

STATE OF MINNESOTA

Journal of the Senate

EIGHTY-SEVENTH LEGISLATURE

SPECIAL SESSION

FIRST DAY

St. Paul, Minnesota, Tuesday, July 19, 2011

The Senate met at 3:00 p.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. David D. Colby.

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

The Secretary called the roll by legislative district in numerical order as follows:

First District	LeRoy A. Stumpf
Second District	Rod Skoe
Third District	Tom Saxhaug
Fourth District	John J. Carlson
Fifth District	David J. Tomassoni
Sixth District	Thomas M. Bakk
Seventh District	Roger J. Reinert
Eighth District	Tony Lourey
Ninth District	Keith Langseth
Tenth District	Gretchen M. Hoffman
Eleventh District	Bill G. Ingebrigtsen
Twelfth District	Paul E. Gazelka
Thirteenth District	Joe Gimse
Fourteenth District	Michelle L. Fischbach
Fifteenth District	John C. Pederson
Sixteenth District	David M. Brown
Seventeenth District	Sean R. Nienow
Eighteenth District	Scott J. Newman
Nineteenth District	Amy T. Koch
Twentieth District	Gary W. Kubly
Twenty-First District	Gary H. Dahms
Twenty-Second District	Doug Magnus
Twenty-Third District	Kathy Sheran
Twenty-Fourth District	Julie A. Rosen

Twenty-Fifth District	Al DeKruif
Twenty-Sixth District	Mike Parry
Twenty-Seventh District	Dan Sparks
Twenty-Eighth District	John Sterling Howe
Twenty-Ninth District	David H. Senjem
Thirtieth District	Carla J. Nelson
Thirty-First District	Jeremy R. Miller
Thirty-Second District	Warren Limmer
Thirty-Third District	Gen Olson
Thirty-Fourth District	Julianne E. Ortman
Thirty-Fifth District	Claire A. Robling
Thirty-Sixth District	Dave A. Thompson
Thirty-Seventh District	Chris Gerlach
Thirty-Eighth District	Theodore J. "Ted" Daley
Thirty-Ninth District	James P. Metzen
Fortieth District	Dan D. Hall
Forty-First District	Geoff Michel
Forty-Second District	David W. Hann
Forty-Third District	Terri E. Bonoff
Forty-Fourth District	Ron Latz
Forty-Fifth District	Ann H. Rest
Forty-Sixth District	Vacant
Forty-Seventh District	Benjamin A. Kruse
Forty-Eighth District	Michael J. Jungbauer
Forty-Ninth District	Michelle R. Benson
Fiftieth District	Barb J. Goodwin
Fifty-First District	Pam Wolf
Fifty-Second District	Ray Vandever
Fifty-Third District	Roger C. Chamberlain
Fifty-Fourth District	John Marty
Fifty-Fifth District	Charles W. Wiger
Fifty-Sixth District	Ted H. Lillie
Fifty-Seventh District	Katie Sieben
Fifty-Eighth District	Linda Higgins
Fifty-Ninth District	Lawrence J. Pogemiller
Sixtieth District	D. Scott Dibble
Sixty-First District	Linda Berglin
Sixty-Second District	Patricia Torres Ray
Sixty-Third District	Kenneth S. Kelash
Sixty-Fourth District	Richard J. Cohen
Sixty-Fifth District	Sandra L. Pappas
Sixty-Sixth District	Mary Jo McGuire
Sixty-Seventh District	John M. Harrington

The President declared a quorum present.

The Senate paused for a moment of silence in memory of the late Senator Linda Scheid.

STATE OF MINNESOTA**PROCLAMATION FOR SPECIAL SESSION 2011**

WHEREAS: The Eighty-Seventh Legislature adjourned its 2011 regular session without enacting legislation essential to the health, well-being, and safety of the citizens of Minnesota; and

WHEREAS: The unfinished matters of the Legislature include laws essential to balancing the state budget; and

WHEREAS: An extraordinary occasion, as envisioned by Article IV, Section 12 of the Minnesota Constitution is thereby created; and

WHEREAS: The people of Minnesota are best served by a prompt conclusion of legislative business and a conclusion to the government shutdown; and

WHEREAS: Elected leaders of the Legislature have agreed on an agenda and procedure to complete a special session in the shortest time possible.

NOW THEREFORE, I, MARK DAYTON, Governor of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Tuesday, July 19, 2011, at 3:00 p.m. at the State Capitol in Saint Paul, Minnesota.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this 19th day of July.

Sincerely,
Mark Dayton, Governor

Sincerely,
Mark Ritchie, Secretary of State

MOTIONS AND RESOLUTIONS**Senators Koch and Bakk introduced –**

Senate Resolution No. 1: A Senate resolution relating to organization and operation of the Senate during the Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Senate is organized under Minnesota Statutes, sections 3.073 and 3.103.

The Rules of the Senate for the 87th Legislature are the Rules for the Special Session, except that Rules 3.5, 5 and 9 are not operative other than as provided in this resolution.

The Committee on Rules and Administration is established in the same manner and with the same powers as in the 87th Legislature.

With respect to Rule 30, Reconsideration, a notice of intention to move for reconsideration is not in order, but a motion to reconsider may be made, and when made has priority over other business

except a motion to adjourn.

Senator Koch moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Koch and Bakk introduced –

Senate Resolution No. 2: A Senate resolution relating to notifying the House of Representatives and the Governor that the Senate is organized.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the House of Representatives and the Governor that the Senate is now duly organized under the Minnesota Constitution and Minnesota Statutes.

Senator Koch moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Limmer, Newman, Ingebrigtsen and Ortman introduced–

S.F. No. 1: A bill for an act relating to public safety; modifying certain provisions relating to public safety, courts and sentencing, sexually exploited youth, and prostitution crimes; requesting studies; requesting reports; providing for penalties; appropriating money for public safety,

corrections, human rights, courts, civil legal services, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, and sentencing guidelines; amending Minnesota Statutes 2010, sections 169.797, subdivision 4; 243.212; 260B.007, subdivisions 6, 16; 260C.007, subdivisions 6, 11, by adding a subdivision; 260C.331, subdivision 3; 297I.06, subdivision 3; 357.021, subdivision 6; 563.01, subdivision 3; 609.321, subdivisions 4, 8, 9; 609.324, subdivisions 2, 3, by adding subdivisions; 609.3241; 626.558, subdivision 2a; 626.8458, subdivision 5; 641.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

Senator Koch moved that S.F. No. 1 be laid on the table. The motion prevailed.

Senators Michel, Miller, Pederson, Daley and Lillie introduced—

S.F. No. 2: A bill for an act relating to economic development; modifying certain economic development fees, licensing provisions, and programs; modifying certain occupational continuing education requirements; clarifying and modifying regulation of medical gas system and manufactured home provisions; requiring reports; appropriating money for jobs, economic development, and housing purposes; amending Minnesota Statutes 2010, sections 116J.035, by adding a subdivision; 116J.551, subdivision 1; 181.723, subdivision 5; 182.6553, subdivision 6; 268A.15, subdivision 4; 326B.04, subdivision 2; 326B.091; 326B.098; 326B.13, subdivision 8; 326B.148, subdivision 1; 326B.42, subdivisions 8, 9, 10, by adding subdivisions; 326B.435, subdivision 2; 326B.438; 326B.46, subdivisions 1, 1a, 1b, 2, 3; 326B.47, subdivisions 1, 3; 326B.49, subdivision 1; 326B.56, subdivision 1; 326B.58; 326B.82, subdivisions 2, 3, 7, 9; 326B.821, subdivisions 1, 5, 5a, 6, 7, 8, 9, 10, 11, 12, 15, 16, 18, 19, 20, 22, 23; 326B.865; 326B.89, subdivisions 6, 8; 327.32, subdivisions 1a, 1b, 1e, 1f, 7; 327.33, subdivision 2; 327C.095, subdivision 12; 341.321; Laws 2009, chapter 78, article 1, section 18; proposing coding for new law in Minnesota Statutes, chapters 116J; 326B; repealing Minnesota Statutes 2010, sections 326B.82, subdivisions 4, 6; 326B.821, subdivision 3; Laws 2007, chapter 135, article 2, section 34.

Senator Koch moved that S.F. No. 2 be laid on the table. The motion prevailed.

