

FORTY-SECOND DAY

St. Paul, Minnesota, Tuesday, April 23, 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. Paul Rogers.

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

The President declared a quorum present.

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

**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. 953.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 22, 2013

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 5 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 1589:** A bill for an act relating to the operation of state government finance; allowing the secretary of state authority to accept funds from local government units for election systems enhancements and to receive certain funds for the address confidentiality program; allowing the state auditor to charge a onetime user fee for a small city and town accounting system software; changing provisions for bid solicitations and proposals; changing certain provisions for service contracts and the solicitation process; requiring a determination of the IT cost for agency technology projects; expanding E-Government initiative and establishing the E-Government Advisory Council; changing certain audit provisions from the state auditor to the legislative auditor; repealing the Minnesota Sunset Act; changing provisions for barbering and cosmetology; changing licensing provisions for accountants; changing a paid military leave provision; modifying provisions in the Veterans Service Office grant program; changing provision in the Minnesota GI Bill program; establishing a veterans home in Beltrami County; making Department of Revenue changes; making compensation council changes and requiring a compensation study; adjusting certain salary groups; establishing administrative penalties; establishing fees; appropriating money; amending Minnesota Statutes 2012, sections 3.099, subdivision 1; 3.855, subdivision 3; 13.591, subdivision 3; 15A.0815, subdivisions 1, 2, 3, 5; 15A.082, subdivision 2; 16A.82; 16C.02, subdivision 13; 16C.06, subdivision 2; 16C.09; 16C.10, subdivision 6; 16C.145; 16C.33, subdivision 3; 16C.34, subdivision 1; 16E.07, by adding a subdivision; 32C.04; 43A.17, subdivisions 1, 3; 65B.84, subdivision 1; 154.001, by adding a subdivision; 154.003; 154.02; 154.05; 154.06; 154.065, subdivision 2; 154.07, subdivision 1; 154.08; 154.09; 154.10, subdivision 1; 154.11, subdivision 1; 154.12; 154.14; 154.15, subdivision 2; 154.26; 155A.23, subdivision 3; 155A.25, subdivisions 1a, 4; 155A.27, subdivisions 4, 7, 10; 155A.29, subdivision 2; 155A.30, subdivision 1, by adding subdivisions; 192.26; 197.608, subdivisions 1, 3, 4, 5, 6; 197.791, subdivisions 4, 5; 254A.035, subdivision 2; 254A.04; 256B.093, subdivision 1; 260.835, subdivision 2; 270C.69, subdivision 1; 289A.20, subdivisions 2, 4; 289A.26, subdivision 2a; 295.55, subdivision 4; 297F.09, subdivision 7; 297G.09, subdivision 6; 297I.30, by adding a subdivision; 297I.35, subdivision 2; 326A.04, subdivisions 2, 3, 5, 7; 326A.10; 469.3201; 473.843, subdivision 3; Laws 2012, chapter 278, article 1, section 5; article 2, sections 27; 34; proposing coding for new law in Minnesota Statutes, chapters 4; 5; 5B; 6; 16E; 154; 155A; 198; 297I; repealing Minnesota Statutes 2012, sections 3D.01; 3D.02; 3D.03; 3D.04; 3D.045; 3D.05; 3D.06; 3D.065; 3D.07; 3D.08; 3D.09; 3D.10; 3D.11; 3D.12; 3D.13; 3D.14; 3D.15; 3D.16; 3D.17; 3D.18; 3D.19; 3D.20; 3D.21, subdivisions 2, 3, 4, 5, 6, 7, 8; 43A.17, subdivision 4; 155A.25, subdivision 1; 168A.40, subdivisions 3, 4; 197.608, subdivision 2a; 270C.145; 326A.03, subdivisions 2, 5, 8; Laws 2012, chapter 278, article 1, section 6; Minnesota Rules, parts 1105.0600; 1105.2550; 1105.2700.

There has been appointed as such committee on the part of the House:

Murphy, M.; Newton; Nelson; Simon and Bernardy.

Senate File No. 1589 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 22, 2013

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 729:

