

THIRTY-EIGHTH DAY

St. Paul, Minnesota, Thursday, April 18, 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. Dennis Morreim.

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

April 15, 2013

The Honorable Sandra L. Pappas
President of the Senate

1980

JOURNAL OF THE SENATE

[38TH DAY

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 13, S.F. No. 166.

Sincerely,
Mark Dayton, Governor

April 15, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2013 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2013	Date Filed 2013
	164	11	3:02 p.m. April 15	April 15
166		13	3:02 p.m. April 15	April 15

Sincerely,
Mark Ritchie
Secretary of State

April 16, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 12, S.F. No. 76.

Sincerely,
Mark Dayton, Governor

April 16, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2013 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2013	Date Filed 2013
76		12	1:25 p.m. April 16	April 16

Sincerely,
Mark Ritchie
Secretary of State

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 588 and 669.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 17, 2013

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 588: A bill for an act relating to health; requiring a hospital staffing report; requiring a study on nurse staffing levels and patient outcomes.

Referred to the Committee on Finance.

H.F. No. 669: A bill for an act relating to public safety; expanding and updating the authority of the Statewide Radio Board to include the latest emergency communication technologies; authorizing the Statewide Radio Board to elect to become a statewide emergency communication board; including tribal governments in regional radio board structure; providing comprehensive authority under board to address all emergency communications; providing for rulemaking; amending Minnesota Statutes 2012, sections 403.21, subdivisions 2, 13, by adding a subdivision; 403.37, subdivision 1; 403.38; 403.39; 403.40, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 403; repealing Minnesota Statutes 2012, sections 403.21, subdivision 6; 403.33.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 803, now on General Orders.

REPORTS OF COMMITTEES

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

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 19 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
19	84				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 19 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 19, the second engrossment; and insert the language after the enacting clause of S.F. No. 84, the first engrossment; further, delete the title of H.F. No. 19, the second engrossment; and insert the title of S.F. No. 84, the first engrossment.

And when so amended H.F. No. 19 will be identical to S.F. No. 84, and further recommends that H.F. No. 19 be given its second reading and substituted for S.F. No. 84, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 283 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
283	1108				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 283 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 283, the first engrossment; and insert the language after the enacting clause of S.F. No. 1108; further, delete the title of H.F. No. 283, the first engrossment; and insert the title of S.F. No. 1108.

And when so amended H.F. No. 283 will be identical to S.F. No. 1108, and further recommends that H.F. No. 283 be given its second reading and substituted for S.F. No. 1108, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 369 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
369	350				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 450 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
450	392				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 19, 283, 369 and 450 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Franzen, Rosen, Wiklund, Metzen and Stumpf introduced—

S.F. No. 1613: A bill for an act relating to education finance; establishing an early learning scholarship program; expanding access to quality early learning and care; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 124D.

Referred to the Committee on Education.

Senator Dzedzic introduced—

S.F. No. 1614: A bill for an act relating to tax increment financing and other publicly financed projects; modifying requirements for receipt of public funds.

Referred to the Committee on Taxes.

Senators Eaton and Skoe introduced—

S.F. No. 1615: A bill for an act relating to taxation; sales and use; providing an exemption for a biopharmaceutical manufacturing facility; amending Minnesota Statutes 2012, sections 297A.71, by adding a subdivision; 297A.75.

Referred to the Committee on Taxes.

Senator Rest introduced—

S.F. No. 1616: A bill for an act relating to Dakota County; authorizing Dakota County Community Development Agency to exercise additional powers with respect to housing improvement areas; amending Minnesota Statutes 2012, section 383D.41, by adding a subdivision.

Referred to the Committee on State and Local Government.

Senators Rest, Skoe, Eaton, Dziejczak and Koenen introduced—

S.F. No. 1617: A bill for an act relating to taxation; making changes to individual income, corporate franchise, sales and use, tobacco, estate, local, and other taxes; changing provisions of the small business investment tax credit; creating a clothing sales tax credit; establishing a technology corporate franchise tax certificate transfer program; modifying additions, subtractions, and modifications to federal taxable income; modifying the corporate franchise minimum fee; modifying definition of sale and purchase and retail sale; expanding the sales tax base; providing exemptions; modifying taxes on tobacco products; indexing rates on cigarettes; imposing a floor stocks tax; providing definition for the Minnesota taxable estate; modifying definition of qualifying property for the estate tax; modifying city aid; modifying aviation excise taxes; imposing a sports memorabilia gross receipts tax; requiring reports; appropriating money; amending Minnesota Statutes 2012, sections 16C.03, subdivision 18; 116J.8737, subdivisions 1, 2, 5, 7, 9, 12, by adding a subdivision; 270C.03, subdivision 1; 270C.56, subdivision 1; 289A.08, subdivision 3; 289A.38, by adding a subdivision; 290.01, subdivisions 19b, 19c, 19d, 29; 290.06, subdivision 1, by adding a subdivision; 290.068, subdivision 1; 290.091, subdivision 2; 290.0921, subdivisions 1, 3; 290.0922, subdivision 1; 290.095, subdivision 2; 290.17, subdivision 4; 290.191, subdivision 5; 290.21, subdivision 4; 291.005, subdivision 1; 291.03, subdivisions 1, 8, 9, 10, 11; 296A.09, subdivision 2, by adding a subdivision; 296A.17, subdivision 3, by adding a subdivision; 297A.61, subdivisions 3, 4, 10, 17a, 25, 38, 45, by adding subdivisions; 297A.62, subdivisions 1, 1a; 297A.65; 297A.66, subdivisions 1, 3, by adding a subdivision; 297A.665; 297A.668, by adding a subdivision; 297A.67, subdivision 7; 297A.68, subdivisions 2, 5, 10; 297A.70, subdivisions 2, 4, 5, 13, 14, by adding subdivisions; 297A.75, subdivisions 1, 2, 3; 297A.815, subdivision 3; 297A.82, subdivision 4, by adding a subdivision; 297F.01, subdivision 19, by adding subdivisions; 297F.05, subdivisions 1, 3, 4, by adding subdivisions; 297F.24, subdivision 1; 297F.25, subdivision 1; 298.01, subdivision 3b; 325F.781, subdivision 1; 360.531; 360.66; 469.190, by adding a subdivision; 477A.011, subdivisions 30, 34, 42, by adding subdivisions; 477A.013, subdivisions 8, 9, by adding a subdivision; 477A.03, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 116J; 290; 291; 295; 297A; repealing Minnesota Statutes 2012, sections 16A.725; 256.9658; 290.01, subdivision 6b; 290.0921, subdivision 7; 290.171; 290.173; 290.174; 297A.61,

subdivision 27; 297A.66, subdivision 4; 297A.67, subdivision 8; 297A.68, subdivisions 9, 22, 35; 477A.011, subdivisions 2a, 19, 29, 31, 32, 33, 36, 39, 40, 41, 42; 477A.013, subdivisions 11, 12; 477A.0133; 477A.0134; Minnesota Rules, part 8130.0500, subpart 2.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senator Rosen moved that her name be stricken as a co-author to S.F. No. 935. The motion prevailed.