Senators Ingebrigtsen, Gerlach, Rosen, Dahms and Hall introduced—

S.F. No. 3: 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; creating an advisory committee; modifying fees; modifying feedlot provisions; modifying reporting requirements; modifying requirements for department use of silencers; modifying definitions; modifying Petroleum Tank Release Cleanup Act; modifying Mississippi River Management Plan; modifying aquaculture provisions; modifying compensation and assistance provisions for crop damage by elk; modifying requirements for fish and wildlife management plans; modifying provisions for taking, possessing, and transporting wild animals; modifying penalty and license provisions; modifying duties of the Board of Water and Soil Resources; modifying certain immunities from liability; limiting landowner liability for state walk-in access program; requiring reports; providing criminal penalties; requiring rulemaking; amending Minnesota Statutes 2010, sections 3.7371; 16C.055, subdivision 2; 17.4982, subdivisions 8, 12, 13, by adding a subdivision; 17.4991, subdivision 3; 17.4992, subdivision 4; 17.4994; 84.942, subdivision 1; 84.95, subdivision 2; 84D.03, subdivision 4, as amended; 84D.11, subdivision 2a, as amended; 84D.15, subdivision 2, as amended; 85.052, subdivision 4, as amended; 89.039, subdivision 1; 89.21; 93.481, subdivision 7; 97A.015, subdivisions 24, 45, 49, 52, 55; 97A.028, subdivision 3; 97A.055,

by adding a subdivision; 97A.071, subdivision 2; 97A.075; 97A.101, subdivision 3; 97A.311, subdivision 5; 97A.321, subdivision 1; 97A.331, by adding a subdivision; 97A.405, subdivision 2; 97A.415, subdivision 2; 97A.425, subdivision 3; 97A.433, by adding a subdivision; 97A.435, subdivision 1; 97A.445, subdivision 1a; 97A.465, subdivision 5; 97A.475, subdivision 7; 97A.502; 97A.505, subdivision 2; 97A.545, subdivision 5; 97B.022, subdivision 2; 97B.031, subdivision 5; 97B.041; 97B.045, subdivision 3; 97B.055, subdivision 3; 97B.075; 97B.106, subdivision 1; 97B.211, subdivision 1; 97B.325; 97B.405; 97B.425; 97B.515, by adding a subdivision; 97B.645, subdivision 9; 97B.667; 97B.803; 97C.005, subdivision 3; 97C.081, subdivision 3, by adding a subdivision; 97C.087, subdivision 2; 97C.205; 97C.211, subdivision 5; 97C.341; 103B.101, subdivision 9; 103G.271, subdivision 6; 103G.301, by adding a subdivision; 103G.615, subdivision 2; 115A.1314; 115A.1320, subdivision 1; 115C.09, subdivision 3c; 115C.13; 116.07, subdivisions 7c, 7d; 116P.05, subdivision 2; 290.431; 290.432; 299C.40, subdivision 1; 357.021, subdivision 7; 604A.12; 604A.24; 609.66, subdivision 1h; Laws 2005, chapter 156, article 2, section 45, as amended; proposing coding for new law in Minnesota Statutes, chapters 16E; 17; 84; 89; 97A; 97B; 97C; 103G; 348; repealing Minnesota Statutes 2010, sections 84.027, subdivision 11; 84.942, subdivisions 2, 3, 4; 97A.015, subdivisions 26b, 27b, 27c; 97A.435, subdivision 5; 97B.511; 97B.515, subdivision 3; 97C.081, subdivision 2; 116P.14.

Senator Koch moved that S.F. No. 3 be laid on the table. The motion prevailed.

Senators Gimse, Howe, Lillie, Wolf and Kruse introduced—

S.F. No. 4: 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, tort claims, and certain contingent appropriations; providing for use of revenues from metropolitan transportation area sales tax; reducing funding for 2011 state road construction; modifying various provisions related to transportation finance and policy; providing for surcharge; mandating and amending legislative reports; making technical and clarifying changes; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 161.04, by adding a subdivision; 162.06, subdivision 1; 162.12, subdivision 1; 168.013, subdivision 21; 168A.29, subdivision 1; 171.06, subdivision 2, as amended; 174.93; 297A.992, subdivision 5, by adding a subdivision; 473.39, by adding a subdivision; Laws 2008, chapter 363, article 11, section 6; Laws 2009, chapter 36, article 1, section 3, subdivision 3, as amended.

Senator Koch moved that S.F. No. 4 be laid on the table. The motion prevailed.

Senator Fischbach introduced—

S.F. No. 5: A bill for an act relating to higher education; amending postsecondary education provisions; requiring a study; requiring reports; making technical changes; appropriating money; amending Minnesota Statutes 2010, sections 135A.51, subdivision 2; 136A.121, subdivision 6; 136A.1787; 136G.01; 136G.03, subdivisions 1, 18, 27; 136G.05, subdivisions 1, 6, 8; proposing coding for new law in Minnesota Statutes, chapters 136F; 137; repealing Minnesota Statutes 2010, sections 135A.26; 136G.11, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 181.986; Laws 2009, chapter 95, article 2, section 39.

Senator Koch moved that S.F. No. 5 be laid on the table. The motion prevailed.

Senators Ingebrigtsen, Pederson, Hall, Dahms and Carlson introduced–

S.F. No. 6: A bill for an act relating to state government; appropriating money from the outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; modifying certain outdoor heritage provisions; establishing accounts; creating state recreation area; modifying restoration evaluations; modifying grant programs; modifying accountability requirements; modifying definitions; modifying the Clean Water Legacy Act; modifying Clean Water Council; establishing State Capitol Preservation Commission; providing for Capitol building powers and duties; providing appointments; modifying reporting and other requirements for legacy fund recipients; modifying previous appropriations; requiring reports; amending Minnesota Statutes 2010, sections 3.303, subdivision 10; 10A.01, subdivision 35; 85.013, by adding a subdivision; 85.53, subdivisions 2, 5; 97A.056, subdivisions 2, 3, 6, 9, 10, by adding subdivisions; 114D.10; 114D.20, subdivisions 1, 2, 3, 6, 7; 114D.30; 114D.35; 114D.50, subdivisions 4, 6; 116.195; 129D.17, subdivision 2; 129D.18, subdivisions 3, 4; 129D.19, subdivision 5; Laws 2009, chapter 172, article 1, section 2, subdivisions 3, 15; article 2, section 4, as amended; article 4, section 9, subdivision 5; Laws 2010, chapter 361, article 1, section 2, subdivision 14; article 2, section 3; proposing coding for new law in Minnesota Statutes, chapters 15B; 16B; 84; 138; repealing Minnesota Statutes 2010, section 114D.45.

Senator Koch moved that S.F. No. 6 be laid on the table. The motion prevailed.

Senators Rosen, Pogemiller, Chamberlain, Daley and Pappas introduced–

S.F. No. 7: A bill for an act relating to retirement; including pre-May 1, 2011, hires of the Red Wing Port Authority in the general employees retirement plan of the Public Employees Retirement Association; providing an optional procedure for the correction of erroneous member deductions and employer contributions for the city of Duluth and the Duluth Airport Authority; revising postretirement adjustments, reducing the refund interest rate, eliminating interest on reemployed annuitant earnings limitation deferral amounts, and lowering the deferred annuity augmentation rate for the St. Paul Teachers Retirement Fund Association; increasing various vesting requirements for the Duluth Teachers Retirement Fund Association; revising the default retirement plan coverage determination for Minnesota State Colleges and Universities System employees; revising statutory salary scale and payroll growth actuarial assumptions; extending a financial report reporting deadline date for the 2010 fire state aid allocation; authorizing the use of special actuarial work in determining the 2009 and 2010 special fund financial requirements and minimum municipal obligations for the White Bear Lake Fire Department Relief Association; authorizing a purchase of allowable service credit or salary credit for public employees and teachers; providing for a voluntary consolidation of the Minneapolis Firefighters Relief Association and a voluntary consolidation of the Minneapolis Police Relief Association with Public Employees Retirement Association Police and Fire; making conforming changes; amending Minnesota Statutes 2010, sections 6.67; 13D.01, subdivision 1; 43A.316, subdivision 8; 69.77, subdivisions 1a, 4; 353.01, subdivisions 2a, 6, 16, by adding subdivisions; 353.03, by adding a subdivision; 353.65, subdivisions 1, 2, 3; 353.651, subdivision 1; 353.656, subdivisions 1, 1a, 3, 3a; 353.657, subdivision 1; 354A.011, by adding a subdivision; 354A.094, subdivision 3; 354A.29, by adding subdivisions; 354A.31, subdivisions 1, 5, 6; 354A.35, subdivision 2; 354A.36, subdivision 1; 354A.37; 354B.21, subdivisions 1, 2, 3, 3a, 5, 6, by adding subdivisions; 356.215, subdivision 8; 356.216; 356.401, subdivision 3; 356.465, subdivision 3; 356.47, subdivision 3; 423A.01, subdivision 3; 423A.02, subdivisions 1, 1b; 609B.455; 609B.460; proposing coding for new law in

Minnesota Statutes, chapter 353; repealing Minnesota Statutes 2010, sections 354A.29, subdivision 3; 354B.21, subdivision 3c; 354B.32; 423A.021; 423B.01; 423B.03; 423B.04; 423B.05; 423B.06; 423B.07; 423B.08; 423B.09; 423B.10; 423B.11; 423B.12; 423B.13; 423B.14; 423B.15; 423B.151; 423B.16; 423B.17; 423B.18; 423B.19; 423B.20; 423B.21; 423B.23; 423C.01; 423C.02; 423C.03; 423C.04; 423C.05; 423C.06; 423C.07; 423C.08; 423C.09; 423C.10; 423C.11; 423C.12; 423C.13; 423C.14; 423C.15; 423C.16.

Senator Koch moved that S.F. No. 7 be laid on the table. The motion prevailed.

RECESS

Senator Koch moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is now duly organized for the 2011 Special Session pursuant to law.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Koch moved that S.F. No. 1 be taken from the table. The motion prevailed.