**H.F. No. 729:** A bill for an act relating to state government; appropriating money for jobs and economic development, commerce and consumer protection, and housing; making changes to labor and industry provisions; modifying and providing for certain fees; modifying employment, economic development, and workforce development provisions; making unemployment insurance changes; reducing the unemployment insurance tax; establishing notice for contracts for deed involving residential property; providing remedies; establishing the Office of Broadband Development in the Department of Commerce and assigning it duties; requiring the Department of Transportation to post a database on its Web site; appropriating money to various boards, departments, and the Housing Finance Agency; requiring reports; amending Minnesota Statutes 2012, sections 60A.14, subdivision 1; 116J.70, subdivision 2a; 116J.8731, subdivisions 2, 3, 8, 9; 116L.17, subdivision 4, by adding a subdivision; 116U.26; 136F.37; 154.001, by adding a subdivision; 154.003; 154.02; 154.05; 154.06; 154.065, subdivision 2; 154.07, subdivision 1; 154.08; 154.09; 154.10, subdivision 1; 154.11, subdivision 1; 154.12; 154.14; 154.15, subdivision 2; 154.26; 155A.23, subdivisions 3, 8, 11; 155A.25, subdivisions 1a, 4; 155A.27, subdivisions 4, 10; 155A.29, subdivision 2; 155A.30, by adding a subdivision; 177.27, subdivision 4; 237.012, subdivision 3; 239.101, subdivision 3; 245.4712, subdivision 1; 268.051, subdivision 5; 268.07, subdivision 3b; 268.125, subdivisions 1, 3, 4, 5; 268.136, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 268.199; 268.23; 268A.13; 268A.14, subdivision 1; 326.02, subdivision 5; 326A.04, subdivisions 2, 3, 5, 7; 326A.10; 326B.081, subdivision 3; 326B.082, subdivision 11; 326B.093, subdivision 4; 326B.101; 326B.103, subdivision 11; 326B.121, subdivision 1; 326B.163, by adding subdivisions; 326B.184, subdivisions 1, 2, by adding a subdivision; 326B.187; 326B.31, by adding a subdivision; 326B.33, subdivisions 19, 21; 326B.36, subdivision 7; 326B.37, by adding a subdivision; 326B.43, subdivision 2; 326B.49, subdivisions 2, 3; 326B.89, subdivision 1; 327B.04, subdivision 4; 341.21, subdivision 3a; 341.221; 341.27; 341.29; 341.30, subdivision 4; 341.32, subdivision 2; 341.321; 507.235, subdivision 2; 559.211, subdivision 2; Laws 2011, First Special Session chapter 2, article 2, section 3, subdivision 4; Laws 2012, chapter 201, article 1, section 3; proposing coding for new law in Minnesota Statutes, chapters 116J; 116L; 154; 155A; 161; 179; 237; 268; 326B; 383D; 559; proposing coding for new law as Minnesota Statutes, chapter 80G; repealing Minnesota Statutes 2012, sections 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; 155A.25, subdivision 1; 326A.03, subdivisions 2, 5, 8; 326B.31, subdivisions 18, 19, 22; 326B.978, subdivision 4; 507.235, subdivision 4; Minnesota Rules, parts 1105.0600; 1105.2550; 1105.2700; 1307.0032; 3800.3520, subpart 5, items C, D; 3800.3602, subpart 2, item B.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Mahoney, Atkins, Clark, Johnson, S., and Gunther have been appointed as such committee on the part of the House.

House File No. 729 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 22, 2013

Senator Tomassoni moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 729, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 976:

**H.F. No. 976:** A bill for an act relating to state government; appropriating money for environment, natural resources, and agriculture; modifying and providing for certain fees; modifying and providing for disposition of certain revenue; creating accounts; modifying payment of certain costs; modifying grant programs; providing for agricultural water quality certification; modifying Minnesota Noxious Weed Law; modifying pesticide control; modifying animal waste technician provisions; modifying certain renewable energy and biofuel provisions; modifying bonding requirements for grain buyers and grain storage; making technical changes; modifying certain permit requirements; providing for federal law compliance; providing for certain easements; establishing pollinator habitat program; modifying state trails; modifying all-terrain vehicle operating provisions; modifying State Timber Act; modifying water use requirements; modifying certain park boundaries; modifying reporting requirements; modifying Petroleum Tank Release Cleanup Act; providing for silica sand mining model standards and technical assistance; establishing criteria for wastewater treatment system projects; providing for wastewater laboratory certification; providing for product stewardship programs; modifying Minnesota Power Plant Siting Act; providing for sanitary districts; requiring groundwater sustainability recommendations; requiring rulemaking; amending Minnesota Statutes 2012, sections 17.03, subdivision 3; 17.1015; 17.118, subdivision 2; 18.77, subdivisions 3, 4, 10, 12; 18.78, subdivision 3; 18.79, subdivisions 6, 13; 18.82, subdivision 1; 18.91, subdivisions 1, 2; 18B.01, by adding a subdivision; 18B.065, subdivision 2a; 18B.07, subdivisions 4, 5, 7; 18B.26, subdivision 3; 18B.305; 18B.316, subdivisions 1, 3, 4, 8, 9; 18B.37, subdivision 4; 18C.430; 18C.433, subdivision 1; 31.94; 41A.10, subdivision 2, by adding a subdivision; 41A.105, subdivisions 1a, 3, 5; 41A.12, by adding a subdivision; 41B.04, subdivision 9; 41D.01, subdivision 4; 84.027, by adding a subdivision; 84.82, by adding a subdivision; 84.922, by adding a subdivision; 84.9256, subdivision 1; 84.928, subdivision 1; 84D.108, subdivision 2; 85.015, subdivision 13; 85.052, subdivision 6; 85.054, by adding a subdivision; 85.055, subdivisions 1, 2; 85.42; 89.0385; 89.17; 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; 92.50; 93.17, subdivision 1; 93.1925, subdivision 2; 93.25, subdivision 2; 93.285, subdivision 3; 93.46, by adding a subdivision; 93.481, subdivisions 3, 5, by adding subdivisions; 93.482; 97A.401, subdivision 3; 103G.265, subdivisions 2, 3; 103G.271, subdivisions 1, 4, 6; 103G.282; 103G.287,