RECESS

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Nelson moved that her name be stricken as a co-author to S.F. No. 745. The motion prevailed.

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. No. 1016, H.F. No. 143, S.F. No. 380, H.F. Nos. 232, 75, S.F. Nos. 887, 745, H.F. No. 834 and S.F. No. 321.

SPECIAL ORDER

S.F. No. 1016: A bill for an act relating to nursing; modifying definitions in the Minnesota Nurse Practicing Act; amending Minnesota Statutes 2012, sections 148.171, subdivisions 14, 15, by adding subdivisions; 148.271; repealing Minnesota Statutes 2012, section 148.171, subdivision 12; Minnesota Rules, part 6321.0100.

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 47 and nays 18, as follows:

Those who voted in the affirmative were:

Bakk
Benson

Bonoff
Carlson

Champion
Clausen

Cohen
Dahle

Dibble
Dziedzic

Eaton	Housley	Metzen	Rest	Stumpf
Eken	Jensen	Miller	Rosen	Tomassoni
Fischbach	Johnson	Nelson	Saxhaug	Torres Ray
Franzen	Kent	Nienow	Scalze	Wiger
Goodwin	Kiffmeyer	Pappas	Sheran	Wiklund
Hawj	Koenen	Pederson, J.	Sieben	
Hayden	Latz	Pratt	Skoe	
Hoffman	Marty	Reinert	Sparks	

Those who voted in the negative were:

Anderson	Gazelka	Limmer	Petersen, B.	Weber
Brown	Hall	Newman	Ruud	Westrom
Chamberlain	Hann	Ortman	Senjem	
Dahms	Ingebrigtsen	Osmek	Thompson	

So the bill passed and its title was agreed to.

CALL OF THE SENATE

Senator Brown imposed a call of the Senate for the balance of the proceedings on Special Orders. The Sergeant at Arms was instructed to bring in the absent members.

SPECIAL ORDER

H.F. No. 143: A bill for an act relating to veterans; authorizing placement of a plaque in the court of honor on the Capitol grounds to honor American Indian veterans from this state.

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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 380: A bill for an act relating to workforce development; adding a representative from adult basic education programs to the Workforce Development Council; amending Minnesota Statutes 2012, section 116L.665, subdivision 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 232: A bill for an act relating to civil law; modifying the statutory short form power of attorney; authorizing certain judicial relief; modifying gift transaction amount; amending Minnesota Statutes 2012, sections 523.20; 523.23, subdivision 1, by adding subdivisions; 523.24, subdivisions 8, 14; proposing coding for new law in Minnesota Statutes, chapter 523.

Senator Goodwin moved to amend H.F. No. 232, as amended pursuant to Rule 45, adopted by the Senate April 16, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 327.)

Page 1, lines 12 and 13, delete the new language

Page 1, line 14, delete the new language and after "(3)" insert "for a power of attorney executed on or after January 1, 2014, contains an acknowledgement that the attorney-in-fact has read and understood the notice to the attorney-in-fact required under section 523.23; (4)"

Page 1, line 16, strike "(4)" and insert "(5)"

Page 1, line 18, strike "(5)" and insert "(6)"

Page 2, lines 7 to 9, delete the new language

Page 2, line 20, before the period, insert "that appears after the signature lines in this form"

Page 2, line 22, before the period, insert "that appears after the notice to the principal"

Page 3, line 3, after "designated" insert "to act at the same time"

Page 4, line 2, delete "financial"

Page 4, line 3, before the period insert ", other than health care decisions under a health care directive that complies with Minnesota Statutes, chapter 145C"

Page 4, delete lines 18 to 29 and insert:

"THIRD: My attorney(s)-in-fact MAY NOT make gifts to the attorney(s)-in-fact, or anyone the attorney(s)-in-fact are legally obligated to support, UNLESS I have made a check or an "x" on the line in front of the second statement below and I have written in the name(s) of the attorney(s)-in-fact. The second option allows you to limit the gifting power to only the attorney(s)-in-fact you name in the statement.

Minnesota Statutes, section 523.24, subdivision 8, clause (2), limits the annual gift(s) made to my attorney(s)-in-fact, or to anyone the attorney(s)-in-fact are legally obligated to support, to an amount, in the aggregate, that does not exceed the federal annual gift tax exclusion amount in the year of the gift.

. . . . I do not authorize any of my attorney(s)-in-fact to make gifts to themselves or to anyone the attorney(s)-in-fact have a legal obligation to support.

. . . . I authorize (write in name(s)), as my attorney(s)-in-fact, to make gifts to themselves or to anyone the attorney(s)-in-fact have a legal obligation to support."

Page 5, line 18, delete "subdivision 1b,"

Page 5, after line 29, insert:

"IMPORTANT NOTICE TO THE PRINCIPAL

READ THIS NOTICE CAREFULLY. The power of attorney form that you will be signing is a legal document. It is governed by Minnesota Statutes, chapter 523. If there is anything about this form that you do not understand, you should seek legal advice.

PURPOSE: The purpose of the power of attorney is for you, the principal, to give broad and sweeping powers to your attorney(s)-in-fact, who is the person you designate to handle your affairs. Any action taken by your attorney(s)-in-fact pursuant to the powers you designate in this power of attorney form binds you, your heirs and assigns, and the representative of your estate in the same manner as though you took the action yourself.

POWERS GIVEN: You will be granting the attorney(s)-in-fact power to enter into transactions relating to any of your real or personal property, even without your consent or any advance notice to you. The powers granted to the attorney(s)-in-fact are broad and not supervised. THIS POWER OF ATTORNEY DOES NOT GRANT ANY POWERS TO MAKE HEALTH CARE DECISIONS FOR YOU. TO GIVE SOMEONE THOSE POWERS, YOU MUST USE A HEALTH CARE DIRECTIVE THAT COMPLIES WITH MINNESOTA STATUTES, CHAPTER 145C.