S.F. No. 1: A bill for an act relating to public safety; modifying certain provisions relating to public safety, courts and sentencing, sexually exploited youth, and prostitution crimes; requesting studies; requesting reports; providing for penalties; appropriating money for public safety, corrections, human rights, courts, civil legal services, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, and sentencing guidelines; amending Minnesota Statutes 2010, sections 169.797, subdivision 4; 243.212; 260B.007, subdivisions 6, 16; 260C.007,

subdivisions 6, 11, by adding a subdivision; 260C.331, subdivision 3; 297I.06, subdivision 3; 357.021, subdivision 6; 563.01, subdivision 3; 609.321, subdivisions 4, 8, 9; 609.324, subdivisions 2, 3, by adding subdivisions; 609.3241; 626.558, subdivision 2a; 626.8458, subdivision 5; 641.15, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609.

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 1 and that the rules of the Senate be so far suspended as to give S.F. No. 1 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 1 was read the second time.

S.F. No. 1 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 57 and nays 7, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Marty	Pogemiller	Tomassoni
Kelash	Metzen	Skoe	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Koch moved that S.F. No. 3 be taken from the table. The motion prevailed.

S.F. No. 3: 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; creating an advisory committee; modifying fees; modifying feedlot provisions; modifying reporting requirements; modifying requirements for department use of silencers; modifying definitions; modifying Petroleum Tank Release Cleanup Act; modifying Mississippi River Management Plan; modifying aquaculture provisions; modifying compensation and assistance provisions for crop damage by elk; modifying requirements for fish and wildlife management plans; modifying provisions for taking, possessing, and transporting wild animals; modifying penalty

and license provisions; modifying duties of the Board of Water and Soil Resources; modifying certain immunities from liability; limiting landowner liability for state walk-in access program; requiring reports; providing criminal penalties; requiring rulemaking; amending Minnesota Statutes 2010, sections 3.7371; 16C.055, subdivision 2; 17.4982, subdivisions 8, 12, 13, by adding a subdivision; 17.4991, subdivision 3; 17.4992, subdivision 4; 17.4994; 84.942, subdivision 1; 84.95, subdivision 2; 84D.03, subdivision 4, as amended; 84D.11, subdivision 2a, as amended; 84D.15, subdivision 2, as amended; 85.052, subdivision 4, as amended; 89.039, subdivision 1; 89.21; 93.481, subdivision 7; 97A.015, subdivisions 24, 45, 49, 52, 55; 97A.028, subdivision 3; 97A.055, by adding a subdivision; 97A.071, subdivision 2; 97A.075; 97A.101, subdivision 3; 97A.311, subdivision 5; 97A.321, subdivision 1; 97A.331, by adding a subdivision; 97A.405, subdivision 2; 97A.415, subdivision 2; 97A.425, subdivision 3; 97A.433, by adding a subdivision; 97A.435, subdivision 1; 97A.445, subdivision 1a; 97A.465, subdivision 5; 97A.475, subdivision 7; 97A.502; 97A.505, subdivision 2; 97A.545, subdivision 5; 97B.022, subdivision 2; 97B.031, subdivision 5; 97B.041; 97B.045, subdivision 3; 97B.055, subdivision 3; 97B.075; 97B.106, subdivision 1; 97B.211, subdivision 1; 97B.325; 97B.405; 97B.425; 97B.515, by adding a subdivision; 97B.645, subdivision 9; 97B.667; 97B.803; 97C.005, subdivision 3; 97C.081, subdivision 3, by adding a subdivision; 97C.087, subdivision 2; 97C.205; 97C.211, subdivision 5; 97C.341; 103B.101, subdivision 9; 103G.271, subdivision 6; 103G.301, by adding a subdivision; 103G.615, subdivision 2; 115A.1314; 115A.1320, subdivision 1; 115C.09, subdivision 3c; 115C.13; 116.07, subdivisions 7c, 7d; 116P.05, subdivision 2; 290.431; 290.432; 299C.40, subdivision 1; 357.021, subdivision 7; 604A.12; 604A.24; 609.66, subdivision 1h; Laws 2005, chapter 156, article 2, section 45, as amended; proposing coding for new law in Minnesota Statutes, chapters 16E; 17; 84; 89; 97A; 97B; 97C; 103G; 348; repealing Minnesota Statutes 2010, sections 84.027, subdivision 11; 84.942, subdivisions 2, 3, 4; 97A.015, subdivisions 26b, 27b, 27c; 97A.435, subdivision 5; 97B.511; 97B.515, subdivision 3; 97C.081, subdivision 2; 116P.14.

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 3 and that the rules of the Senate be so far suspended as to give S.F. No. 3 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 3 was read the second time.

S.F. No. 3 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 43 and nays 22, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Higgins	Marty	Reinert	Torres Ray
Berglin	Kelash	McGuire	Sheran	Wiger
Dibble	Kubly	Metzen	Skoe	
Goodwin	Latz	Pappas	Sparks	
Harrington	Lourey	Pogemiller	Tomassoni	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Koch moved that S.F. No. 2 be taken from the table. The motion prevailed.

S.F. No. 2: A bill for an act relating to economic development; modifying certain economic development fees, licensing provisions, and programs; modifying certain occupational continuing education requirements; clarifying and modifying regulation of medical gas system and manufactured home provisions; requiring reports; appropriating money for jobs, economic development, and housing purposes; amending Minnesota Statutes 2010, sections 116J.035, by adding a subdivision; 116J.551, subdivision 1; 181.723, subdivision 5; 182.6553, subdivision 6; 268A.15, subdivision 4; 326B.04, subdivision 2; 326B.091; 326B.098; 326B.13, subdivision 8; 326B.148, subdivision 1; 326B.42, subdivisions 8, 9, 10, by adding subdivisions; 326B.435, subdivision 2; 326B.438; 326B.46, subdivisions 1, 1a, 1b, 2, 3; 326B.47, subdivisions 1, 3; 326B.49, subdivision 1; 326B.56, subdivision 1; 326B.58; 326B.82, subdivisions 2, 3, 7, 9; 326B.821, subdivisions 1, 5, 5a, 6, 7, 8, 9, 10, 11, 12, 15, 16, 18, 19, 20, 22, 23; 326B.865; 326B.89, subdivisions 6, 8; 327.32, subdivisions 1a, 1b, 1e, 1f, 7; 327.33, subdivision 2; 327C.095, subdivision 12; 341.321; Laws 2009, chapter 78, article 1, section 18; proposing coding for new law in Minnesota Statutes, chapters 116J; 326B; repealing Minnesota Statutes 2010, sections 326B.82, subdivisions 4, 6; 326B.821, subdivision 3; Laws 2007, chapter 135, article 2, section 34.

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 2 and that the rules of the Senate be so far suspended as to give S.F. No. 2 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 2 was read the second time.

S.F. No. 2 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 42 and nays 23, as follows:

Those who voted in the affirmative were:

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

Pappas
Parry
Pederson

Reinert
Rest
Robling

Rosen
Senjem
Thompson

Tomassoni
Vandever
Wolf

Those who voted in the negative were:

Bakk
Berglin
Cohen
Dibble
Goodwin

Harrington
Higgins
Kelash
Kubly
Langseth

Latz
Lourey
Marty
McGuire
Metzen

Pogemiller
Saxhaug
Sheran
Skoe
Sparks

Stumpf
Torres Ray
Wiger

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 2.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 2: 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, tort claims, and certain contingent appropriations; providing for use of revenues from metropolitan transportation area sales tax; reducing funding for 2011 state road construction; modifying various provisions related to transportation finance and policy; providing for surcharge; mandating and amending legislative reports; making technical and clarifying changes; amending Minnesota Statutes 2010, sections 16A.11, subdivision 3a; 16A.86, subdivision 3a; 161.04, by adding a subdivision; 162.06, subdivision 1; 162.12, subdivision 1; 168.013, subdivision 21; 168A.29, subdivision 1; 171.06, subdivision 2, as amended; 174.93; 297A.992, subdivision 5, by adding a subdivision; 473.39, by adding a subdivision; Laws 2008, chapter 363, article 11, section 6; Laws 2009, chapter 36, article 1, section 3, subdivision 3, as amended.

MOTIONS AND RESOLUTIONS - CONTINUED**SUSPENSION OF RULES**

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 2 and that the rules of the Senate be so far suspended as to give H.F. No. 2 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 2 was read the second time.

H.F. No. 2 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 38 and nays 27, as follows:

Those who voted in the affirmative 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	Vanderveer
Daley	Hoffman	Magnus	Parry	Wolf
DeKruif	Howe	Michel	Pederson	
Fischbach	Ingebrigtsen	Miller	Robling	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 4.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 4: A bill for an act relating to higher education; amending postsecondary education provisions; requiring a study; requiring reports; making technical changes; appropriating money; amending Minnesota Statutes 2010, sections 135A.51, subdivision 2; 136A.121, subdivision 6; 136A.1787; 136G.01; 136G.03, subdivisions 1, 18, 27; 136G.05, subdivisions 1, 6, 8; proposing coding for new law in Minnesota Statutes, chapters 136F; 137; repealing Minnesota Statutes 2010, sections 135A.26; 136G.11, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10; 181.986; Laws 2009, chapter 95, article 2, section 39.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 4 and that the rules of the Senate be so far suspended as to give H.F. No. 4 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 4 was read the second time.

CALL OF THE SENATE

Senator Nienow imposed a call of the Senate for the balance of the proceedings on H.F. No. 4. The Sergeant at Arms was instructed to bring in the absent members.