subdivisions 1, 4, 5; 103G.615, subdivision 2; 103I.205, subdivision 1; 103I.601, by adding a subdivision; 114D.50, subdivision 4; 115A.1320, subdivision 1; 115B.20, subdivision 6; 115B.28, subdivision 1; 115C.02, subdivision 4; 115C.08, subdivision 4, by adding a subdivision; 115D.10; 116.48, subdivision 6; 116C.03, subdivisions 2, 4, 5; 116D.04, by adding a subdivision; 116J.437, subdivision 1; 168.1296, subdivision 1; 216E.12, subdivision 4; 223.17, by adding a subdivision; 232.22, by adding a subdivision; 239.051, by adding subdivisions; 239.791, subdivisions 1, 2a, 2b; 239.7911; 275.066; 296A.01, subdivision 19, by adding a subdivision; 473.846; Laws 2012, chapter 249, section 11; proposing coding for new law in Minnesota Statutes, chapters 17; 18; 84; 90; 93; 115; 115A; 116C; proposing coding for new law as Minnesota Statutes, chapter 442A; repealing Minnesota Statutes 2012, sections 18.91, subdivisions 3, 5; 18B.07, subdivision 6; 90.163; 90.173; 90.41, subdivision 2; 103G.265, subdivision 2a; 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; 239.791, subdivision 1a; Minnesota Rules, parts 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.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Wagenius, Dill, Poppe, Hansen and Falk have been appointed as such committee on the part of the House.

House File No. 976 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 22, 2013

Senator Tomassoni moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 976, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 760, 779 and 1233.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 22, 2013

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 760:** A bill for an act relating to human services; updating outdated terminology; amending Minnesota Statutes 2012, sections 15.44; 124D.57; 127A.45, subdivision 12; 144.651, subdivision 4; 145.88; 146A.11, subdivision 1; 148.512, subdivisions 12, 13; 150A.13, subdivision

6; 174.255, subdivision 1; 202A.13; 202A.155; 202A.156; 237.036; 237.16, subdivision 9; 240A.04; 240A.06, subdivisions 1, 2; 256.01, subdivision 2; 256C.24, subdivision 3; 256C.29; 299C.06; 326B.106, subdivisions 9, 11; 473.608, subdivision 22; 589.35, subdivision 1; 595.02, subdivision 1; 609.06, subdivision 1; 609.749, subdivision 2; 626.8455, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 655, now on General Orders.

**H.F. No. 779:** A bill for an act relating to health plan regulation; regulating policy and contract coverages; conforming state law to federal requirements; establishing health plan market rules; modifying the designation of essential community providers; amending Minnesota Statutes 2012, sections 43A.23, subdivision 1; 43A.317, subdivision 6; 60A.08, subdivision 15; 62A.011, subdivision 3, by adding subdivisions; 62A.02, by adding a subdivision; 62A.03, subdivision 1; 62A.04, subdivision 2; 62A.047; 62A.049; 62A.136; 62A.149, subdivision 1; 62A.17, subdivisions 2, 6; 62A.21, subdivision 2b; 62A.28, subdivision 2; 62A.302; 62A.615; 62A.65, subdivisions 3, 5, 6, 7, by adding subdivisions; 62C.14, subdivision 5; 62C.142, subdivision 2; 62D.07, subdivision 3; 62D.095; 62D.124, subdivision 4; 62D.181, subdivision 7; 62E.02, by adding a subdivision; 62E.04, subdivision 4, by adding a subdivision; 62E.06, subdivision 1; 62E.09; 62E.10, subdivision 7; 62H.04; 62L.02, subdivisions 11, 14a, 26, by adding a subdivision; 62L.03, subdivisions 1, 3, 4, 6; 62L.045, subdivisions 2, 4; 62L.05, subdivision 10; 62L.06; 62L.08; 62L.12, subdivision 2; 62M.05, subdivision 3a; 62M.06, subdivision 1; 62Q.01, by adding subdivisions; 62Q.021; 62Q.17, subdivision 6; 62Q.18, by adding a subdivision; 62Q.19, subdivision 1; 62Q.23; 62Q.43, subdivision 2; 62Q.47; 62Q.52; 62Q.55; 62Q.68, subdivision 1; 62Q.69, subdivision 3; 62Q.70, subdivisions 1, 2; 62Q.71; 62Q.73; 62Q.75, subdivision 1; 62Q.80, subdivision 2; 72A.20, subdivision 35; 145.414; 471.61, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapters 62A; 62Q; proposing coding for new law as Minnesota Statutes, chapter 62K; repealing Minnesota Statutes 2012, sections 62A.615; 62A.65, subdivision 6; 62E.02, subdivision 7; 62E.16; 62E.20; 62L.02, subdivisions 4, 18, 19, 23, 24; 62L.05, subdivisions 1, 2, 3, 4, 4a, 5, 6, 7, 11, 12, 13; 62L.081; 62L.10, subdivision 5; 62Q.37, subdivision 5.

Referred to the Committee on Finance.

