as a co-author to S.F. No. 1135. The motion prevailed.

Senator McGuire moved that the name of Senator Sieben be added as a co-author to S.F. No. 1368. The motion prevailed.

Senator Sieben moved that the name of Senator Latz be added as a co-author to S.F. No. 1372. The motion prevailed.

Senator Hall moved that S.F. No. 692, No. 11 on General Orders, be stricken and returned to its author. The motion prevailed.

Senator Koch moved that H.F. No. 235 be withdrawn from the Committee on Health and Human Services, and re-referred to the Committee on Rules and Administration for comparison with S.F. No. 381, now on General Orders. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Fischbach in the chair.

After some time spent therein, the committee arose, and Senator Fischbach reported that the committee had considered the following:

S.F. Nos. 1130, 855, 348 and H.F. Nos. 529 and 569, which the committee recommends to pass.

S.F. No. 712, which the committee recommends to pass with the following amendments offered by Senators Lourey and Gimse:

Senator Lourey moved to amend S.F. No. 712 as follows:

Page 13, after line 32, insert:

"Sec. 21. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; PINE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Pine County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general for not less than the appraised value of the land. The attorney general may make necessary changes to the legal descriptions to correct errors and ensure accuracy. The conveyances of land described in paragraph (c), clauses (5), (10), and (11), must contain an easement of 66 feet in width on each side of the centerline of the streams, to the state of Minnesota, to provide riparian protection and angler access. The parcels of land described in paragraph (c), clauses (8) and (9), shall be combined and sold as a single parcel.

(c) The lands to be sold are located in Pine County and are described as:

(1) Northeast Quarter of the Northwest Quarter Fractional, Section 5, Township 41 North, Range 19 West (property ID number 01.0022.000);

(2) Southwest Quarter of the Northwest Quarter, Section 4, Township 44 North, Range 21 West (property ID number 05.0040.000);

(3) Southeast Quarter of the Northwest Quarter, Section 24, Township 40 North, Range 22 West (property ID number 06.0201.000);

(4) East Half of the East Half of the Southeast Quarter, Section 21, Township 44 North, Range 18 West (property ID number 07.0275.000);

(5) North Half of the Northeast Quarter, Section 15, Township 41 North, Range 18 West (property ID number 09.0123.000);

(6) West Half of the Southeast Quarter, Section 19, Township 42 North, Range 18 West (property ID number 11.0118.002);

(7) part of the Southwest Quarter of the Southwest Quarter described as follows: Start from the northwest corner; thence 440 feet South to point of beginning; thence 1,320 feet East; thence 550 feet South; thence 1,320 feet West; thence 550 feet North to the point of beginning, Section 2, Township 42 North, Range 21 West (property ID number 12.0087.000);

(8) Southwest Quarter of the Northwest Quarter, less the North 1 rod, Section 28, Township 42 North, Range 21 West (property ID number 12.0428.000);

(9) North 1 rod of the Southwest Quarter of the Northwest Quarter, Section 28, Township 42 North, Range 21 West (property ID number 12.0429.000);

(10) South Half of the Southwest Quarter, Section 7, Township 43 North, Range 18 West (property ID number 14.0055.000);

(11) North Half of the North Half of the Southwest Quarter of the Southwest Quarter, Section 33, Township 43 North, Range 18 West (property ID number 14.0248.001);

(12) Northwest Quarter of the Southeast Quarter, Section 34, Township 45 North, Range 18 West (property ID number 16.0395.000);

(13) that part of the Southeast Quarter of the Southeast Quarter described as follows: Start from the southwest corner of the Southeast Quarter of the Southeast Quarter; thence 1,320 feet North to a point; thence 165 feet East to a point; thence 1,320 feet South to a point; thence 165 feet West to the point of beginning, Section 20, Township 45 North, Range 18 West (property ID number 16.0212.000);

(14) part of the Southeast Quarter of the Southeast Quarter described as follows: Start from the southwest corner; thence East 165 feet to beginning; thence North 1,320 feet; thence East 165 feet; thence South 1,320 feet; thence West 165 feet to the point of beginning, Section 20, Township 45 North, Range 18 West (property ID number 16.0217.000);

(15) West Half of the Southwest Quarter of the Northwest Quarter, Section 13, Township 40 North, Range 21 West (property ID number 18.0098.000);

(16) part of the Northeast Quarter of the Northeast Quarter described as follows: Start from the northeast corner of the Southeast Quarter of the Northeast Quarter; thence South 1,100 feet to beginning; thence West 1,320 feet; thence South 220 feet; thence East 1,320 feet; thence 220 feet North to the point of beginning, Section 3, Township 44 North, Range 19 West (property ID number 22.0058.000);

(17) part of the Northeast Quarter of the Northeast Quarter described as follows: Start from the northeast corner of the Southeast Quarter of the Northeast Quarter; thence South 889 feet to beginning; thence West 1,320 feet; thence South 220 feet; thence East 1,320 feet; thence North 220 feet to the point of beginning, Section 3, Township 44 North, Range 19 West (property ID number 22.0068.000);