H.F. No. 4 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 35 and nays 30, as follows:

Those who voted in the affirmative 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
Daley	Hoffman	Limmer	Olson	Thompson
DeKruif	Howe	Magnus	Ortman	Wolf

Those who voted in the negative were:

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

McGuire
Metzen
Pappas

Pogemiller
Reinert
Rest

Saxhaug
Sheran
Skoe

Sparks
Stumpf
Tomassoni

Torres Ray
Vandevier
Wiger

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Koch moved that S.F. No. 6 be taken from the table. The motion prevailed.

S.F. No. 6: A bill for an act relating to state government; appropriating money from the outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; modifying certain outdoor heritage provisions; establishing accounts; creating state recreation area; modifying restoration evaluations; modifying grant programs; modifying accountability requirements; modifying definitions; modifying the Clean Water Legacy Act; modifying Clean Water Council; establishing State Capitol Preservation Commission; providing for Capitol building powers and duties; providing appointments; modifying reporting and other requirements for legacy fund recipients; modifying previous appropriations; requiring reports; amending Minnesota Statutes 2010, sections 3.303, subdivision 10; 10A.01, subdivision 35; 85.013, by adding a subdivision; 85.53, subdivisions 2, 5; 97A.056, subdivisions 2, 3, 6, 9, 10, by adding subdivisions; 114D.10; 114D.20, subdivisions 1, 2, 3, 6, 7; 114D.30; 114D.35; 114D.50, subdivisions 4, 6; 116.195; 129D.17, subdivision 2; 129D.18, subdivisions 3, 4; 129D.19, subdivision 5; Laws 2009, chapter 172, article 1, section 2, subdivisions 3, 15; article 2, section 4, as amended; article 4, section 9, subdivision 5; Laws 2010, chapter 361, article 1, section 2, subdivision 14; article 2, section 3; proposing coding for new law in Minnesota Statutes, chapters 15B; 16B; 84; 138; repealing Minnesota Statutes 2010, section 114D.45.

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 6 and that the rules of the Senate be so far suspended as to give S.F. No. 6 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 6 was read the second time.

S.F. No. 6 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Bakk	Dahms	Goodwin	Kelash	Lourey
Benson	Daley	Hall	Koch	Magnus
Berglin	DeKruif	Hann	Kruse	Marty
Bonoff	Dibble	Harrington	Kubly	Metzen
Brown	Fischbach	Higgins	Langseth	Michel
Carlson	Gazelka	Howe	Latz	Miller
Chamberlain	Gerlach	Ingebrigtsen	Lillie	Nelson
Cohen	Gimse	Jungbauer	Limmer	Newman

Nienow
Olson
Ortman
Pappas
Parry

Pederson
Pogemiller
Reinert
Rest
Robling

Rosen
Saxhaug
Senjem
Sheran
Skoe

Sparks
Stumpf
Thompson
Tomassoni
Torres Ray

Vandever
Wiger
Wolf

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 1, 2 and 3.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned July 19, 2011

RECESS

Senator Koch moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Ortman, Hann, Michel, Senjem and Koch introduced—

S.F. No. 8: A bill for an act relating to the financing of state and local government; making changes to individual income, corporate franchise, estate, property, aids, credits, payments, refunds,

sales and use, minerals, local, tax increment financing, insurance, and other taxes and tax-related provisions; authorizing local taxes; modifying sustainable forest resource management incentive; providing a science and technology program; conforming to changes made to the Internal Revenue Code; requiring commissioner of revenue to initiate negotiations for reciprocity agreement with state of Wisconsin; setting the levels of the cash flow account and the budget reserve account; reducing certain maintenance of effort requirements; modifying powers of commissioner of revenue resulting from temporary state shutdown; providing disaster relief; authorizing income tax data sharing with Wisconsin; providing alternative process for consolidation of counties; authorizing tobacco bonds; requiring studies; requiring reports; appropriating money; amending Minnesota Statutes 2010, sections 16A.151, subdivision 2; 97A.061, subdivision 1; 126C.01, subdivision 3; 270B.12, by adding a subdivision; 270C.13, subdivision 1; 270C.991, subdivision 4; 272.02, subdivision 39, by adding subdivisions; 273.121, subdivision 1; 273.13, subdivisions 23, as amended, 25, 34, by adding a subdivision; 273.1384, subdivisions 3, 4; 273.1393; 275.025, subdivision 3; 276.04, subdivision 2; 289A.02, subdivision 7, as amended; 290.01, subdivisions 19, as amended, 19a, as amended, 19c, as amended, 31, as amended; 290.05, subdivision 1; 290.0671, subdivision 1; 290.0675, subdivision 1; 290.9201, subdivision 11; 290A.03, subdivisions 11, 13, 15, as amended; 290A.04, subdivisions 2, 4; 290C.07; 291.005, subdivision 1; 291.03, subdivision 1, by adding subdivisions; 297A.61, subdivision 3, as amended, by adding subdivisions; 297A.66, by adding a subdivision; 297A.668, by adding a subdivision; 297A.68, subdivision 4, by adding subdivisions; 297A.70, subdivisions 1, 2, 3, 6; 297A.75, subdivisions 1, 2, 3; 297A.99, subdivisions 1, 3; 297B.03; 297I.01, subdivisions 9, 16, by adding subdivisions; 297I.05, subdivisions 7, 12; 297I.30, subdivisions 1, 2; 298.001, by adding a subdivision; 298.01, subdivisions 3, 3a; 298.015, subdivisions 1, 2; 298.016, subdivision 4; 473.757, subdivision 11; 477A.011, subdivision 20; 477A.0124, by adding a subdivision; 477A.013, subdivision 9, by adding a subdivision; 477A.03; 477A.11, subdivision 1; 477A.12, subdivision 1; 477A.14, subdivision 1; Laws 1995, chapter 264, article 5, section 45, subdivision 1, as amended; 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 2006, chapter 257, section 2; Laws 2008, chapter 366, article 7, section 19, subdivision 3; Laws 2010, chapter 389, article 5, section 6, subdivision 1; Laws 2010, First Special Session chapter 1, article 13, section 4, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16A; 116W; 275; 373; repealing Minnesota Statutes 2010, sections 273.1384, subdivisions 1, 6; 275.295; 290.0678; 290.9201, subdivision 3; 297I.05, subdivisions 9, 10; 298.017; 477A.145.

Senator Koch moved that S.F. No. 8 be laid on the table. The motion prevailed.

Senators Senjem, Langseth and Pederson introduced—

S.F. No. 9: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; modifying previous appropriations; reducing prior bond authorizations; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 2010, sections 16A.641, subdivisions 4a, 7; 16A.642, subdivision 2; Laws 2006, chapter 258, sections 7, subdivision 3, as amended; 16, subdivision 5, as amended; 17, subdivision 8, as amended; Laws 2008, chapter 179, sections 15, subdivision 8; 18, subdivisions 3, 6, as amended; 19, subdivision 4; 24, subdivision 4; Laws 2008, chapter 365, section 4, subdivision 3, as amended; Laws 2009, chapter 93, article 1, sections 14, subdivision 3; 22; Laws 2010, chapter 189, sections 6, subdivisions 2, 4; 7, subdivisions 19, 20, 22;

14, subdivision 3; 16, subdivision 4; 19, subdivision 4, as amended; Laws 2010, chapter 333, article 2, section 23; Laws 2010, Second Special Session chapter 1, article 1, section 9, subdivision 5.

Senator Koch moved that S.F. No. 9 be laid on the table. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

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 Senate File, herewith returned: S.F. No. 6.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned July 19, 2011

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 20.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 20: A bill for an act relating to the financing of state and local government; making changes to individual income, corporate franchise, estate, property, aids, credits, payments, refunds, sales and use, minerals, local, tax increment financing, insurance, and other taxes and tax-related provisions; authorizing local taxes; modifying sustainable forest resource management incentive; providing a science and technology program; conforming to changes made to the Internal Revenue Code; requiring commissioner of revenue to initiate negotiations for reciprocity agreement with state of Wisconsin; setting the levels of the cash flow account and the budget reserve account; reducing certain maintenance of effort requirements; modifying powers of commissioner of revenue resulting from temporary state shutdown; providing disaster relief; authorizing income tax data sharing with Wisconsin; providing alternative process for consolidation of counties; authorizing tobacco bonds; requiring studies; requiring reports; appropriating money; amending Minnesota Statutes 2010, sections 16A.151, subdivision 2; 97A.061, subdivision 1; 126C.01, subdivision 3; 270B.12, by adding a subdivision; 270C.13, subdivision 1; 270C.991, subdivision 4; 272.02, subdivision 39, by adding subdivisions; 273.121, subdivision 1; 273.13, subdivisions 23, as amended, 25, 34, by adding a subdivision; 273.1384, subdivisions 3, 4; 273.1393; 275.025,