**H.F. No. 1233:** A bill for an act relating to state government; establishing the health and human services budget; modifying provisions related to health care, continuing care, human services licensing, chemical and mental health, managed care organizations, waiver provider standards, home care, and the Department of Health; redesigning home and community-based services; establishing payment methodologies for home and community-based services; adjusting nursing and ICF/DD facility rates; setting and modifying fees; modifying autism coverage; modifying assistance programs; requiring licensing of certain abortion facilities; requiring drug testing; making technical changes; requiring studies; requiring reports; appropriating money; amending Minnesota Statutes 2012, sections 16A.724, subdivisions 2, 3; 16C.10, subdivision 5; 16C.155, subdivision 1; 62A.65, subdivision 2, by adding a subdivision; 62J.692, subdivision 4; 62Q.19, subdivision 1; 103I.005, by adding a subdivision; 103I.521; 119B.13, subdivision 7; 144.051, by adding subdivisions; 144.0724, subdivisions 4, 6; 144.123, subdivision 1; 144.125, subdivision 1; 144.966, subdivisions 2, 3a; 144.98, subdivisions 3, 5, by adding subdivisions; 144.99, subdivision 4; 144A.351; 144A.43; 144A.44; 144A.45; 144A.53, subdivision 2; 144D.01, subdivision 4; 145.986; 145C.01, subdivision 7; 148E.065, subdivision 4a; 149A.02, subdivisions 1a, 2, 3, 4, 5, 16, 23, 27, 34, 35, 37, by adding subdivisions; 149A.03; 149A.65, by adding subdivisions; 149A.70, subdivisions 1, 2, 3, 5; 149A.71, subdivisions 2, 4; 149A.72, subdivisions

3, 9, by adding a subdivision; 149A.73, subdivisions 1, 2, 4; 149A.74; 149A.91, subdivision 9; 149A.93, subdivisions 3, 6; 149A.94; 149A.96, subdivision 9; 174.30, subdivision 1; 214.40, subdivision 1; 243.166, subdivisions 4b, 7; 245.4661, subdivisions 5, 6; 245.4682, subdivision 2; 245A.02, subdivisions 1, 9, 10, 14; 245A.03, subdivisions 7, 8, 9; 245A.04, subdivision 13; 245A.042, subdivision 3; 245A.07, subdivisions 2a, 3; 245A.08, subdivision 2a; 245A.10; 245A.11, subdivisions 2a, 7, 7a, 7b, 8; 245A.1435; 245A.144; 245A.1444; 245A.16, subdivision 1; 245A.40, subdivision 5; 245A.50; 245C.04, by adding a subdivision; 245C.08, subdivision 1; 245D.02; 245D.03; 245D.04; 245D.05; 245D.06; 245D.07; 245D.09; 245D.10; 246.18, subdivision 8, by adding a subdivision; 246.54; 254B.04, subdivision 1; 254B.13; 256.01, subdivisions 2, 24, 34, by adding subdivisions; 256.9657, subdivisions 1, 2, 3a; 256.9685, subdivision 2; 256.969, subdivisions 3a, 29; 256.975, subdivision 7, by adding subdivisions; 256.9754, subdivision 5, by adding subdivisions; 256B.02, by adding subdivisions; 256B.021, by adding subdivisions; 256B.04, subdivisions 18, 21, by adding a subdivision; 256B.055, subdivisions 3a, 6, 10, 14, 15, by adding a subdivision; 256B.056, subdivisions 1, 1c, 3, 4, as amended, 5c, 10, by adding a subdivision; 256B.057, subdivisions 1, 8, 10, by adding a subdivision; 256B.06, subdivision 4; 256B.0623, subdivision 2; 256B.0625, subdivisions 9, 13e, 19c, 31, 39, 48, 58, by adding subdivisions; 256B.0631, subdivision 1; 256B.064, subdivisions 1a, 1b, 2; 256B.0659, subdivision 21; 256B.0755, subdivision 3; 256B.0756; 256B.0911, subdivisions 1, 1a, 3a, 4d, 6, 7, by adding a subdivision; 256B.0913, subdivision 4, by adding a subdivision; 256B.0915, subdivisions 3a, 5, by adding a subdivision; 256B.0916, by adding a subdivision; 256B.0917, subdivisions 6, 13, by adding subdivisions; 256B.092, subdivisions 11, 12, by adding subdivisions; 256B.0946; 256B.095; 256B.0951, subdivisions 1, 4; 256B.0952, subdivisions 1, 5; 256B.097, subdivisions 1, 3; 256B.431, subdivision 44; 256B.434, subdivision 4, by adding a subdivision; 256B.437, subdivision 6; 256B.439, subdivisions 1, 2, 3, 4, by adding a subdivision; 256B.441, subdivisions 13, 53; 256B.49, subdivisions 11a, 12, 14, 15, by adding subdivisions; 256B.4912, subdivisions 1, 2, 3, 7, by adding subdivisions; 256B.4913, subdivisions 5, 6, by adding a subdivision; 256B.492; 256B.493, subdivision 2; 256B.5011, subdivision 2; 256B.5012, by adding subdivisions; 256B.69, subdivisions 5c, 31, by adding a subdivision; 256B.694; 256B.76, subdivisions 2, 4, by adding a subdivision; 256B.761; 256B.764; 256B.766; 256D.024, by adding a subdivision; 256I.04, subdivision 3; 256I.05, subdivision 1e, by adding a subdivision; 256J.15, by adding a subdivision; 256J.26, subdivision 3, by adding a subdivision; 256J.35; 256K.45; 256L.01, subdivisions 3a, 5, by adding subdivisions; 256L.02, subdivision 2, by adding subdivisions; 256L.03, subdivisions 1, 1a, 3, 5, 6, by adding a subdivision; 256L.04, subdivisions 1, 7, 8, 10, by adding subdivisions; 256L.05, subdivisions 1, 2, 3; 256L.06, subdivision 3; 256L.07, subdivisions 1, 2, 3; 256L.09, subdivision 2; 256L.11, subdivision 6; 256L.15, subdivisions 1, 2; 257.0755, subdivision 1; 260B.007, subdivisions 6, 16; 260C.007, subdivisions 6, 31; 270B.14, subdivision 1; 471.59, subdivision 1; 626.556, subdivisions 2, 3, 10d; 626.557, subdivisions 4, 9, 9a, 9e; 626.5572, subdivision 13; Laws 1998, chapter 407, article 6, section 116; Laws 2011, First Special Session chapter 9, article 1, section 3; article 2, section 27; article 10, section 3, subdivision 3, as amended; proposing coding for new law in Minnesota Statutes, chapters 3; 62A; 62D; 144; 144A; 145; 149A; 214; 245; 245A; 245D; 254B; 256; 256B; 256L; repealing Minnesota Statutes 2012, sections 1031.005, subdivision 20; 144.123, subdivision 2; 144A.46; 144A.461; 149A.025; 149A.20, subdivision 8; 149A.30, subdivision 2; 149A.40, subdivision 8; 149A.45, subdivision 6; 149A.50, subdivision 6; 149A.51, subdivision 7; 149A.52, subdivision 5a; 149A.53, subdivision 9; 245A.655; 245B.01; 245B.02; 245B.03; 245B.031; 245B.04; 245B.05, subdivisions 1, 2, 3, 5, 6, 7; 245B.055; 245B.06; 245B.07; 245B.08; 245D.08; 256B.055, subdivisions 3, 5, 10b; 256B.056, subdivision 5b; 256B.057, subdivisions 1c, 2; 256B.0911, subdivisions 4a, 4b, 4c; 256B.0917, subdivisions 1, 2, 3, 4, 5, 7, 8,