(18) part of the Southeast Quarter of the Northeast Quarter described as follows: Start from the northeast corner of the Southeast Quarter of the Northeast Quarter; thence West 1,320 feet; thence South 220 feet; thence East 1,320 feet; thence North 220 feet to the point of beginning, Section 3, Township 44 North, Range 19 West (property ID number 22.0066.000);

(19) Government Lot 2, Section 35, Township 43 North, Range 21 West (property ID number 27.0523.000);

(20) East Half of the Southwest Quarter, Section 29, Township 43 North, Range 21 West (property ID number 27.0447.000);

(21) South Half of the Southeast Quarter, Section 30, Township 43 North, Range 21 West (property ID number 27.0453.000);

(22) Northeast Quarter of the Northeast Quarter, less the South Half of the South Half of the Northeast Quarter of the Northeast Quarter, Section 31, Township 43 North, Range 21 West (property ID number 27.0457.000);

(23) Northwest Quarter of the Southeast Quarter, Section 13, Township 42 North, Range 19 West (property ID number 30.0132.000);

(24) West Half of the Northeast Quarter, Section 24, Township 42 North, Range 19 West (property ID number 30.0229.000);

(25) Southwest Quarter of the Southeast Quarter, Section 24, Township 42 North, Range 19 West (property ID number 30.0236.000);

(26) West Half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter, Section 29, Township 42 North, Range 19 West (property ID number 30.0291.000);

(27) East Half of the Southeast Quarter, Section 30, Township 42 North, Range 19 West (property ID number 30.0295.000); and

(28) Government Lot 1, Section 35, Township 45 North, Range 19 West (property ID number 33.0849.001).

(d) The county has determined that the county's land management interests would be best served if the lands were to return to private ownership.

Sec. 22. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; PINE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Pine County may sell by public or private sale the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for not less than the appraised value of the land. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The conveyance of land must contain a deed restriction on development and vegetation removal that is 75 feet in width along the shoreline, excluding a 15-foot access strip.

(c) The land to be sold in Pine County is described as: That part of Government Lot 3 lying West of the following described line: Commencing at the northeast corner of Government Lot 5, said corner being the center of Section 21; thence bearing North 89 degrees 58 minutes 30 seconds West on the quarter section line a distance of 712.04 feet to the point of beginning of the line to be herein described; thence bearing North 22 degrees 37 minutes 30 seconds West a distance of 285 feet, more or less, to the shore of Sturgeon Lake and there terminating, all in Section 21, Township 45 North, Range 19 West (property ID number 33.0669.000).

(d) The county has determined that the county's land management interests would be best served if the lands were to return to private ownership."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Gimse moved to amend S.F. No. 712 as follows:

Page 18, after line 34, insert:

"Sec. 25. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; STEARNS COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Stearns County may sell the tax-forfeited land bordering public water that is described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general.

(c) The land to be sold is located in Stearns County and is described as:

(1) Lots 6 and 7, Block 1 in Kolling Creek Subdivision, according to the plat and survey thereof on file and of record in the office of the county recorder in and for Stearns County (PID number 23.14286.0000); and

(2) Lots 1-2 and 3 Block "A" less part of Lot 3 described as follows:

Commencing at the Southeast corner of said Section Eighteen (18); thence South 89 degrees 53 minutes 30 seconds West (assumed bearing) along the South line of said Section 1725.76 feet, to the centerline of State Trunk Highway No. 237; thence North 1 degrees 38 minutes 21 seconds East along the centerline 429.60 feet; thence North 9 degrees 06 minutes 11 seconds East along said centerline 1067.08 feet; thence South 80 degrees 53 minutes 49 seconds East, 33 feet to the Easterly right-of-way line of said State Trunk Highway No. 237 to the point of beginning of the tract to be described. Thence North 9 degrees 06 minutes 11 seconds East along said right-of-way line 50 feet; thence South 80 degrees 53 minutes 49 seconds 50 East feet; thence South 9 degrees 06 minutes 11

seconds West 50 feet; thence North 80 degrees 53 minutes 49 seconds West 50 feet to the point of beginning. Said tract containing 0.06 acres, more or less.

Pitzel's Subdivision, Section 18 Township 125 Range 32

City of New Munich, County of Stearns, State of Minnesota

(PID number 68.38050.0000)

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

On motion of Senator Koch, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

Senator Koch moved that the Senate revert to the Order of Business of Introduction and First Reading of Senate Bills. The motion prevailed.

INTRODUCTION AND FIRST READING OF SENATE BILLS

Senators Parry, Hoffman, Gazelka and Hall introduced—

S.F. No. 1399: A bill for an act relating to gambling; prohibiting class III gambling in Minnesota; repealing Minnesota Statutes 2010, section 3.9221.

Referred to the Committee on State Government Innovation and Veterans.

MEMBERS EXCUSED

Senators Dahms, Hann, Metzen, Rest and Scheid were excused from the Session of today. Senator Kelash was excused from the Session of today from 11:00 to 11:30 a.m.

ADJOURNMENT

Senator Koch moved that the Senate do now adjourn until 10:30 a.m., Monday, May 9, 2011. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