subdivision 3; 276.04, subdivision 2; 289A.02, subdivision 7, as amended; 290.01, subdivisions 19, as amended, 19a, as amended, 19c, as amended, 31, as amended; 290.05, subdivision 1; 290.0671, subdivision 1; 290.0675, subdivision 1; 290.9201, subdivision 11; 290A.03, subdivisions 11, 13, 15, as amended; 290A.04, subdivisions 2, 4; 290C.07; 291.005, subdivision 1; 291.03, subdivision 1, by adding subdivisions; 297A.61, subdivision 3, as amended, by adding subdivisions; 297A.66, by adding a subdivision; 297A.668, by adding a subdivision; 297A.68, subdivision 4, by adding subdivisions; 297A.70, subdivisions 1, 2, 3, 6; 297A.75, subdivisions 1, 2, 3; 297A.99, subdivisions 1, 3; 297B.03; 297I.01, subdivisions 9, 16, by adding subdivisions; 297I.05, subdivisions 7, 12; 297I.30, subdivisions 1, 2; 298.001, by adding a subdivision; 298.01, subdivisions 3, 3a; 298.015, subdivisions 1, 2; 298.016, subdivision 4; 473.757, subdivision 11; 477A.011, subdivision 20; 477A.0124, by adding a subdivision; 477A.013, subdivision 9, by adding a subdivision; 477A.03; 477A.11, subdivision 1; 477A.12, subdivision 1; 477A.14, subdivision 1; Laws 1995, chapter 264, article 5, section 45, subdivision 1, as amended; 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 2006, chapter 257, section 2; Laws 2008, chapter 366, article 7, section 19, subdivision 3; Laws 2010, chapter 389, article 5, section 6, subdivision 1; Laws 2010, First Special Session chapter 1, article 13, section 4, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 16A; 116W; 275; 373; repealing Minnesota Statutes 2010, sections 273.1384, subdivisions 1, 6; 275.295; 290.0678; 290.9201, subdivision 3; 297I.05, subdivisions 9, 10; 298.017; 477A.145.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 20 and that the rules of the Senate be so far suspended as to give H.F. No. 20 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 20 was read the second time.

H.F. No. 20 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 37 and nays 27, as follows:

Those who voted in the affirmative 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	

Those who voted in the negative were:

Bakk	Berglin	Bonoff	Cohen	Dibble
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Goodwin
Harrington
Higgins
Kelash
Langseth

Latz
Lourey
Marty
McGuire
Metzen

Pappas
Pogemiller
Reinert
Rest
Saxhaug

Sheran
Skoe
Sparks
Stumpf
Tomassoni

Torres Ray
Wiger

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 14.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 14: A bill for an act relating to retirement; including pre-May 1, 2011, hires of the Red Wing Port Authority in the general employees retirement plan of the Public Employees Retirement Association; providing an optional procedure for the correction of erroneous member deductions and employer contributions for the city of Duluth and the Duluth Airport Authority; revising postretirement adjustments, reducing the refund interest rate, eliminating interest on reemployed annuitant earnings limitation deferral amounts, and lowering the deferred annuity augmentation rate for the St. Paul Teachers Retirement Fund Association; increasing various vesting requirements for the Duluth Teachers Retirement Fund Association; revising the default retirement plan coverage determination for Minnesota State Colleges and Universities System employees; revising statutory salary scale and payroll growth actuarial assumptions; extending a financial report reporting deadline date for the 2010 fire state aid allocation; authorizing the use of special actuarial work in determining the 2009 and 2010 special fund financial requirements and minimum municipal obligations for the White Bear Lake Fire Department Relief Association; authorizing a purchase of allowable service credit or salary credit for public employees and teachers; providing for a voluntary consolidation of the Minneapolis Firefighters Relief Association and a voluntary consolidation of the Minneapolis Police Relief Association with Public Employees Retirement Association Police and Fire; making conforming changes; amending Minnesota Statutes 2010, sections 6.67; 13D.01, subdivision 1; 43A.316, subdivision 8; 69.77, subdivisions 1a, 4; 353.01, subdivisions 2a, 6, 16, by adding subdivisions; 353.03, by adding a subdivision; 353.65, subdivisions 1, 2, 3; 353.651, subdivision 1; 353.656, subdivisions 1, 1a, 3, 3a; 353.657,

subdivision 1; 354A.011, by adding a subdivision; 354A.094, subdivision 3; 354A.29, by adding subdivisions; 354A.31, subdivisions 1, 5, 6; 354A.35, subdivision 2; 354A.36, subdivision 1; 354A.37; 354B.21, subdivisions 1, 2, 3, 3a, 5, 6, by adding subdivisions; 356.215, subdivision 8; 356.216; 356.401, subdivision 3; 356.465, subdivision 3; 356.47, subdivision 3; 423A.01, subdivision 3; 423A.02, subdivisions 1, 1b; 609B.455; 609B.460; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 2010, sections 354A.29, subdivision 3; 354B.21, subdivision 3c; 354B.32; 423A.021; 423B.01; 423B.03; 423B.04; 423B.05; 423B.06; 423B.07; 423B.08; 423B.09; 423B.10; 423B.11; 423B.12; 423B.13; 423B.14; 423B.15; 423B.151; 423B.16; 423B.17; 423B.18; 423B.19; 423B.20; 423B.21; 423B.23; 423C.01; 423C.02; 423C.03; 423C.04; 423C.05; 423C.06; 423C.07; 423C.08; 423C.09; 423C.10; 423C.11; 423C.12; 423C.13; 423C.14; 423C.15; 423C.16.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 14 and that the rules of the Senate be so far suspended as to give H.F. No. 14 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 14 was read the second time.

H.F. No. 14 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 61 and nays 3, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Hoffman	Thompson	Vandever
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So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senators Hann, Nienow, Hoffman, Newman and Benson introduced—

S.F. No. 10: A bill for an act relating to state government; establishing the health and human services budget; making changes to children and family services, Department of Health, miscellaneous provisions, health licensing and fees, human services licensing, health care, and continuing care; redesigning service delivery; making changes to chemical and mental health; modifying fee schedules; modifying program eligibility requirements; authorizing rulemaking; imposing criminal penalties; requiring reports; appropriating money for the Departments of Health and Human Services and other health-related boards and councils; amending Minnesota Statutes 2010, sections 13.461, subdivision 24a; 62E.14, by adding a subdivision; 62J.04, subdivisions 3, 9; 62J.17, subdivision 4a; 62J.495, by adding subdivisions; 62J.692; 62Q.32; 62U.04, subdivisions 3, 9; 62U.06, subdivision 2; 103I.101, subdivision 6; 103I.208, subdivisions 1, 2; 103I.235, subdivision 1; 103I.525, subdivision 2; 103I.531, subdivision 2; 103I.535, subdivision 2; 103I.541, subdivision 2c; 119B.011, subdivision 13; 119B.035, subdivision 4; 119B.09, subdivision 10, by adding subdivisions; 119B.125, by adding a subdivision; 119B.13, subdivisions 1, 1a, 7; 144.1464, subdivision 1; 144.1501, subdivision 1; 144.98, subdivisions 2a, 7, by adding subdivisions; 144A.102; 144A.61, by adding a subdivision; 144E.123; 145A.17, subdivision 3; 148.07, subdivision 1; 148.108, by adding a subdivision; 148.191, subdivision 2; 148.212, subdivision 1; 148.231; 148B.17; 148B.33, subdivision 2; 148B.52; 150A.091, subdivisions 2, 3, 4, 5, 8, by adding a subdivision; 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; 157.15, by adding a subdivision; 157.20, by adding a subdivision; 245A.03, subdivision 7, as amended; 245A.10, subdivisions 1, 3, 4, by adding subdivisions; 245A.11, subdivision 2b; 245A.14, subdivision 4; 245A.143, subdivision 1; 245C.03, by adding a subdivision; 245C.10, by adding subdivisions; 246B.10; 253B.212; 254B.03, subdivision 4; 254B.04, by adding a subdivision; 254B.06, subdivision 2; 256.01, subdivisions 14b, 24, 29, by adding subdivisions; 256.969, subdivisions 2, 2b, by adding a subdivision; 256B.02, by adding a subdivision; 256B.03, by adding subdivisions; 256B.04, subdivision 18, by adding subdivisions; 256B.05, by adding a subdivision; 256B.056, subdivision 3; 256B.057, subdivision 9; 256B.06, subdivision 4; 256B.0625, subdivisions 8, 8a, 8b, 8c, 8e, 13e, 13h, 17, 17a, 18, 19a, 25, 31, 31a, 41, by adding subdivisions; 256B.0631, subdivisions 1, 2, 3; 256B.064, subdivision 2; 256B.0641, subdivision 1; 256B.0652, subdivision 6; 256B.0659, subdivisions 11, 28; 256B.0751, subdivision 4, by adding a subdivision; 256B.0911, subdivisions 1a, 3a, 3c, 4a; 256B.0913, subdivision 4; 256B.0915, subdivisions 3a, 3b, 3e, 3h, 5, 10; 256B.0943, by adding a subdivision; 256B.0945, subdivision 4; 256B.14, by adding a subdivision; 256B.19, subdivision 1e; 256B.196, subdivisions 2, 3, 5; 256B.199; 256B.431, subdivisions 2r, 2t, 32; 256B.434, subdivision 4; 256B.437, subdivision 6; 256B.438, subdivisions 1, 3, 4, by adding a subdivision; 256B.441, subdivisions 50a, 55a, by adding subdivisions; 256B.49, subdivisions 12,