9, 10, 11, 12, 14; 256B.096, subdivisions 1, 2, 3, 4; 256B.14, subdivision 3a; 256B.49, subdivision 16a; 256B.4913, subdivisions 1, 2, 3, 4; 256B.5012, subdivision 13; 256J.24, subdivision 6; 256K.45, subdivision 2; 256L.01, subdivision 4a; 256L.031; 256L.04, subdivisions 1b, 9, 10a; 256L.05, subdivision 3b; 256L.07, subdivisions 5, 8, 9; 256L.11, subdivision 5; 256L.12; 256L.17, subdivisions 1, 2, 3, 4, 5; 485.14; 609.093; Laws 2011, First Special Session chapter 9, article 7, section 54, as amended; Minnesota Rules, parts 4668.0002; 4668.0003; 4668.0005; 4668.0008; 4668.0012; 4668.0016; 4668.0017; 4668.0019; 4668.0030; 4668.0035; 4668.0040; 4668.0050; 4668.0060; 4668.0065; 4668.0070; 4668.0075; 4668.0080; 4668.0100; 4668.0110; 4668.0120; 4668.0130; 4668.0140; 4668.0150; 4668.0160; 4668.0170; 4668.0180; 4668.0190; 4668.0200; 4668.0218; 4668.0220; 4668.0230; 4668.0240; 4668.0800; 4668.0805; 4668.0810; 4668.0815; 4668.0820; 4668.0825; 4668.0830; 4668.0835; 4668.0840; 4668.0845; 4668.0855; 4668.0860; 4668.0865; 4668.0870; 4669.0001; 4669.0010; 4669.0020; 4669.0030; 4669.0040; 4669.0050.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1034, now on General Orders.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

#### **Senator Dibble introduced—**

**S.F. No. 1628:** A bill for an act relating to energy; requiring a public utility to file a mechanism to decouple its revenues from its energy sales; requiring reports; amending Minnesota Statutes 2012, section 216B.16, by adding a subdivision; repealing Minnesota Statutes 2012, section 216B.2412.

Referred to the Committee on Environment and Energy.

### MOTIONS AND RESOLUTIONS

#### **Senator Schmit introduced —**

**Senate Resolution No. 69:** A Senate resolution congratulating Grant F. Knott of Red Wing, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

#### **Senator Housley introduced —**

**Senate Resolution No. 70:** A Senate resolution recognizing the first Friday in May as a statewide day to honor and commend Minnesota youth who have enlisted in the armed forces.

Referred to the Committee on Rules and Administration.

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

### APPOINTMENTS

Senator Bakk from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 976: Senators Tomassoni, Saxhaug, Sparks, Metzen and Westrom.

H.F. No. 729: Senators Tomassoni, Saxhaug, Sparks, Metzen and Westrom.

Senator Bakk moved that the foregoing appointments be approved. The motion prevailed.

### MOTIONS AND RESOLUTIONS - CONTINUED

#### 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. 510, 924 and 1270.

#### SPECIAL ORDER

**S.F. No. 510:** A bill for an act relating to solid waste; amending process for cities to implement organized collection of solid waste; amending Minnesota Statutes 2012, section 115A.94, subdivisions 2, 5, by adding subdivisions; repealing Minnesota Statutes 2012, section 115A.94, subdivision 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 924:** A bill for an act relating to unemployment insurance; regulating the shared work program to conform to federal law; providing for a program converting layoffs into businesses; amending Minnesota Statutes 2012, sections 116L.17, subdivision 4, by adding a subdivision; 268.051, subdivision 5; 268.07, subdivision 3b; 268.136, subdivisions 1, 2, 3, 4, 5, by adding subdivisions; 268.23; Laws 2012, chapter 201, article 1, section 3; proposing coding for new law in Minnesota Statutes, chapter 268.