DUTIES OF YOUR ATTORNEY(S)-IN-FACT: Your attorney(s)-in-fact must keep complete records of all transactions entered into on your behalf. You may request that your attorney(s)-in-fact provide you or someone else that you designate a periodic accounting, which is a written statement that gives reasonable notice of all transactions entered into on your behalf. Your attorney(s)-in-fact must also render an accounting if the attorney-in-fact reimburses himself or herself for any expenditure they made on behalf of you.

An attorney-in-fact is personally liable to any person, including you, who is injured by an action taken by an attorney-in-fact in bad faith under the power of attorney or by an attorney-in-fact's failure to account when the attorney-in-fact has a duty to account under this section. The attorney(s)-in-fact must act with your interests utmost in mind.

TERMINATION: If you choose, your attorney(s)-in-fact may exercise these powers throughout your lifetime, both before and after you become incapacitated. However, a court can take away the powers of your attorney(s)-in-fact because of improper acts. You may also revoke this power of attorney if you wish. This power of attorney is automatically terminated if the power is granted to your spouse and proceedings are commenced for dissolution, legal separation, or annulment of your marriage.

This power of attorney authorizes, but does not require, the attorney(s)-in-fact to act for you. You are not required to sign this power of attorney, but it will not take effect without your signature. You should not sign this power of attorney if you do not understand everything in it, and what your attorney(s)-in-fact will be able to do if you do sign it.

Please place your initials on the following line indicating you have read this IMPORTANT NOTICE TO THE PRINCIPAL:

IMPORTANT NOTICE TO THE ATTORNEY(S)-IN-FACT

You have been nominated by the principal to act as an attorney-in-fact. You are under no duty to exercise the authority granted by the power of attorney. However, when you do exercise any power conferred by the power of attorney, you must:

- (1) act with the interests of the principal utmost in mind;
- (2) exercise the power in the same manner as an ordinarily prudent person of discretion and intelligence would exercise in the management of the person's own affairs;
- (3) render accountings as directed by the principal or whenever you reimburse yourself for expenditures made on behalf of the principal;
- (4) act in good faith for the best interest of the principal, using due care, competence, and diligence;
- (5) cease acting on behalf of the principal if you learn of any event that terminates this power of attorney or terminates your authority under this power of attorney, such as revocation by the principal of the power of attorney, the death of the principal, or the commencement of proceedings for dissolution, separation, or annulment of your marriage to the principal;
- (6) disclose your identity as an attorney-in-fact whenever you act for the principal by signing in substantially the following manner:

Signature by a person as "attorney-in-fact for (name of the principal)" or "(name of the principal) by (name of the attorney-in-fact) the principal's attorney-in-fact";

- (7) acknowledge you have read and understood this IMPORTANT NOTICE TO THE ATTORNEY(S)-IN-FACT by signing the power of attorney form.

You are personally liable to any person, including the principal, who is injured by an action taken by you in bad faith under the power of attorney or by your failure to account when the duty to account has arisen.

The meaning of the powers granted to you is contained in Minnesota Statutes, chapter 523. If there is anything about this document or your duties that you do not understand, you should seek legal advice."

Page 5, delete section 3 and insert:

"Sec. 3. Minnesota Statutes 2012, section 523.23, is amended by adding a subdivision to read:

Subd. 6. **Effective date of amendments.** The amendments to the form under subdivision 1 and to section 523.24, subdivision 8, that are contained in this act are effective January 1, 2014, and apply to powers of attorney executed on or after that date. These amendments do not invalidate or impair a power of attorney executed before that date."

Page 7, delete section 4

Page 8, line 14, delete the new language

Page 8, line 15, delete "federal annual gift exclusion amount" and strike "to each recipient" and insert "the federal annual gift tax exclusion amount in the year of the gift"

Page 9, lines 2 and 6, delete "financial"

Page 9, line 7, after the period, insert "The language conferring general authority does not include any powers to make health care decisions for the principal."

Page 9, line 9, before "The" insert "(a)"

Page 9, line 10, delete the second "the" and insert "an"

Page 9, line 11, delete "the" and insert "a"

Page 9, line 16, delete everything after "the" and insert "duty to render an accounting arose."

Page 9, after line 16, insert:

"(b) This section is effective August 1, 2013, and applies to powers of attorney executed before, on, or after that date."

Page 9, delete section 8

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Goodwin moved that H.F. No. 232 be laid on the table. The motion prevailed.

SPECIAL ORDER

H.F. No. 75: A bill for an act relating to health; requiring continuing education hours for certification as a community paramedic; amending Minnesota Statutes 2012, section 144E.28, subdivision 9.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Goodwin moved that H.F. No. 232 be taken from the table. The motion prevailed.

H.F. No. 232: A bill for an act relating to civil law; modifying the statutory short form power of attorney; authorizing certain judicial relief; modifying gift transaction amount; amending Minnesota Statutes 2012, sections 523.20; 523.23, subdivision 1, by adding subdivisions; 523.24, subdivisions 8, 14; proposing coding for new law in Minnesota Statutes, chapter 523.

The Senate resumed consideration of the pending Goodwin amendment.

The question was taken on the adoption of the Goodwin amendment. The motion prevailed. So the amendment was adopted.

H.F. No. 232 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chamberlain	Dibble	Gazelka	Hoffman
Bakk	Champion	Dziedzic	Goodwin	Housley
Benson	Clausen	Eaton	Hall	Ingebrigtsen
Bonoff	Cohen	Eken	Hann	Jensen
Brown	Dahle	Fischbach	Hawj	Johnson
Carlson	Dahms	Franzen	Hayden	Kent

Kiffmeyer
Koenen
Latz
Limmer
Lourey
Marty
Metzen
Miller

Nelson
Newman
Nienow
Ortman
Osmek
Pappas
Pederson, J.
Petersen, B.