14, 15, 16a, by adding a subdivision; 256B.5012, by adding subdivisions; 256B.69, subdivisions 5a, 5c, 28, by adding subdivisions; 256B.76, subdivisions 1, 2, 4; 256B.766; 256D.05, subdivision 1; 256D.06, subdivision 2; 256D.09, subdivision 6; 256D.46, subdivision 1; 256D.49, subdivision 3; 256E.35, subdivisions 5, 6; 256L.03, by adding a subdivision; 256L.05, subdivision 1a; 256J.20, subdivision 3; 256J.38, subdivision 1; 256J.49, subdivision 13; 256L.02, subdivision 3; 256L.03, subdivision 5; 256L.04, subdivisions 1, 10; 256L.05, subdivision 3a, by adding a subdivision; 256L.09, subdivision 2; 256L.11, subdivisions 6, 7; 256L.12, subdivision 9; 256L.15, subdivision 1; 256M.01; 256M.10, subdivision 2; 256M.20, subdivisions 1, 2, 3; 256M.30; 256M.40; 256M.50; 256M.60, subdivision 1; 256M.70, subdivision 2; 256M.80; 295.52, by adding a subdivision; 297F.10, subdivision 1; 393.07, subdivisions 10, 10a; 402A.10, subdivisions 4, 5; 402A.15; 402A.18; 402A.20; 518A.51; Laws 2009, chapter 79, article 5, sections 17, as amended; 18, as amended; 22, as amended; article 8, sections 4, as amended; 51, as amended; article 13, section 3, subdivision 8, as amended; Laws 2009, chapter 173, article 1, section 17, as amended; Laws 2010, First Special Session chapter 1, article 15, section 3, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 62U; 148; 151; 214; 256; 256B; 256L; 402A; repealing Minnesota Statutes 2010, sections 13.4967, subdivision 3; 62J.07, subdivisions 1, 2, 3; 62J.321, subdivision 5a; 62J.381; 62J.41, subdivisions 1, 2; 144.1499; 245A.10, subdivision 5; 256.979, subdivisions 5, 6, 7, 10; 256.9791; 256B.057, subdivision 2c; 256B.69, subdivision 9b; 256L.07, subdivision 7; 256M.10, subdivision 5; 256M.60, subdivision 2; 256M.70, subdivision 1; 295.50, subdivisions 1, 1a, 2, 2a, 3, 4, 6, 6a, 7, 9b, 9c, 10a, 10b, 12b, 13, 14, 15; 295.51, subdivisions 1, 1a; 295.52, subdivisions 1, 1a, 2, 3, 4, 4a, 5, 6, 7; 295.53, subdivisions 1, 2, 3, 4a; 295.54; 295.55; 295.56; 295.57; 295.58; 295.581; 295.582; 295.59; 402A.30; 402A.45; Laws 2008, chapter 358, article 3, sections 8; 9; Laws 2009, chapter 79, article 5, section 62; 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; 9500.1261, subparts 3, items D, E, 4, 5.

Senator Koch moved that S.F. No. 10 be laid on the table. The motion prevailed.

RECESS

Senator Koch moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

MOTIONS AND RESOLUTIONS - CONTINUED

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. 25.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 25: A bill for an act relating to state government; establishing the health and human services budget; making changes to children and family services, Department of Health, miscellaneous provisions, health licensing and fees, human services licensing, health care, and continuing care; redesigning service delivery; making changes to chemical and mental health; modifying fee schedules; modifying program eligibility requirements; authorizing rulemaking; imposing criminal penalties; requiring reports; appropriating money for the Departments of Health and Human Services and other health-related boards and councils; amending Minnesota Statutes 2010, sections 13.461, subdivision 24a; 62E.14, by adding a subdivision; 62J.04, subdivisions 3, 9; 62J.17, subdivision 4a; 62J.495, by adding subdivisions; 62J.692; 62Q.32; 62U.04, subdivisions 3, 9; 62U.06, subdivision 2; 103I.101, subdivision 6; 103I.208, subdivisions 1, 2; 103I.235, subdivision 1; 103I.525, subdivision 2; 103I.531, subdivision 2; 103I.535, subdivision 2; 103I.541, subdivision 2c; 119B.011, subdivision 13; 119B.035, subdivision 4; 119B.09, subdivision 10, by adding subdivisions; 119B.125, by adding a subdivision; 119B.13, subdivisions 1, 1a, 7; 144.1464, subdivision 1; 144.1501, subdivision 1; 144.98, subdivisions 2a, 7, by adding subdivisions; 144A.102; 144A.61, by adding a subdivision; 144E.123; 145A.17, subdivision 3; 148.07, subdivision 1; 148.108, by adding a subdivision; 148.191, subdivision 2; 148.212, subdivision 1; 148.231; 148B.17; 148B.33, subdivision 2; 148B.52; 150A.091, subdivisions 2, 3, 4, 5, 8, by adding a subdivision; 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; 157.15, by adding a subdivision; 157.20, by adding a subdivision; 245A.03, subdivision 7, as amended; 245A.10, subdivisions 1, 3, 4, by adding subdivisions; 245A.11, subdivision 2b; 245A.14, subdivision 4; 245A.143, subdivision 1; 245C.03, by adding a subdivision; 245C.10, by adding subdivisions; 246B.10; 253B.212; 254B.03, subdivision 4; 254B.04, by adding a subdivision; 254B.06, subdivision 2; 256.01, subdivisions 14b, 24, 29, by adding subdivisions; 256.969, subdivisions 2, 2b, by adding a subdivision; 256B.02, by adding a subdivision; 256B.03, by adding subdivisions; 256B.04, subdivision 18, by adding subdivisions; 256B.05, by adding a subdivision; 256B.056, subdivision 3; 256B.057, subdivision 9; 256B.06, subdivision 4; 256B.0625, subdivisions 8, 8a, 8b, 8c, 8e, 13e, 13h, 17, 17a, 18, 19a, 25, 31, 31a, 41, by adding subdivisions; 256B.0631, subdivisions 1, 2, 3; 256B.064, subdivision 2; 256B.0641, subdivision 1; 256B.0652, subdivision 6; 256B.0659, subdivisions 11, 28; 256B.0751, subdivision 4, by adding a subdivision; 256B.0911, subdivisions 1a, 3a, 3c, 4a; 256B.0913, subdivision 4; 256B.0915, subdivisions 3a, 3b, 3e, 3h, 5, 10; 256B.0943, by adding a subdivision; 256B.0945, subdivision 4; 256B.14, by adding a subdivision; 256B.19, subdivision 1e; 256B.196, subdivisions 2, 3, 5; 256B.199; 256B.431, subdivisions 2r, 2t, 32;

256B.434, subdivision 4; 256B.437, subdivision 6; 256B.438, subdivisions 1, 3, 4, by adding a subdivision; 256B.441, subdivisions 50a, 55a, by adding subdivisions; 256B.49, subdivisions 12, 14, 15, 16a, by adding a subdivision; 256B.5012, by adding subdivisions; 256B.69, subdivisions 5a, 5c, 28, by adding subdivisions; 256B.76, subdivisions 1, 2, 4; 256B.766; 256D.05, subdivision 1; 256D.06, subdivision 2; 256D.09, subdivision 6; 256D.46, subdivision 1; 256D.49, subdivision 3; 256E.35, subdivisions 5, 6; 256I.03, by adding a subdivision; 256I.05, subdivision 1a; 256J.20, subdivision 3; 256J.38, subdivision 1; 256J.49, subdivision 13; 256L.02, subdivision 3; 256L.03, subdivision 5; 256L.04, subdivisions 1, 10; 256L.05, subdivision 3a, by adding a subdivision; 256L.09, subdivision 2; 256L.11, subdivisions 6, 7; 256L.12, subdivision 9; 256L.15, subdivision 1; 256M.01; 256M.10, subdivision 2; 256M.20, subdivisions 1, 2, 3; 256M.30; 256M.40; 256M.50; 256M.60, subdivision 1; 256M.70, subdivision 2; 256M.80; 295.52, by adding a subdivision; 297F.10, subdivision 1; 393.07, subdivisions 10, 10a; 402A.10, subdivisions 4, 5; 402A.15; 402A.18; 402A.20; 518A.51; Laws 2009, chapter 79, article 5, sections 17, as amended; 18, as amended; 22, as amended; article 8, sections 4, as amended; 51, as amended; article 13, section 3, subdivision 8, as amended; Laws 2009, chapter 173, article 1, section 17, as amended; Laws 2010, First Special Session chapter 1, article 15, section 3, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 62U; 148; 151; 214; 256; 256B; 256L; 402A; repealing Minnesota Statutes 2010, sections 13.4967, subdivision 3; 62J.07, subdivisions 1, 2, 3; 62J.321, subdivision 5a; 62J.381; 62J.41, subdivisions 1, 2; 144.1499; 245A.10, subdivision 5; 256.979, subdivisions 5, 6, 7, 10; 256.9791; 256B.057, subdivision 2c; 256B.69, subdivision 9b; 256L.07, subdivision 7; 256M.10, subdivision 5; 256M.60, subdivision 2; 256M.70, subdivision 1; 295.50, subdivisions 1, 1a, 2, 2a, 3, 4, 6, 6a, 7, 9b, 9c, 10a, 10b, 12b, 13, 14, 15; 295.51, subdivisions 1, 1a; 295.52, subdivisions 1, 1a, 2, 3, 4, 4a, 5, 6, 7; 295.53, subdivisions 1, 2, 3, 4a; 295.54; 295.55; 295.56; 295.57; 295.58; 295.581; 295.582; 295.59; 402A.30; 402A.45; Laws 2008, chapter 358, article 3, sections 8; 9; Laws 2009, chapter 79, article 5, section 62; 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; 9500.1261, subparts 3, items D, E, 4, 5.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 25 and that the rules of the Senate be so far suspended as to give H.F. No. 25 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 25 was read the second time.

H.F. No. 25 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 37 and nays 27, as follows:

Those who voted in the affirmative 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	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Introduction and First Reading of Senate Bills.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Olson, Nelson, Wolf and Kruse introduced—

S.F. No. 11: A bill for an act relating to education; providing for policy and funding for family, adult, and prekindergarten through grade 12 education, including general education, academic excellence, special programs, facilities and technology, accounting and nutrition, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, student transportation, state agencies, and forecast adjustments; requiring reports; appropriating money; amending Minnesota Statutes 2010, sections 11A.16, subdivision 5; 13D.02, by adding a subdivision; 16A.152, subdivision 2; 119A.50, subdivision 3; 120A.24; 120A.41; 120B.023, subdivision 2; 120B.07; 120B.12; 120B.30, subdivisions 1, 3, 4; 120B.31, subdivision 4; 120B.36, subdivisions 1, 2; 121A.15, subdivision 8, as amended; 122A.09, subdivision 4, as amended; 122A.16, as amended; 122A.40, subdivisions 5, 6, 8, 9; 122A.41, subdivisions 1, 2, 3, 5, 6; 123A.55; 123B.143, subdivision 1; 123B.147, subdivision 3; 123B.41, subdivisions 2, 5; 123B.54; 123B.57; 123B.63, subdivision 3; 123B.71, subdivision 5; 123B.72, subdivision 3; 123B.75, subdivision 5; 123B.88, subdivision 13, by adding a subdivision; 123B.92, subdivisions 1, as amended, 5; 124D.09, subdivisions 5, 7, 8; 124D.091, subdivision 2; 124D.10, as amended; 124D.11, subdivisions 4, 9; 124D.19, subdivision 3; 124D.36; 124D.37; 124D.38, subdivision 3; 124D.385, subdivision 3; 124D.39; 124D.40; 124D.42; 124D.44; 124D.45, subdivision 2; 124D.4531, subdivision 1; 124D.531, subdivisions 1, 4; 124D.59, subdivision 2; 125A.02, subdivision 1; 125A.0942, subdivision 3; 125A.15; 125A.21, subdivisions 2, 3, 5, 7; 125A.51; 125A.515, by adding a subdivision; 125A.69, subdivision 1; 125A.79, subdivision 1; 126C.10, subdivisions 1, 2, 8a, 14, by adding a subdivision; 126C.126; 126C.15, subdivision 2; 126C.20; 126C.40, subdivision

1; 126C.41, subdivision 2; 126C.44; 126C.50; 127A.33; 127A.42, subdivision 2; 127A.43; 127A.441; 127A.45, subdivisions 2, 3, 6a, by adding a subdivision; 134.195, subdivision 8; 171.05, subdivision 2; 171.17, subdivision 1; 171.22, subdivision 1; Laws 1999, chapter 241, article 4, section 25, by adding a subdivision; Laws 2009, chapter 96, article 1, section 24, subdivisions 2, as amended, 3, 4, as amended, 5, as amended, 6, as amended, 7, as amended; article 2, section 67, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, 9, as amended; article 3, section 21, subdivisions 3, 4, as amended; article 4, section 12, subdivision 6, as amended; article 5, section 13, subdivisions 2, 3, 4, as amended; article 6, section 11, subdivisions 3, as amended, 4, as amended, 8, as amended, 12, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 124D; repealing Minnesota Statutes 2010, sections 120A.26, subdivisions 1, 2; 123B.05; 124D.11, subdivision 8; 124D.38, subdivisions 4, 5, 6; 124D.86; 124D.871; 124D.88; 125A.54; 126C.10, subdivision 5; 126C.457; 127A.46.

Senator Koch moved that S.F. No. 11 be laid on the table. The motion prevailed.

Senators Parry, Thompson, Hoffman, DeKruif and Gazelka introduced—

S.F. No. 12: A bill for an act relating to state government operations; requiring appropriation reductions for executive agencies due to savings established; requiring a tax compliance program for tax assessment and collection; allowing adjustments for end of session budgetary analysis; changing the number of members on Legislative Commission on Pensions and Retirements; establishing the sunset advisory commission and Minnesota Pay-For-Performance Act; permitting issuing and selling appropriations bonds; allowing certain cities to use a certified public accountant for audits; establishing an employee gainsharing program; establishing e-verify program for vendors and subcontractors; implementing federal offset program for collection of debts owed to state agencies; permitting state agriculture society to use either a private auditor or legislative auditor; allowing the legislative auditor to carry forward certain funds; requiring a request for proposals for recommendations on state building efficiency, state vehicle management, and strategic sourcing; implementing state employee efficient use of health care incentive program; requiring dependent verification for state employee insurance coverage; requiring state job classification and performance appraisal system redesign; determining funds for Help America Vote Act; providing for employee pension service credit during government shutdown; extending a wholesale retailer's alcohol permit and identification card for a certain period; waiving racing day requirements during government shutdown; consolidating information technology services; limiting appropriations to settle claims arising out of government shutdown; requiring reports; making certain appropriation changes; appropriating money; amending Minnesota Statutes 2010, sections 3.85, subdivision 3; 6.49; 16A.1286, subdivision 2; 16B.99, as amended; 16E.04, subdivision 2; 37.06; 161.1419, subdivision 8; 270C.41; 270C.545; 471.697, subdivision 2; Laws 2009, chapter 101, article 2, section 106; Laws 2010, chapter 215, article 6, section 4; Laws 2010, chapter 361, article 3, section 8; proposing coding for new law in Minnesota Statutes, chapters 16A; 16C; 16D; 16E; proposing coding for new law as Minnesota Statutes, chapter 3D; repealing Minnesota Statutes 2010, section 197.585, subdivision 5.

Senator Koch moved that S.F. No. 12 be laid on the table. The motion prevailed.

Senators Marty, Pappas and McGuire introduced–

S.F. No. 13: A bill for an act relating to openness in government; requiring certain budget negotiations to be open to the public; amending Minnesota Statutes 2010, section 3.055, subdivision 1.

Referred to the Committee on Rules and Administration.

Senators Magnus and Rosen introduced–

S.F. No. 14: A bill for an act relating to the State Lottery; establishing lottery facility games; imposing a tax on and providing for facility revenues; providing powers and duties to the director; making clarifying, conforming, and technical changes; amending Minnesota Statutes 2010, sections 297A.94; 299L.02, subdivision 1; 299L.07, subdivisions 2, 2a; 340A.404, by adding a subdivision; 340A.410, subdivision 5; 349A.01, subdivisions 10, 11, 12, by adding subdivisions; 349A.02, subdivision 3; 349A.04; 349A.06, subdivision 8; 349A.08, subdivisions 1, 5, 8; 349A.10, subdivisions 2, 5; 349A.11, subdivision 1; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A.

Referred to the Committee on Rules and Administration.

Senator Gazelka introduced–

S.F. No. 15: A bill for an act relating to traffic regulations; increasing penalties for unlawful passing on the right resulting in bodily injury or death; amending Minnesota Statutes 2010, section 169.18, by adding a subdivision.

Referred to the Committee on Rules and Administration.

Senators Newman, Limmer, DeKruif, Hall and Brown introduced–

S.F. No. 16: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; requiring voters to present photographic identification; providing photographic identification to voters at no charge; requiring equal verification standards for all voters.

Referred to the Committee on Rules and Administration.

Senator Higgins introduced–

S.F. No. 17: A bill for an act relating to disaster assistance; providing assistance to the storm- and tornado-damaged areas of Minneapolis within FEMA-1990-DR; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; authorizing the sale of state bonds; appropriating money for tornado relief.

Referred to the Committee on Rules and Administration.

Senator Berglin introduced—

S.F. No. 18: A bill for an act relating to capital investment; appropriating money for renovation of the Phillips Community Center swimming pool in Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Rules and Administration.

Senator Berglin introduced—

S.F. No. 19: A bill for an act relating to capital investment; appropriating money for the Heart of the Earth Interpretive Center, Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Rules and Administration.

Senator Berglin introduced—

S.F. No. 20: A bill for an act relating to capital improvements; appropriating money for a Minnesota African American History Museum in Minneapolis; authorizing the sale and issuance of state bonds.

Referred to the Committee on Rules and Administration.

Senators Senjem, DeKruif, Metzen, Sparks and Parry introduced—

S.F. No. 21: A bill for an act relating to gambling; authorizing the director of the State Lottery to establish gaming machines; imposing a fee on gaming machine revenue; providing powers and duties to the director; amending Minnesota Statutes 2010, sections 240.13, by adding a subdivision; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A; repealing Minnesota Statutes 2010, section 240.30, subdivision 8.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Koch moved that S.F. No. 12 be taken from the table. The motion prevailed.