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 56 and nays 10, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Brown	Hann	Nelson	Petersen, B.
Benson	Chamberlain	Limmer	Ortman	Thompson

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1270:** A bill for an act relating to transportation; modifying provisions governing transportation and public safety policies, including highway signs, highway jurisdictions, accounts, state-aid definitions and variances, vehicle registration and license plates, record retention, conformance with federal law, motor vehicle dealers, type III vehicles, bicycle lanes, speed limit, disability parking, school bus safety, vehicle weights, background checks, senior identification cards, Department of Transportation offices and ombudsperson and surplus land, railroad crossing signs, bus rapid transit, transit planning, operations, and accessibility, and land conveyance; amending Minnesota Statutes 2012, sections 160.80, subdivisions 1, 1a, 2; 161.04, subdivision 5; 161.115, subdivision 229, by adding a subdivision; 161.1231, subdivision 8; 161.44, by adding a subdivision; 162.02, subdivision 3a; 162.09, subdivision 3a; 162.13, subdivision 2; 168.017, subdivisions 2, 3; 168.053, subdivision 1; 168.123, subdivision 2; 168.183, subdivision 1; 168.187, subdivision 17; 168.27, subdivisions 10, 11, by adding a subdivision; 168A.153, subdivisions 1, 2; 168B.15; 169.011, subdivision 71; 169.14, subdivision 2; 169.18, subdivisions 4, 7; 169.19, subdivision 1; 169.34, subdivision 1; 169.346, subdivision 2, by adding a subdivision; 169.443, subdivision 9; 169.447, subdivision 2; 169.454, subdivision 12; 169.824, subdivision 2; 171.01,

subdivision 49b; 171.07, subdivisions 3a, 4; 174.02, by adding a subdivision; 174.24, subdivision 5a; 219.17; 219.18; 219.20; 221.0314, subdivisions 2, 3a; Laws 2002, chapter 393, section 85; Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended; proposing coding for new law in Minnesota Statutes, chapters 171; 174; repealing Minnesota Statutes 2012, sections 168.094; 174.24, subdivision 5; Minnesota Rules, parts 8820.3300, subpart 2; 8835.0330, subpart 2.

Senator Hall moved to amend S.F. No. 1270 as follows:

Page 18, after line 14, insert:

"Sec. 26. Minnesota Statutes 2012, section 169.14, is amended by adding a subdivision to read:

Subd. 5g. **Interstate Highway 35E.** The commissioner shall designate the maximum speed limit on marked Interstate Highway 35E in the city of St. Paul, from its intersection with West Seventh Street to its intersection with marked Interstate Highway 94, as 50 miles per hour. Any speed in excess of the speed designated in this subdivision is unlawful.

**EFFECTIVE DATE.** This section is effective on the date the commissioner erects appropriate signs designating the speed limit, which must occur on or before August 1, 2013."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

### CALL OF THE SENATE

Senator Cohen imposed a call of the Senate for the balance of the proceedings on the Hall amendment. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Osmek moved to amend S.F. No. 1270 as follows:

Page 20, delete section 29

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 33 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Kiffmeyer	Osmek	Sheran
Benson	Goodwin	Koenen	Pederson, J.	Stumpf
Brown	Hall	Miller	Petersen, B.	Thompson
Chamberlain	Hann	Nelson	Pratt	Weber
Dahms	Housley	Newman	Rosen	Westrom
Eken	Ingebrigtsen	Nienow	Ruud	
Fischbach	Jensen	Ortman	Senjem	

Those who voted in the negative were:

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

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

Senator Sparks moved to amend S.F. No. 1270 as follows:

Page 29, after line 22, insert:

"Sec. 48. Minnesota Statutes 2012, section 221.0314, subdivision 9a, is amended to read:

Subd. 9a. **Hours of service exemptions.** The federal regulations incorporated in subdivision 9 for maximum driving and on-duty time do not apply to drivers engaged in the interstate or intrastate transportation of:

(1) agricultural commodities or farm supplies for agricultural purposes in Minnesota during the planting and harvesting seasons from March 15 to December 15 of each year; or

(2) sugar beets during the harvesting season for sugar beets from September 1 to May 15 of each year;

if the transportation is limited to an area within a ~~100-air-mile~~ 150-air-mile radius from the source of the commodities or from the retail or wholesale distribution point for ~~for~~ of the farm supplies.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

**RECONSIDERATION**

Having voted on the prevailing side, Senator Limmer moved that the vote whereby the Osmek amendment to S.F. No. 1270 was not adopted on April 23, 2013, be now reconsidered.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 28 and nays 39, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Senator Tomassoni moved to amend S.F. No. 1270 as follows:

Page 33, after line 4, insert:

"Sec. 54. **MARKED U.S. HIGHWAY 53 RELOCATION PROJECT.**

Notwithstanding any law to the contrary, the commissioner of transportation must select and implement either the M-1 or the E-2 layout, as identified in the alternatives analysis conducted by the Department of Transportation, or variations of the M-1 or E-2 layouts, for the project involving the relocation of marked U.S. Highway 53 between Eveleth and Virginia.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Senjem moved to amend S.F. No. 1270 as follows:

Page 25, after line 12, insert:

"Sec. 40. Minnesota Statutes 2012, section 171.12, subdivision 6, is amended to read:

Subd. 6. **Certain convictions not recorded.** (a) Except as provided in paragraph (c), the department shall not keep on the record of a driver any conviction for a violation of a speed limit of 55 miles per hour unless the violation consisted of a speed greater than ten miles per hour in excess of the speed limit.