Pratt
Reinert
Rest
Rosen
Ruud
Saxhaug
Scalze
Senjem

Sheran
Sieben
Skoe
Sparks
Stumpf
Thompson
Tomassoni
Torres Ray

Weber
Westrom
Wiger
Wiklund

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

SPECIAL ORDER

S.F. No. 887: A bill for an act relating to health; classifying criminal history record data on Minnesota Responds Medical Reserve Corps volunteers; requiring radon education disclosure for residential real property; changing provisions for tuberculosis standards; changing adverse health events reporting requirements; modifying a poison control provision; providing liability coverage for certain volunteer medical personnel and permitting agreements to conduct criminal background studies; changing provisions for body art establishments and body art technicians; defining occupational therapy practitioners; changing provisions for occupational therapy; amending prescribing authority for legend drugs; providing penalties; amending Minnesota Statutes 2012, sections 13.381, by adding a subdivision; 144.1501, subdivision 4; 144.50, by adding a subdivision; 144.55, subdivision 3; 144.56, by adding a subdivision; 144.7065, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 144A.04, by adding a subdivision; 144A.45, by adding a subdivision; 144A.752, by adding a subdivision; 144D.08; 145.93, subdivision 3; 145A.04, by adding a subdivision; 145A.06, subdivision 7; 146B.02, subdivisions 2, 8; 146B.03, by adding a subdivision; 146B.07, subdivision 5; 148.6402, by adding a subdivision; 148.6440; 151.37, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 144; 145A; 513; repealing Minnesota Statutes 2012, sections 144.1487; 144.1488; 144.1489; 144.1490; 144.1491; 146B.03, subdivision 10; 148.7808, subdivision 2; 148.7813; 325F.814; 609.2246.

Senator Marty moved to amend S.F. No. 887 as follows:

Page 3, line 1, delete everything after "person" and insert "negotiating or offering to acquire for value, legal or equitable title, or the right to acquire legal or equitable title to residential legal property."

Page 3, delete line 2

Page 3, line 11, delete everything after "person" and insert "who owns legal or equitable title to residential real property."

Page 3, delete line 12

Page 3, line 13, before "above" insert "at or"

Page 3, lines 16, 17, and 26, delete "or transferor"

Page 3, line 17, delete "or transferee"

Page 3, line 19, before "property" insert "real"

Page 3, line 26, delete "or transferee" and insert "with a copy of"

Page 3, delete lines 28 to 34 and insert:

"(c) The seller's radon disclosure requirements in this section apply to the transfer of any interest in residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase, or any other option.

(d) The seller's radon disclosure requirements in this section do not apply to any of the following:

(1) real property that is not residential real property;

(2) a gratuitous transfer;

(3) a transfer made pursuant to a court order;

(4) a transfer to a government or governmental agency;

(5) a transfer by foreclosure or deed in lieu of foreclosure;

(6) a transfer to heirs or devisees of a decedent;

(7) a transfer from a cotenant to one or more other cotenants;

(8) a transfer made to a spouse, parent, grandparent, child, or grandchild of the seller;

(9) a transfer between spouses resulting from a decree of marriage dissolution or from a property settlement agreement incidental to that decree;

(10) an option to purchase a unit in a common interest community, until exercised;

(11) a transfer to a person who controls or is controlled by the grantor as those terms are defined with respect to a declarant under section 515B.1-103, clause (2);

(12) a transfer to a tenant who is in possession of the residential real property; or

(13) a transfer of special declarant rights under section 515B.3-104.

(e) A seller may provide the written disclosure required under this section to a real estate licensee representing or assisting a prospective buyer. The written disclosure provided to the real estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective buyer. If the written disclosure is provided to the real estate licensee representing or assisting the prospective buyer, the real estate licensee must provide a copy to the prospective buyer."

Page 4, line 13, delete everything after "(a)" and insert "A seller who fails to make a radon disclosure as required by this section, and is aware of material facts pertaining to radon concentrations in the dwelling, is liable to the buyer."

Page 4, line 14, before "violation" insert "(b) A buyer who is injured by a" and delete "for damages and" and insert "and recover damages and receive"

Page 4, line 16, after "purchase" insert "or transfer"

Page 4, line 17, delete "(b)" and insert "(c)"

Page 4, line 18, after "with" insert "a provision of" and delete "paragraph" and insert "section"

Page 4, line 20, delete "an"

Page 4, line 21, delete "agreement" and insert "agreements"

The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend S.F. No. 887 as follows:

Page 9, after line 27, insert:

"Sec. 16. Minnesota Statutes 2012, section 144A.53, subdivision 2, is amended to read:

Subd. 2. **Complaints.** (a) The director may receive a complaint from any source concerning an action of an administrative agency, a health care provider, a home care provider, a residential care home, or a health facility. The director may require a complainant to pursue other remedies or channels of complaint open to the complainant before accepting or investigating the complaint. Investigators are required to interview at least one family member of the vulnerable adult identified in the complaint. If the vulnerable adult is directing his or her own care and does not want the investigator to contact the family, this information must be documented in the investigative file.

(b) The director shall keep written records of all complaints and any action upon them. After completing an investigation of a complaint, the director shall inform the complainant, the administrative agency having jurisdiction over the subject matter, the health care provider, the home care provider, the residential care home, and the health facility of the action taken. Complainants must be provided a copy of the public report upon completion of the investigation."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Bonoff moved to amend S.F. No. 887 as follows:

Page 1, after line 27, insert:

"Sec. 2. Minnesota Statutes 2012, section 62Q.106, is amended to read:

62Q.106 DISPUTE RESOLUTION BY COMMISSIONER.

(a) A complainant may at any time submit a complaint to the appropriate commissioner to investigate. After investigating a complaint, or reviewing a company's decision, the appropriate commissioner may order a remedy as authorized under chapter 45, 60A, or 62D.

(b) In investigating a complaint filed against a health maintenance organization regarding a vulnerable adult, upon request, the commissioner of health must interview at least one family member of the complainant or the subject of the complaint. If the complainant or the subject of the complaint does not want any family members to be interviewed, this information will be included in the investigative file."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 887 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 45 and nays 20, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Jensen	Nelson	Sheran
Bonoff	Eken	Johnson	Nienow	Sieben
Carlson	Fischbach	Kent	Pappas	Skoe
Champion	Franzen	Koenen	Reinert	Sparks
Clausen	Goodwin	Latz	Rest	Stumpf
Cohen	Hawj	Lourey	Rosen	Tomassoni
Dahle	Hayden	Marty	Saxhaug	Torres Ray
Dibble	Hoffman	Metzen	Scalze	Wiger
Dziedzic	Housley	Miller	Senjem	Wiklund

Those who voted in the negative were:

Anderson	Gazelka	Kiffmeyer	Osmek	Ruud
Brown	Hall	Limmer	Pederson, J.	Thompson
Chamberlain	Hann	Newman	Petersen, B.	Weber
Dahms	Ingebrigtsen	Ortman	Pratt	Westrom

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

SPECIAL ORDER

S.F. No. 745: A bill for an act relating to state government; classifying or modifying certain provisions concerning data practices; requiring informed consent; amending definitions; allowing disclosure of certain data; allowing access to certain records; making technical changes; modifying certain provisions regarding transportation and health data; modifying certain provisions regarding criminal history records, criminal background checks, and other criminal justice data provisions; extending for six years the sunset provision for the newborn screening advisory committee; providing for accreditation of forensic laboratories; repealing the McGruff safe house program; amending Minnesota Statutes 2012, sections 13.37, subdivision 1; 13.386, subdivision 3; 13.43, subdivisions 2, 14; 13.64, subdivision 2; 13.72, subdivision 10, by adding subdivisions; 144.966, subdivisions 2, 3, 4, by adding subdivisions; 171.07, subdivision 1a; 268.19, subdivision 1; 299C.11, subdivision 1; 299C.46, subdivisions 1, 2, 2a, 3; 299F.035, subdivisions 1, 2; 299F.77; 340A.301, subdivision 2; 340A.402; 626.556, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 13; 144; 299C; repealing Minnesota Statutes 2012, section 299A.28.

Senator Hall moved to amend S.F. No. 745 as follows:

Page 16, after line 14, insert:

"Sec. 18. Minnesota Statutes 2012, section 241.065, subdivision 4, is amended to read:

Subd. 4. **Procedures.** (a) The Department of Corrections shall adopt procedures to provide for the orderly collection, entry, retrieval, and deletion of data contained in the statewide supervision system.

(b) The Department of Corrections shall establish and implement audit requirements to ensure that authorized users comply with applicable data practices laws governing access to and use of the data."

Page 27, after line 24, insert:

"Sec. 32. Minnesota Statutes 2012, section 611.272, is amended to read:

611.272 ACCESS TO GOVERNMENT DATA.

The district public defender, the state public defender, or an attorney working for a public defense corporation under section 611.216 has access to the criminal justice data communications network described in section 299C.46, as provided in this section. Access to data under this section is limited to data necessary to prepare criminal cases in which the public defender has been appointed as follows:

(1) access to data about witnesses in a criminal case shall be limited to records of criminal convictions, custody status, custody history, aliases and known monikers, race, probation status, identity of probation officer, and booking photos; and

(2) access to data regarding the public defender's own client which includes, but is not limited to, criminal history data under section 13.87; juvenile offender data under section 299C.095; warrant information data under section 299C.115; incarceration data under section 299C.14; conditional release data under section 241.065; and diversion program data under section 299C.46, subdivision 5.

The public defender has access to data under this section, whether accessed via the integrated search service as defined in section 13.873 or other methods. The public defender does not have access to law enforcement active investigative data under section 13.82, subdivision 7; data protected under section 13.82, subdivision 17; confidential arrest warrant indices data under section 13.82, subdivision 19; or data systems maintained by a prosecuting attorney. The public defender has access to the data at no charge, except for the monthly network access charge under section 299C.46, subdivision 3, paragraph (b), and a reasonable installation charge for a terminal. Notwithstanding section 13.87, subdivision 3; 299C.46, subdivision 3, paragraph (b); 299C.48, or any other law to the contrary, there shall be no charge to public defenders for Internet access to the criminal justice data communications network."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Benson moved to amend S.F. No. 745 as follows:

Page 14, after line 3, insert:

"EFFECTIVE DATE. This section is effective July 1, 2013."

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend S.F. No. 745 as follows:

Page 2, delete section 3

Page 9, delete section 11

Page 15, delete section 15

Page 15, line 28, delete "9" and insert "8"

Page 28, delete section 32

Page 29, delete section 33

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Limmer	Osmek	Thompson
Benson	Hall	Miller	Pederson, J.	Weber
Brown	Hann	Nelson	Petersen, B.	Westrom
Chamberlain	Housley	Newman	Pratt	
Dahms	Ingebrigtsen	Nienow	Rosen	
Fischbach	Kiffmeyer	Ortman	Ruud	

Those who voted in the negative were:

Bakk	Dziedzic	Jensen	Reinert	Sparks
Bonoff	Eaton	Johnson	Rest	Stumpf
Carlson	Eken	Kent	Saxhaug	Tomassoni
Champion	Franzen	Latz	Scalze	Torres Ray
Clausen	Goodwin	Lourey	Senjem	Wiger
Cohen	Hawj	Marty	Sheran	Wiklund
Dahle	Hayden	Metzen	Sieben	
Dibble	Hoffman	Pappas	Skoe	

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

Senator Limmer moved to amend S.F. No. 745 as follows:

Page 28, delete section 32

Page 29, delete section 33

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Limmer moved to amend the second Limmer amendment to S.F. No. 745 as follows:

Page 1, delete line 3

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the second Limmer amendment, as amended.

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

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Osmek	Ruud
Bakk	Gazelka	Limmer	Pederson, J.	Senjem
Benson	Hall	Miller	Petersen, B.	Thompson
Brown	Hann	Newman	Pratt	Weber
Chamberlain	Housley	Nienow	Reinert	Westrom
Dahms	Ingebrigtsen	Ortman	Rosen	

Those who voted in the negative were:

Bonoff	Eken	Kent	Rest	Tomassoni
Champion	Franzen	Koenen	Saxhaug	Torres Ray
Clausen	Goodwin	Latz	Scalze	Wiger
Cohen	Hawj	Lourey	Sheran	Wiklund
Dahle	Hayden	Marty	Sieben	
Dibble	Hoffman	Metzen	Skoe	
Dziedzic	Jensen	Nelson	Sparks	
Eaton	Johnson	Pappas	Stumpf	

The motion did not prevail. So the second Limmer amendment, as amended, was not adopted.

Senator Limmer moved to amend S.F. No. 745 as follows:

Page 12, after line 8, insert:

"Sec. 12. **[144.193] INVENTORY OF BIOLOGICAL AND HEALTH DATA.**

By February 1, 2014, and annually after that date, the commissioner shall prepare an inventory of biological specimens, registries, and health data and databases collected or maintained by the commissioner. In addition to the inventory, the commissioner shall provide the schedules for storage of health data and biological specimens. The inventories must be listed in reverse chronological order beginning with the year 2012. The commissioner shall make the inventory and schedules available on the department's Web site and submit the inventory and schedules to the chairs and ranking minority members of the committees of the legislature with jurisdiction over health policy and data practices issues."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Westrom moved to amend S.F. No. 745 as follows:

Page 16, after line 14, insert:

"Sec. 18. Minnesota Statutes 2012, section 171.12, subdivision 7, is amended to read:

Subd. 7. **Privacy of data.** (a) Data on individuals provided to obtain a driver's license or Minnesota identification card shall be treated as provided by United States Code, title 18, section 2721, as in effect on May 23, 2005, and shall be disclosed only as required ~~or permitted~~ by that section.

(b) An applicant for a driver's license or a Minnesota identification card may consent, in writing, to the commissioner to disclose the applicant's personal information exempted by United States Code, title 18, section 2721, to any person who makes a request for the personal information. If the applicant so authorizes disclosures, the commissioner shall implement the request and the information may be used.

~~(c) If authorized by an applicant for a driver's license or a Minnesota identification card, as indicated in paragraph (b), the~~ An applicant's personal information may be used, rented, or sold solely for bulk distribution by organizations for business purposes, including surveys, marketing, or solicitation, only if the applicant consents, in writing, to the disclosure for these purposes and the organization uses the personal information solely for these purposes.

(d) An applicant for a driver's license, instruction permit, or Minnesota identification card may request that the applicant's residence address be classified as "private data on individuals," as defined in section 13.02, subdivision 12. The commissioner shall grant the classification on receipt of a signed statement by the individual that the classification is required for the safety of the applicant or the applicant's family, if the statement also provides a valid, existing address where the applicant consents to receive service of process. The commissioner shall use the service for process mailing address in place of the residence address in all documents and notices pertaining to the driver's license, instruction permit, or Minnesota identification card. The residence address and any information provided in the classification request, other than the mailing address, are private data on individuals and may be provided to requesting law enforcement agencies, probation and parole agencies, and public authorities, as defined in section 518A.26, subdivision 18."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Dziedzic moved to amend the Westrom amendment to S.F. No. 745 as follows:

Page 1, line 6, delete the new language

Page 1, line 7, reinstate the stricken language

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Westrom amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Limmer moved to amend S.F. No. 745 as follows:

Page 21, lines 19 and 26, after "data" insert "and Minnesota law governing the classification of the data"

The motion prevailed. So the amendment was adopted.

S.F. No. 745 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 41 and nays 24, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Kent	Rest	Tomassoni
Bonoff	Eken	Koenen	Rosen	Torres Ray
Carlson	Franzen	Latz	Saxhaug	Westrom
Champion	Goodwin	Lourey	Scalze	Wiger
Clausen	Hawj	Marty	Senjem	Wiklund
Cohen	Hayden	Metzen	Sheran	
Dahle	Hoffman	Miller	Skoe	
Dibble	Jensen	Nelson	Sparks	
Dziedzic	Johnson	Pappas	Stumpf	

Those who voted in the negative were:

Anderson	Fischbach	Ingebrigtsen	Ortman	Reinert
Benson	Gazelka	Kiffmeyer	Osmek	Ruud
Brown	Hall	Limmer	Pederson, J.	Thompson
Chamberlain	Hann	Newman	Petersen, B.	Weber
Dahms	Housley	Nienow	Pratt	

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

SPECIAL ORDER

H.F. No. 834: A bill for an act relating to metropolitan planning activities; extending the sunset date of the Metropolitan Area Water Supply Advisory Committee; amending Minnesota Statutes 2012, section 473.1565, subdivision 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 45 and nays 20, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Housley	Miller	Scalze
Bonoff	Eaton	Jensen	Nelson	Sheran
Carlson	Eken	Johnson	Pappas	Skoe
Chamberlain	Fischbach	Kent	Pederson, J.	Sparks
Champion	Franzen	Koenen	Pratt	Stumpf
Clausen	Goodwin	Latz	Reinert	Tomassoni
Cohen	Hawj	Lourey	Rest	Torres Ray
Dahle	Hayden	Marty	Rosen	Wiger
Dibble	Hoffman	Metzen	Saxhaug	Wiklund

Those who voted in the negative were:

Anderson	Gazelka	Kiffmeyer	Ortman	Senjem
Benson	Hall	Limmer	Osmek	Thompson
Brown	Hann	Newman	Petersen, B.	Weber
Dahms	Ingebrigtsen	Nienow	Ruud	Westrom

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 321: A bill for an act relating to health; amending the duties and reporting dates for an existing task force on prematurity; amending Laws 2011, First Special Session chapter 9, article 2, section 27.

Senator Benson moved to amend S.F. No. 321 as follows:

Page 1, line 14, strike "15" and insert "seven"

The motion prevailed. So the amendment was adopted.

S.F. No. 321 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 54 and nays 10, as follows:

Those who voted in the affirmative were:

Bakk	Carlson	Clausen	Dibble	Eken
Benson	Chamberlain	Dahle	Dziedzic	Fischbach
Bonoff	Champion	Dahms	Eaton	Franzen

Gazelka	Jensen	Miller	Rest	Stumpf
Goodwin	Johnson	Nelson	Rosen	Tomassoni
Hall	Kent	Nienow	Saxhaug	Torres Ray
Hann	Koenen	Pappas	Scalze	Weber
Hawj	Latz	Pederson, J.	Senjem	Westrom
Hayden	Lourey	Petersen, B.	Sheran	Wiger
Hoffman	Marty	Pratt	Skoe	Wiklund
Housley	Metzen	Reinert	Sparks	

Those who voted in the negative were:

Anderson	Ingebrigtsen	Limmer	Ortman	Ruud
Brown	Kiffmeyer	Newman	Osmek	Thompson

So the bill, as amended, was 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 Reports of Committees and Second Reading of Senate Bills.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 1607: A bill for an act relating to state government; appropriating money for environment, natural resources, agriculture, commerce, energy, jobs, and economic development; modifying and providing for certain fees; modifying and providing for disposition of certain revenue; modifying pesticide control; modifying animal waste technician provisions; making technical changes; modifying certain permit requirements; providing for federal law compliance; providing for certain easements; modifying snowmobile registration provisions; modifying state trails; modifying State Timber Act; modifying certain park boundaries and expenditures; modifying reporting requirements; modifying Petroleum Tank Release Cleanup Act; providing for silica sand mining model standards and technical assistance; providing for wastewater laboratory certification; providing for product stewardship program; providing for discontinuance of Hennepin County Soil and Water Conservation District; providing for school forests; providing for county intermediate timber sales; authorizing recreation of Hall's Island; providing for certain interim ordinance extension or renewal; repealing certain pollution control rules; providing for solar energy production incentives; creating Office of Broadband Development; modifying certain environmental review; modifying public utility provisions; providing for sanitary districts; modifying labor and industry policy provisions; modifying employment and economic development programs; reducing unemployment insurance employer tax; creating pilot projects; authorizing issuance of bonds; modifying residential contract for deed requirements; providing penalties; requiring studies and reports; requiring rulemaking; amending Minnesota Statutes 2012, sections 13.7411, subdivision 4; 16B.122, subdivision 2; 17.03, subdivision 3; 17.1015; 18B.305; 18C.430; 18C.433, subdivision 1; 45.0135, subdivision 6; 60A.14, subdivision 1; 65B.84, subdivision 1; 84.027, by adding a subdivision; 84.415, by adding a subdivision; 84.82, subdivision 3, by adding a subdivision; 84.8205, subdivision 1; 85.015, subdivision 13; 85.052, subdivision 6; 85.053, subdivision 8; 85.054, by adding a subdivision; 85.055, subdivisions 1, 2; 85.42; 89.0385; 89.41; 90.01, subdivisions 4, 5, 6, 8, 11; 90.031, subdivision 4; 90.041,

subdivisions 2, 5, 6, 9, by adding subdivisions; 90.045; 90.061, subdivision 8; 90.101, subdivision 1; 90.121; 90.145; 90.151, subdivisions 1, 2, 3, 4, 6, 7, 8, 9; 90.161; 90.162; 90.171; 90.181, subdivision 2; 90.191, subdivision 1; 90.193; 90.195; 90.201, subdivision 2a; 90.211; 90.221; 90.252, subdivision 1; 90.301, subdivisions 2, 4; 90.41, subdivision 1; 93.46, by adding a subdivision; 93.481, subdivision 3; 97A.401, subdivision 3; 115A.1320, subdivision 1; 115B.20, subdivision 6; 115B.28, subdivision 1; 115B.421; 115C.02, subdivision 4; 115C.08, subdivision 4, by adding a subdivision; 115D.10; 116.48, subdivision 6; 116C.03, subdivisions 2, 4, 5; 116J.8731, subdivisions 2, 3; 116U.26; 136F.37; 179.02, by adding a subdivision; 216B.16, by adding a subdivision; 237.012, subdivision 3; 237.52, subdivisions 4, 5; 239.101, subdivision 3; 245.4712, subdivision 1; 268.125, subdivisions 1, 3, 4, 5; 268A.13; 268A.14, subdivision 1; 275.066; 282.01, subdivisions 1a, 1d; 282.04, by adding a subdivision; 298.22, subdivision 1; 298.28, subdivisions 4, 9b; 326.02, subdivision 5; 326B.163, by adding subdivisions; 326B.184, subdivisions 1, 2, by adding a subdivision; 326B.187; 326B.33, subdivisions 19, 21; 326B.36, subdivision 7; 326B.37, by adding a subdivision; 326B.49, subdivisions 2, 3; 341.321; 473.846; 507.235, subdivision 2; 559.211, subdivision 2; Laws 2010, chapter 215, article 3, section 3, subdivision 6, as amended; Laws 2010, chapter 361, article 3, section 7; proposing coding for new law in Minnesota Statutes, chapters 84; 90; 93; 115; 115A; 116; 116J; 116L; 216C; 237; 326B; 383B; 559; proposing coding for new law as Minnesota Statutes, chapter 442A; repealing Minnesota Statutes 2012, sections 90.163; 90.173; 90.41, subdivision 2; 115.18, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10; 115.19; 115.20; 115.21; 115.22; 115.23; 115.24; 115.25; 115.26; 115.27; 115.28; 115.29; 115.30; 115.31; 115.32; 115.33; 115.34; 115.35; 115.36; 115.37; 116W.01; 116W.02; 116W.03; 116W.035; 116W.04; 116W.05; 116W.06; 116W.20; 116W.21; 116W.23; 116W.24; 116W.25; 116W.26; 116W.27; 116W.28; 116W.29; 116W.30; 116W.31; 116W.32; 116W.33; 116W.34; 326B.31, subdivisions 18, 19, 22; 507.235, subdivision 4; Laws 2011, First Special Session chapter 2, article 4, section 30; Minnesota Rules, parts 1307.0032; 7021.0010, subparts 1, 2, 4, 5; 7021.0020; 7021.0030; 7021.0040; 7021.0050, subpart 5; 9210.0300; 9210.0310; 9210.0320; 9210.0330; 9210.0340; 9210.0350; 9210.0360; 9210.0370; 9210.0380; 9220.0530, subpart 6.

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

Page 2, line 36, delete "67,217,000" and insert "67,530,000" and delete "67,037,000" and insert "67,350,000" and delete "134,254,000" and insert "134,880,000"

Page 2, line 41, delete "345,274,000" and insert "345,587,000" and delete "345,140,000" and insert "345,453,000" and delete "690,414,000" and insert "691,040,000"

Page 3, line 12, delete "82,736,000" and insert "83,049,000" and delete "82,556,000" and insert "82,869,000"

Page 3, line 18, delete "67,217,000" and insert "67,530,000" and delete "67,037,000" and insert "67,350,000"

Page 6, line 9, after the period, insert "The commissioner, when selecting areas to monitor with the new mobile monitoring equipment, shall give priority to areas where low-income, indigenous American Indians, and communities of color are disproportionately impacted by pollution from highway traffic, air traffic, and industrial sources."

Page 7, line 11, delete "26,825,000" and insert "27,138,000" and delete "26,775,000" and insert "27,088,000"

Page 7, line 13, delete "25,985,000" and insert "26,298,000" and delete "25,935,000" and insert "26,248,000"

Page 8, delete line 3 and insert "\$913,000 the first year and \$913,000 the"

Page 8, lines 10 and 11, delete "\$499,000" and insert "\$812,000"

Page 8, line 33, delete "December 1, 2013" and insert "January 15, 2014"

Page 25, after line 20, insert:

"Sec. 4. Minnesota Statutes 2012, section 84.63, is amended to read:

84.63 CONVEYANCE OF INTERESTS IN LANDS TO STATE AND FEDERAL GOVERNMENTS.

(a) Notwithstanding any existing law to the contrary, the commissioner of natural resources is hereby authorized on behalf of the state to convey to the United States or to the state of Minnesota or any of its subdivisions, upon state-owned lands under the administration of the commissioner of natural resources, permanent or temporary easements for specified periods or otherwise for trails, highways, roads including limitation of right of access from the lands to adjacent highways and roads, flowage for development of fish and game resources, stream protection, flood control, and necessary appurtenances thereto, such conveyances to be made upon such terms and conditions including provision for reversion in the event of non-user as the commissioner of natural resources may determine.

(b) In addition to the fee for the market value of the easement, the commissioner of natural resources shall assess the applicant the following fees:

(1) an application fee of \$2,000 to cover reasonable costs for reviewing the application and preparing the easement; and

(2) a monitoring fee to cover the projected reasonable costs for monitoring the construction of the improvement for which the easement was conveyed and preparing special terms and conditions for the easement. The commissioner must give the applicant an estimate of the monitoring fee before the applicant submits the fee.

(c) The applicant shall pay these fees to the commissioner of natural resources. The commissioner shall not issue the easement until the applicant has paid in full the application fee, the monitoring fee, and the market value payment for the easement.

(d) Upon completion of construction of the improvement for which the easement was conveyed, the commissioner shall refund the unobligated balance from the monitoring fee revenue. The commissioner shall not return the application fee, even if the application is withdrawn or denied.

(e) Money received under paragraph (b) must be deposited in the land management account in the natural resources fund and is appropriated to the commissioner of natural resources to cover the reasonable costs incurred for issuing and monitoring easements.

(f) A county or joint county regional railroad authority is exempt from all fees specified under this section for trail easements on state-owned land."

Page 66, line 3, delete "the day following final enactment" and insert "July 1, 2013,"

Page 76, line 31, after "extend" insert "for one year an" and delete "ordinances" and insert "ordinance"

Page 76, line 33, before the period, insert ", and extend the ordinance an additional year by resolution of the local unit of government"

Page 80, line 15, delete "9,900,000" and insert "9,400,000" and delete "9,900,000" and insert "9,400,000"

Page 80, line 16, delete "\$7,000,000" and insert "\$6,500,000" and delete "\$8,200,000" and insert "\$7,700,000"

Page 83, line 19, delete "\$9,900,000" and insert "\$9,400,000"

Page 83, line 21, delete "7,243,000" and insert "7,743,000" and delete "7,243,000" and insert "7,743,000"

Page 83, line 23, delete "6,443,000" and insert "6,943,000" and delete "6,443,000" and insert "6,943,000"

Page 85, line 18, delete "\$500,000" and insert "\$1,000,000" and delete "\$500,000" and insert "\$1,000,000"

Page 93, line 29, delete the second "\$500,000" and insert "\$800,000"

Page 110, line 2, delete "158,050" and insert "158,050,000"

Page 110, line 5, delete the second "22,784,000" and insert "22,574,000" and delete "45,158,000" and insert "45,358,000"

Page 110, line 6, delete "382,814,000" and insert "383,014,000"

Page 119, line 11, delete "interpreters" and insert "communication access and employment support"

Page 120, after line 35, insert:

"(w) \$1,070,000 the first year and \$930,000 the second year are appropriated from the general fund for the publication, dissemination, and use of labor market information under Minnesota Statutes, section 116J.4011, and for pilot programs in the workforce service areas specified in article 7, section 20, to combine career and higher education advising."

Page 122, line 15, delete "\$....,000" and insert "\$1,208,000"

Page 124, line 27, delete "10,436,000" and insert "5,218,000" and delete "10,436,000" and insert "5,218,000"

Page 125, after line 32, insert:

"(d) Of this amount, \$250,000 each year is for transfer to the capacity-building grants in subdivision 10."

Page 125, line 33, delete "(d)" and insert "(e)"

Page 126, line 1, delete "\$7,313,000" and insert "\$4,218,000"

Page 126, delete lines 9 and 10

Page 126, line 20, delete ",000" and insert "2,772,000" and delete the second ",000" and insert "2,772,000"

Page 126, line 23, delete "21" and insert "14"

Page 126, after line 23, insert:

"Subd.12. Transfers and Appropriations

(a) The remaining balance of appropriations in Laws 2012, First Special Session chapter 1, article 1, section 7, for the economic development and housing challenge program that is unobligated to loans to homeowners or rental property owners as of June 30, 2013, estimated to be \$3,000,000 is canceled to the general fund. By August 1, 2013, the commissioner of the Housing Finance Agency shall provide the commissioner of management and budget with the information necessary to determine the amount that is uncommitted and available for transfer.

(b) The amount canceled to the general fund under paragraph (a) is appropriated to the Housing Finance Agency from the general fund for transfer to the housing development fund for the rehabilitation loan program under Minnesota Statutes, section 462A.05, subdivision 14. Until August 1, 2014, priority in the use of these funds shall be given to assistance for eligible homeowners residing in the area included in DR-4069 whose homes were damaged as a result of the storms and flooding that occurred June 14 to June 21, 2012."

Page 150, line 15, before the period, insert "effective December 31, 2013"

Page 170, delete section 4

Page 177, line 33, delete "15.3" and insert "28.6"

Page 178, line 9, delete "and"

Page 178, line 10, delete "0.9" and insert "2.5"

Page 178, line 11, delete the period and insert "and for parking lot repaving;"

Page 178, after line 11, insert:

"(6) 2.4 cents per ton to the city of Two Harbors for wastewater treatment plant improvements;

(7) 0.9 cents per ton to the city of Ely for the sanitary sewer replacements project;

(8) 0.5 cents per ton to the town of Crystal Bay for construction of the Claire Nelson transmodal facility;

(9) 0.5 cents per ton to the Greenway Joint Recreation Board for the Coleraine Hockey Arena renovation;

(10) 1.2 cents per ton for the West Range Regional Fire Hall and Training Center to merge the existing fire services of Coleraine, Bovey, Taconite Marble, Calumet, and Greenway Township;

(11) 2.5 cents per ton to the city of Hibbing for the Memorial Building;

(12) 0.7 cents per ton to the city of Chisholm for Center Drive;

(13) 2.1 cents per ton to the Crane Lake Water and Sanitary District for sanitary sewer extension and must be matched; and

(14) 2.5 cents per ton for the city of Buhl for the roof on the Mesabi Academy."

Page 178, delete section 11

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 22, delete "authorizing issuance of bonds;"

Amend the title numbers accordingly

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

SECOND READING OF SENATE BILLS

S.F. No. 1607 was read the second time.

MEMBERS EXCUSED

Senator Schmit was excused from the Session of today. Senator Lourey was excused from the Session of today from 1:00 to 1:15 p.m. Senator Bakk was excused from the Session of today from 1:10 to 1:20 p.m. Senator Latz was excused from the Session of today from 1:10 to 1:30 p.m. Senator Sieben was excused from the Session of today at 3:05 p.m.

38TH DAY]

THURSDAY, APRIL 18, 2013

2007

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Friday, April 19, 2013.
The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