S.F. No. 12: A bill for an act relating to state government operations; requiring appropriation reductions for executive agencies due to savings established; requiring a tax compliance program for tax assessment and collection; allowing adjustments for end of session budgetary analysis; changing the number of members on Legislative Commission on Pensions and Retirements; establishing the sunset advisory commission and Minnesota Pay-For-Performance Act; permitting issuing and selling appropriations bonds; allowing certain cities to use a certified public accountant for audits; establishing an employee gainsharing program; establishing e-verify program for vendors and subcontractors; implementing federal offset program for collection of debts owed

to state agencies; permitting state agriculture society to use either a private auditor or legislative auditor; allowing the legislative auditor to carry forward certain funds; requiring a request for proposals for recommendations on state building efficiency, state vehicle management, and strategic sourcing; implementing state employee efficient use of health care incentive program; requiring dependent verification for state employee insurance coverage; requiring state job classification and performance appraisal system redesign; determining funds for Help America Vote Act; providing for employee pension service credit during government shutdown; extending a wholesale retailer's alcohol permit and identification card for a certain period; waiving racing day requirements during government shutdown; consolidating information technology services; limiting appropriations to settle claims arising out of government shutdown; requiring reports; making certain appropriation changes; appropriating money; amending Minnesota Statutes 2010, sections 3.85, subdivision 3; 6.49; 16A.1286, subdivision 2; 16B.99, as amended; 16E.04, subdivision 2; 37.06; 161.1419, subdivision 8; 270C.41; 270C.545; 471.697, subdivision 2; Laws 2009, chapter 101, article 2, section 106; Laws 2010, chapter 215, article 6, section 4; Laws 2010, chapter 361, article 3, section 8; proposing coding for new law in Minnesota Statutes, chapters 16A; 16C; 16D; 16E; proposing coding for new law as Minnesota Statutes, chapter 3D; repealing Minnesota Statutes 2010, section 197.585, subdivision 5.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to S.F. No. 12 and that the rules of the Senate be so far suspended as to give S.F. No. 12 its second and third reading and place it on its final passage. The motion prevailed.

S.F. No. 12 was read the second time.

S.F. No. 12 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 40 and nays 24, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 26.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 26: A bill for an act relating to education; providing for policy and funding for family, adult, and prekindergarten through grade 12 education, including general education, academic excellence, special programs, facilities and technology, accounting and nutrition, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, student transportation, state agencies, and forecast adjustments; requiring reports; appropriating money; amending Minnesota Statutes 2010, sections 11A.16, subdivision 5; 13D.02, by adding a subdivision; 16A.152, subdivision 2; 119A.50, subdivision 3; 120A.24; 120A.41; 120B.023, subdivision 2; 120B.07; 120B.12; 120B.30, subdivisions 1, 3, 4; 120B.31, subdivision 4; 120B.36, subdivisions 1, 2; 121A.15, subdivision 8, as amended; 122A.09, subdivision 4, as amended; 122A.16, as amended; 122A.40, subdivisions 5, 6, 8, 9; 122A.41, subdivisions 1, 2, 3, 5, 6; 123A.55; 123B.143, subdivision 1; 123B.147, subdivision 3; 123B.41, subdivisions 2, 5; 123B.54; 123B.57; 123B.63, subdivision 3; 123B.71, subdivision 5; 123B.72, subdivision 3; 123B.75, subdivision 5; 123B.88, subdivision 13, by adding a subdivision; 123B.92, subdivisions 1, as amended, 5; 124D.09, subdivisions 5, 7, 8; 124D.091, subdivision 2; 124D.10, as amended; 124D.11, subdivisions 4, 9; 124D.19, subdivision 3; 124D.36; 124D.37; 124D.38, subdivision 3; 124D.385, subdivision 3; 124D.39; 124D.40; 124D.42; 124D.44; 124D.45, subdivision 2; 124D.4531, subdivision 1; 124D.531, subdivisions 1, 4; 124D.59, subdivision 2; 125A.02, subdivision 1; 125A.0942, subdivision 3; 125A.15; 125A.21, subdivisions 2, 3, 5, 7; 125A.51; 125A.515, by adding a subdivision; 125A.69, subdivision 1; 125A.79, subdivision 1; 126C.10, subdivisions 1, 2, 8a, 14, by adding a subdivision; 126C.126; 126C.15, subdivision 2; 126C.20; 126C.40, subdivision 1; 126C.41, subdivision 2; 126C.44; 126C.50; 127A.33; 127A.42, subdivision 2; 127A.43; 127A.441; 127A.45, subdivisions 2, 3, 6a, by adding a subdivision; 134.195, subdivision 8; 171.05, subdivision 2; 171.17, subdivision 1; 171.22, subdivision 1; Laws 1999, chapter 241, article 4, section 25, by adding a subdivision; Laws 2009, chapter 96, article 1, section 24, subdivisions 2, as amended, 3, 4, as amended, 5, as amended, 6, as amended, 7, as amended; article 2, section 67,

subdivisions 2, as amended, 3, as amended, 4, as amended, 6, 9, as amended; article 3, section 21, subdivisions 3, 4, as amended; article 4, section 12, subdivision 6, as amended; article 5, section 13, subdivisions 2, 3, 4, as amended; article 6, section 11, subdivisions 3, as amended, 4, as amended, 8, as amended, 12, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 124D; repealing Minnesota Statutes 2010, sections 120A.26, subdivisions 1, 2; 123B.05; 124D.11, subdivision 8; 124D.38, subdivisions 4, 5, 6; 124D.86; 124D.871; 124D.88; 125A.54; 126C.10, subdivision 5; 126C.457; 127A.46.

MOTIONS AND RESOLUTIONS - CONTINUED

SUSPENSION OF RULES

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 26 and that the rules of the Senate be so far suspended as to give H.F. No. 26 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 26 was read the second time.

H.F. No. 26 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	Gazelka	Koch	Newman	Senjem
Brown	Gerlach	Kruse	Nienow	Thompson
Carlson	Gimse	Lillie	Olson	Vanderveer
Chamberlain	Hall	Limmer	Ortman	Wolf
Dahms	Hann	Magnus	Parry	
Daley	Hoffman	Michel	Pederson	
DeKruif	Howe	Miller	Robling	
Fischbach	Ingebrigtsen	Nelson	Rosen	

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 23.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 23: A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; modifying previous appropriations; reducing prior bond authorizations; authorizing the sale of state bonds; appropriating money; amending Minnesota Statutes 2010, sections 16A.641, subdivisions 4a, 7; 16A.642, subdivision 2; Laws 2006, chapter 258, sections 7, subdivision 3, as amended; 16, subdivision 5, as amended; 17, subdivision 8, as amended; Laws 2008, chapter 179, sections 15, subdivision 8; 18, subdivisions 3, 6, as amended; 19, subdivision 4; 24, subdivision 4; Laws 2008, chapter 365, section 4, subdivision 3, as amended; Laws 2009, chapter 93, article 1, sections 14, subdivision 3; 22; Laws 2010, chapter 189, sections 6, subdivisions 2, 4; 7, subdivisions 19, 20, 22; 14, subdivision 3; 16, subdivision 4; 19, subdivision 4, as amended; Laws 2010, chapter 333, article 2, section 23; Laws 2010, Second Special Session chapter 1, article 1, section 9, subdivision 5.

MOTIONS AND RESOLUTIONS - CONTINUED**SUSPENSION OF RULES**

Senator Koch moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 23 and that the rules of the Senate be so far suspended as to give H.F. No. 23 its second and third reading and place it on its final passage. The motion prevailed.

H.F. No. 23 was read the second time.

H.F. No. 23 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 53 and nays 11, as follows:

Those who voted in the affirmative were:

Bakk
Berglin
Bonoff
Brown

Carlson
Cohen
Dahms
Dibble

Fischbach
Gerlach
Gimse
Goodwin

Hall
Harrington
Higgins
Howe

Ingebrigtsen
Jungbauer
Kelash
Koch

Kruse
Langseth
Latz
Limmer
Lourey
Magnus
Marty

McGuire
Metzen
Michel
Miller
Nelson
Newman
Olson

Ortman
Pappas
Parry
Pederson
Pogemiller
Reinert
Rest

Robling
Rosen
Saxhaug
Senjem
Sheran
Skoe
Sparks

Stumpf
Tomassoni
Torres Ray
Wiger
Wolf

Those who voted in the negative were:

Benson
Chamberlain
Daley

DeKruif
Gazelka
Hann

Hoffman
Lillie
Nienow

Thompson
Vandever

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 12.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned July 19, 2011

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Koch and Bakk introduced –

Senate Resolution No. 3: A Senate resolution relating to adjournment of the Special Session.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The Secretary of the Senate shall notify the Governor and the House of Representatives that the Senate is about to adjourn the Special Session sine die.

The Secretary of the Senate may correct and approve the Journal of the Senate for the Special Session.

Senator Koch moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to inform you that the House of Representatives of the State of Minnesota is about to adjourn the 2011 Special Session sine die.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted July 19, 2011

MEMBERS EXCUSED

Senator Sieben was excused from the Session of today. Senators Harrington and Pappas were excused from the Session of today from 3:00 to 3:25 p.m. Senator Berglin was excused from the Session of today from 6:00 to 7:00 p.m. Senator Kubly was excused from the Session of today at 11:30 p.m.

ADJOURNMENT

Senator Koch moved that the Senate do now adjourn the Special Session sine die. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