(b) Except as provided in paragraph (c), the department shall not keep on the record of a driver any conviction for a violation of a speed limit of 60 miles per hour unless the violation consisted of a speed greater than:

(1) ten miles per hour in excess of the speed limit, for any violation occurring on or after August 1, 2012, and before August 1, 2014; or

(2) five miles per hour in excess of the speed limit, for any violation occurring on or after August 1, 2014.

(c) This subdivision does not apply to (1) a violation that occurs in a commercial motor vehicle, or (2) a violation committed by a holder of a class A, B, or C commercial driver's license, without regard to whether the violation was committed in a commercial motor vehicle or another vehicle.

(d) Except as provided in paragraph (c), the department shall not keep on the record of a driver any conviction for a violation of a speed limit on marked Interstate 35E in the city of St. Paul, from its intersection with West Seventh Street to its intersection with marked Interstate Highway 94, unless the violation consists of a speed greater than ten miles per hour in excess of the speed limit."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

### CALL OF THE SENATE

Senator Pappas imposed a call of the Senate for the balance of the proceedings on S.F. No. 1270. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 36 and nays 31, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bonoff	Dziedzic	Hoffman	Pappas	Sparks
Carlson	Eaton	Jensen	Rest	Torres Ray
Champion	Eken	Johnson	Saxhaug	Wiklund
Clausen	Franzen	Johnston	Scalze	
Cohen	Goodwin	Latz	Schmit	
Dahle	Hawj	Lourey	Sheran	
Dibble	Hayden	Marty	Sieben	

The motion prevailed. So the amendment was adopted.

Senator Kiffmeyer moved to amend S.F. No. 1270 as follows:

Page 32, delete section 53

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 40, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Osmek moved to amend S.F. No. 1270 as follows:

Page 20, line 35, delete "except" and insert "but only" and delete "permit" and insert "prohibit"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Kent moved to amend S.F. No. 1270 as follows:

Page 15, after line 29, insert:

"Sec. 23. Minnesota Statutes 2012, section 168A.153, is amended by adding a subdivision to read:

Subd. 2a. **Purchase of abandoned vehicles from a dealer.** (a) Subdivision 1 does not apply to purchase of a scrap vehicle as an abandoned vehicle from a license holder under section 168.27 who is in possession of the vehicle for service or repair.

(b) A scrap vehicle dealer acquiring a scrap vehicle under this subdivision shall obtain the selling dealer's business name and address, a copy of the repair order, and, if available, a bill of sale or other evidence of open or legitimate purchase. The scrap vehicle dealer must notify the department within ten days. The notification must be made electronically as prescribed by the registrar, must include the vehicle's license plate number and identification number, and must include the seller's name.

(c) The records and information obtained or submitted under paragraph (b) shall be maintained in a manner consistent with the requirements of section 168A.11, subdivision 3.

Sec. 24. Minnesota Statutes 2012, section 168A.153, subdivision 3, is amended to read:

Subd. 3. **Notification on vehicle to be dismantled or destroyed; service fee.** Within the time frames prescribed in subdivisions 1 ~~and~~ 2, and 2a of acquiring a vehicle titled and registered in Minnesota, a dealer shall notify the registrar that the dealership purchased the vehicle to be dismantled or destroyed. The notification must be made electronically as prescribed by the registrar. The dealer may contract this service to a deputy registrar and the registrar may charge a fee not to exceed \$7 per transaction to provide this service."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kiffmeyer moved to amend S.F. No. 1270 as follows:

Page 20, line 35, after "lane" insert "that is located within the city of Minneapolis"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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



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

Senator Kent moved to amend S.F. No. 1270 as follows:

Page 29, after line 22, insert:

"Sec. 48. Minnesota Statutes 2012, section 398A.04, is amended by adding a subdivision to read:

Subd. 2a. **Bus rapid transit development.** A regional rail authority may exercise the powers conferred under this section to: plan, establish, acquire, develop, purchase, enlarge, extend, improve, maintain, equip, regulate, and protect; and pay costs of construction and operation of a bus rapid transit system located within its county on transit ways included in and approved by the Metropolitan Council's 2030 Transportation Policy Plan. This subdivision applies only to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies only to the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Page 30, delete section 50

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 39 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed. So the amendment was adopted.

S.F. No. 1270 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 48 and nays 19, as follows:

Those who voted in the affirmative were:

Bakk	Clausen	Dibble	Franzen	Hoffman
Bonoff	Cohen	Dziedzic	Goodwin	Housley
Carlson	Dahle	Eaton	Hawj	Ingebrigtsen
Champion	Dahms	Eken	Hayden	Jensen

Johnson	Metzen	Rest	Sieben	Weber
Kent	Nelson	Saxhaug	Skoe	Westrom
Koenen	Newman	Scalze	Sparks	Wiger
Latz	Pappas	Schmit	Stumpf	Wiklund
Lourey	Pederson, J.	Senjem	Tomassoni	
Marty	Reinert	Sheran	Torres Ray	

Those who voted in the negative were:

Anderson	Fischbach	Kiffmeyer	Ortman	Rosen
Benson	Gazelka	Limmer	Osmek	Ruud
Brown	Hall	Miller	Petersen, B.	Thompson
Chamberlain	Hann	Nienow	Pratt	

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

### 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.

### 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. 630.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 23, 2013

### FIRST READING OF HOUSE BILLS

The following bill was read the first time.

**H.F. No. 630:** A bill for an act relating to education; providing funding and policy for early childhood and family, prekindergarten through grade 12, and adult education, including general education, student accountability, education excellence, charter schools, special education, facilities, technology, nutrition, libraries, accounting, early childhood, self-sufficiency, lifelong learning, state agencies, and forecast adjustments; authorizing rulemaking; requiring reports; appropriating money; amending Minnesota Statutes 2012, sections 13.319, by adding a subdivision; 15.059, subdivision 5b; 120A.20, subdivision 1; 120A.41; 120B.02; 120B.021, subdivision 1; 120B.023; 120B.024; 120B.125; 120B.128; 120B.30, subdivisions 1, 1a; 120B.31, subdivision 1;

120B.35, subdivision 3; 120B.36, subdivision 1; 121A.22, subdivision 2; 121A.2205; 122A.09, subdivision 4; 122A.18, subdivision 2; 122A.23, subdivision 2; 122A.28, subdivision 1; 122A.33, subdivision 3; 122A.61, subdivision 1; 123B.41, subdivision 7; 123B.54; 123B.88, subdivision 22; 123B.92, subdivisions 1, 5; 124D.02, subdivision 1; 124D.095, subdivision 10; 124D.10; 124D.11, subdivision 5; 124D.111, subdivision 1; 124D.119; 124D.122; 124D.128, subdivision 2; 124D.42; 124D.4531, subdivision 1; 124D.52, by adding a subdivision; 124D.531, subdivision 1; 124D.59, subdivision 2; 124D.61; 124D.79, subdivision 1, by adding a subdivision; 125A.0941; 125A.0942; 125A.11, subdivision 1; 125A.27, subdivisions 8, 11, 14; 125A.28; 125A.29; 125A.30; 125A.32; 125A.33; 125A.35, subdivision 1; 125A.36; 125A.43; 125A.76, subdivisions 1, 4a, 8, by adding subdivisions; 125A.78, subdivision 2; 125A.79, subdivisions 1, 5; 126C.01, by adding a subdivision; 126C.05, subdivisions 1, 15; 126C.10, subdivisions 1, 2, 14, 24, 29, 32; 126C.15, subdivisions 1, 2; 126C.17, subdivisions 1, 5, 6; 126C.40, subdivision 6; 126C.44; 126C.48, subdivision 8; 127A.47, subdivision 7; 128D.11, subdivision 3; 134.32; 134.34; 134.351, subdivisions 3, 7; 134.353; 134.354; 134.355, subdivisions 1, 2, 3, 4, 5, 6; 134.36; 260A.02, subdivision 3; 260A.03; 260A.05, subdivision 1; 260A.07, subdivision 1; Laws 2007, chapter 146, article 4, section 12; Laws 2011, First Special Session chapter 11, article 1, section 36, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 6, as amended, 7, as amended, 10, as amended; article 2, section 50, subdivisions 2, as amended, 4, as amended, 5, as amended, 6, as amended, 7, as amended, 9, as amended; article 3, section 11, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended; article 4, section 10, subdivisions 2, as amended, 3, as amended, 4, as amended, 6, as amended; article 5, section 12, subdivisions 2, as amended, 3, as amended, 4, as amended; article 6, section 2, subdivisions 2, as amended, 3, as amended, 5, as amended; article 7, section 2, subdivisions 2, as amended, 3, as amended, 4, as amended, 8, as amended; article 8, section 2, subdivisions 2, as amended, 3, as amended; article 9, section 3, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 124D; 126C; 127A; proposing coding for new law as Minnesota Statutes, chapter 16F; repealing Minnesota Statutes 2012, sections 124D.454, subdivisions 3, 10, 11; 125A.35, subdivisions 4, 5; 125A.76, subdivisions 2, 4, 5, 7; 125A.79, subdivisions 6, 7; 126C.17, subdivision 13; Minnesota Rules, parts 3501.0010; 3501.0020; 3501.0030, subparts 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16; 3501.0040; 3501.0050; 3501.0060; 3501.0090; 3501.0100; 3501.0110; 3501.0120; 3501.0130; 3501.0140; 3501.0150; 3501.0160; 3501.0170; 3501.0180; 3501.0200; 3501.0210; 3501.0220; 3501.0230; 3501.0240; 3501.0250; 3501.0270; 3501.0280, subparts 1, 2; 3501.0290; 3501.0505; 3501.0510; 3501.0515; 3501.0520; 3501.0525; 3501.0530; 3501.0535; 3501.0540; 3501.0545; 3501.0550; 3501.1000; 3501.1020; 3501.1030; 3501.1040; 3501.1050; 3501.1110; 3501.1120; 3501.1130; 3501.1140; 3501.1150; 3501.1160; 3501.1170; 3501.1180; 3501.1190.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 453, now on General Orders.

#### **MEMBERS EXCUSED**

Senator Miller was excused from the Session of today from 11:00 a.m. to 1:40 p.m. Senator Hayden was excused from the Session of today from 2:40 to 2:50 p.m. Senator Sieben was excused from the Session of today from 2:50 to 3:05 p.m.

**ADJOURNMENT**

Senator Hayden moved that the Senate do now adjourn until 11:00 a.m., Wednesday, April 24, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate