

## THIRTY-FIRST DAY

St. Paul, Minnesota, Thursday, April 4, 2013

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

## CALL OF THE SENATE

Senator Bakk 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. Bill Davnie.

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

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

Anderson	Eken	Johnson	Osmek	Sheran
Bakk	Fischbach	Kent	Pappas	Skoe
Benson	Franzen	Kiffmeyer	Pederson, J.	Sparks
Bonoff	Gazelka	Koenen	Petersen, B.	Stumpf
Carlson	Goodwin	Latz	Pratt	Thompson
Chamberlain	Hall	Limmer	Reinert	Tomassoni
Champion	Hann	Lourey	Rest	Torres Ray
Clausen	Hawj	Marty	Rosen	Weber
Cohen	Hayden	Miller	Ruud	Westrom
Dahms	Hoffman	Nelson	Saxhaug	Wiger
Dibble	Housley	Newman	Scalze	Wiklund
Dziedzic	Ingebrigtsen	Nienow	Schmit	
Eaton	Jensen	Ortman	Senjem	

The President declared a quorum present.

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

## INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

**Senator Hoffman introduced—**

**S.F. No. 1535:** A bill for an act relating to education; making students' economic circumstances a criterion for arranging competitive interscholastic conferences and determining competitive classifications; amending Minnesota Statutes 2012, sections 128C.02, subdivision 3; 128C.05, subdivision 2.

Referred to the Committee on Education.

**Senator Skoe introduced—**

**S.F. No. 1536:** A bill for an act relating to local aid payments; providing for modifications to payments in lieu of taxes for natural resource lands; appropriating money; amending Minnesota Statutes 2012, sections 477A.11, subdivisions 3, 4, by adding subdivisions; 477A.12, subdivisions 1, 2, 3; 477A.14, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 477A; repealing Minnesota Statutes 2012, section 97A.061.

Referred to the Committee on Taxes.

**Senator Chamberlain introduced—**

**S.F. No. 1537:** A bill for an act relating to sales and use tax; exempting purchases made by certain cities; amending Minnesota Statutes 2012, section 297A.70, subdivision 2.

Referred to the Committee on Taxes.

**Senator Nelson introduced—**

**S.F. No. 1538:** A bill for an act relating to education finance; extending financial flexibility for school districts.

Referred to the Committee on Finance.

**Senator Osmek introduced—**

**S.F. No. 1539:** A bill for an act relating to transportation; capital investment; appropriating money for construction and installation of a HAWK pedestrian signal on marked Trunk Highway 12; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senators Nelson, Clausen and Pratt introduced—**

**S.F. No. 1540:** A bill for an act relating to education finance; authorizing state grants to leverage quality improvements in kindergarten through grade 12 education; appropriating money.

Referred to the Committee on Education.

**Senators Nelson, Clausen, Kent and Pratt introduced—**

**S.F. No. 1541:** A bill for an act relating to education finance; modifying certain compensatory revenue provisions; amending Minnesota Statutes 2012, section 126C.15, subdivision 2.

Referred to the Committee on Finance.

**Senators Dahms and Weber introduced—**

**S.F. No. 1542:** A bill for an act relating to capital investment; appropriating money for the Area II Minnesota River Basin; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senator Dibble introduced—**

**S.F. No. 1543:** A bill for an act relating to transportation; capital investment; appropriating money for transit improvement areas; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

**Senators Hayden and Dibble introduced—**

**S.F. No. 1544:** A bill for an act relating to public safety; appropriating money to address alternatives to juvenile detention throughout the state.

Referred to the Committee on Finance.

**Senator Sparks introduced—**

**S.F. No. 1545:** A bill for an act relating to economic development; appropriating money for entrepreneurial development.

Referred to the Committee on Finance.

**Senator Schmit introduced—**

**S.F. No. 1546:** A bill for an act relating to state lands; requiring the private sale of state land in Goodhue County.

Referred to the Committee on Environment and Energy.

**Senators Wiger, Saxhaug and Dziedzic introduced—**

**S.F. No. 1547:** A bill for an act relating to veterans; appropriating money for a grant to the Asian Pacific American Housing Consortium's nonprofit veterans service provider organizations serving veterans, persons with United States military service, and their families.

Referred to the Committee on Finance.

**Senators Tomassoni and Marty introduced—**

**S.F. No. 1548:** A bill for an act relating to energy; appropriating money for the weatherization assistance program.

Referred to the Committee on Finance.

**Senator Scalze introduced—**

**S.F. No. 1549:** A bill for an act relating to water; modifying water use fees; appropriating money; amending Minnesota Statutes 2012, sections 103G.271, subdivision 6; 103G.282.

Referred to the Committee on Finance.

**Senator Hayden introduced—**

**S.F. No. 1550:** A bill for an act relating to health; directing medical education and research cost funding; establishing a grant program for foreign-trained health care professionals; appropriating money; amending Minnesota Statutes 2012, section 62J.692, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health, Human Services and Housing.

**Senator Petersen, B. introduced—**

**S.F. No. 1551:** A bill for an act relating to public safety; traffic regulations; prohibiting seat belt violations from being a primary offense; amending Minnesota Statutes 2012, section 169.686, subdivision 1.

Referred to the Committee on Transportation and Public Safety.

**Senators Nelson and Chamberlain introduced—**

**S.F. No. 1552:** A bill for an act relating to education finance; implementing certain recommendations of the legislative auditor regarding special education; authorizing rulemaking; requiring a report; appropriating money.

Referred to the Committee on Education.

**Senators Koenen, Hawj, Eken, Sheran and Lourey introduced—**

**S.F. No. 1553:** A bill for an act relating to agriculture; appropriating money for sustainable agriculture demonstration grants.

Referred to the Committee on Finance.

**MOTIONS AND RESOLUTIONS**

Senator Metzen moved that the name of Senator Sparks be added as a co-author to S.F. No. 478. The motion prevailed.

Senator Sieben moved that the names of Senators Eken and Hayden be added as co-authors to S.F. No. 677. The motion prevailed.

Senator Pederson, J. moved that his name be stricken as a co-author to S.F. No. 927. The motion prevailed.

Senator Reinert moved that the name of Senator Skoe be added as a co-author to S.F. No. 1124. The motion prevailed.

Senator Hoffman moved that the name of Senator Eaton be added as a co-author to S.F. No. 1192. The motion prevailed.

Senator Stumpf moved that the names of Senators Jensen and Dahms be added as co-authors to S.F. No. 1222. The motion prevailed.

Senator Sparks moved that the name of Senator Bonoff be added as a co-author to S.F. No. 1288. The motion prevailed.

Senator Sieben moved that the names of Senators Eken and Hayden be added as co-authors to S.F. No. 1346. The motion prevailed.

Senator Sieben moved that the names of Senators Eken and Hayden be added as co-authors to S.F. No. 1374. The motion prevailed.

Senator Tomassoni moved that the name of Senator Senjem be added as a co-author to S.F. No. 1380. The motion prevailed.

Senator Petersen, B. moved that the name of Senator Ortman be added as a co-author to S.F. No. 1467. The motion prevailed.

Senator Eken moved that the names of Senators Hoffman and Marty be added as co-authors to S.F. No. 1494. The motion prevailed.

Senator Stumpf moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Skoe be added as chief author to S.F. No. 1496. The motion prevailed.

Senator Nienow moved that the name of Senator Kiffmeyer be added as a co-author to S.F. No. 1506. The motion prevailed.

Senator Cohen moved that the name of Senator Reinert be added as a co-author to S.F. No. 1528. The motion prevailed.

**Senator Ingebrigtsen introduced –**

**Senate Resolution No. 53:** A Senate resolution congratulating Zachary Thomson of Alexandria for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Bakk moved that S.F. No. 1450 be withdrawn from the Committee on Rules and Administration, and that the report from the Committee on Judiciary, shown in the Journal for April 2, 2013, be adopted; that recommendation being:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Finance." The motion prevailed. Amendments adopted. Report adopted.

**SPECIAL ORDERS**

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

S.F. Nos. 716, 166, 319 and 521.

**SPECIAL ORDER**

**S.F. No. 716:** A bill for an act relating to energy; regulating the assessment of need and routing of certain transmission lines.

Senator Bonoff moved to amend S.F. No. 716 as follows:

Page 1, line 16, after the period, insert "In making its findings the commission shall consider the factors provided in applicable law and rules including, without limitation, cost-effectiveness, energy conservation, and the protection or enhancement of environmental quality."

The motion prevailed. So the amendment was adopted.

S.F. No. 716 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kent	Pappas	Sparks
Bakk	Franzen	Kiffmeyer	Pederson, J.	Stumpf
Benson	Gazelka	Koenen	Petersen, B.	Thompson
Bonoff	Goodwin	Latz	Pratt	Tomassoni
Carlson	Hall	Limmer	Reinert	Torres Ray
Chamberlain	Hann	Lourey	Rest	Weber
Clausen	Hawj	Marty	Rosen	Westrom
Cohen	Hayden	Miller	Ruud	Wiger
Dahms	Hoffman	Nelson	Saxhaug	Wiklund
Dibble	Housley	Newman	Scalze	
Dziedzic	Ingebrigtsen	Nienow	Schmit	
Eaton	Jensen	Ortman	Senjem	
Eken	Johnson	Osmek	Skoe	

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

**SPECIAL ORDER**

**S.F. No. 166:** A bill for an act relating to emergency medical services; modifying certain provisions to include advanced emergency medical technicians; updating inspection provisions; providing requirements for emergency medical responder registration; amending Minnesota Statutes 2012, sections 144E.101, subdivision 7; 144E.18; 144E.27, subdivision 1, by adding a subdivision; 144E.285, subdivisions 2, 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Gazelka	Ingebrigtsen	Lourey
Bakk	Dahms	Goodwin	Jensen	Marty
Benson	Dibble	Hall	Johnson	Miller
Bonoff	Dziedzic	Hann	Kent	Nelson
Carlson	Eaton	Hawj	Kiffmeyer	Newman
Chamberlain	Eken	Hayden	Koenen	Nienow
Champion	Fischbach	Hoffman	Latz	Ortman
Clausen	Franzen	Housley	Limmer	Osmek

Pappas	Rest	Schmit	Stumpf	Westrom
Pederson, J.	Rosen	Senjem	Thompson	Wiger
Petersen, B.	Ruud	Sheran	Tomassoni	Wiklund
Pratt	Saxhaug	Skoe	Torres Ray	
Reinert	Scalze	Sparks	Weber	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 319:** A bill for an act relating to military affairs; allowing active duty service members to take a peace officer reciprocity examination; amending Minnesota Statutes 2012, section 626.8517.

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:

Anderson	Eken	Johnson	Osmek	Sheran
Bakk	Fischbach	Kent	Pappas	Skoe
Benson	Franzen	Kiffmeyer	Pederson, J.	Sparks
Bonoff	Gazelka	Koenen	Petersen, B.	Stumpf
Carlson	Goodwin	Latz	Pratt	Thompson
Chamberlain	Hall	Limmer	Reinert	Tomassoni
Champion	Hann	Lourey	Rest	Torres Ray
Clausen	Hawj	Marty	Rosen	Weber
Cohen	Hayden	Miller	Ruud	Westrom
Dahms	Hoffman	Nelson	Saxhaug	Wiger
Dibble	Housley	Newman	Scalze	Wiklund
Dziedzic	Ingebrigtsen	Nienow	Schmit	
Eaton	Jensen	Ortman	Senjem	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 521:** A bill for an act relating to energy; regulating a biomass mandate project; amending Minnesota Statutes 2012, section 216B.2424, subdivision 5a.

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 44 and nays 17, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Johnson	Pappas	Skoe
Benson	Eken	Kent	Pederson, J.	Sparks
Bonoff	Fischbach	Koenen	Reinert	Tomassoni
Carlson	Franzen	Latz	Rest	Torres Ray
Champion	Goodwin	Lourey	Rosen	Weber
Clausen	Hawj	Marty	Saxhaug	Westrom
Dahms	Hayden	Miller	Scalze	Wiger
Dibble	Hoffman	Nelson	Schmit	Wiklund
Dziedzic	Jensen	Newman	Sheran	

Those who voted in the negative were:

Anderson  
Chamberlain  
Gazelka  
Hall

Hann  
Housley  
Ingebrigtsen  
Kiffmeyer

Limmer  
Nienow  
Ortman  
Osmek

Petersen, B.  
Pratt  
Ruud  
Senjem

Thompson

So the bill passed and its title was agreed to.

#### **MEMBERS EXCUSED**

Senators Brown, Dahle, Metzen and Sieben were excused from the Session of today. Senators Champion and Sheran were excused from the Session of today from 11:00 to 11:30 a.m. Senators Cohen and Stumpf were excused from the Session of today at 11:45 a.m.

#### **ADJOURNMENT**

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Monday, April 8, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate