

SIXTY-NINTH DAY

St. Paul, Minnesota, Thursday, February 2, 2012

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

CALL OF THE SENATE

Senator Senjem 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. Hans Jorgensen.

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:

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

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 communication was received.

January 31, 2012

The Honorable Michelle L. Fischbach
President of the Senate

Dear President Fischbach:

This is to inform you of a new appointment to the study group of aids to local governments that was created in 2008 session law, chapter 366, article 2, section 12. As Chair of the Senate Tax Committee, I am appointing the following new member to replace Senator Senjem's appointment:

Senator Gretchen Hoffman - R, Vergas

Please let me know if you have any questions regarding the above appointment.

Sincerely,
Senator Julianne Ortman
Chair of Senate Tax Committee

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate in Joint Convention at 6:45 p.m., on Wednesday, February 15, 2012, to receive the message of the Honorable Mark Dayton, Governor of the State of Minnesota, said message to be delivered at 7:00 p.m.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 1, 2012

Senator Senjem moved that the Senate accept the invitation of the House of Representatives to meet in Joint Convention in the House Chamber at 6:45 p.m., Wednesday, February 15, 2012, to receive the message of the Honorable Mark Dayton, Governor of the State of Minnesota. The motion prevailed.

Madam President:

I have the honor to announce that the House has appointed a committee of five members of the House to act with a similar committee on the part of the Senate to escort the Governor to the Joint Convention to be held in the House Chamber on Wednesday, February 15, 2012, said Joint Convention to be convened at 6:45 p.m., and said message of the Governor to be delivered at 7:00 p.m.

Vogel, Banaian, Kiel, Allen and Moran have been appointed as such committee on the part of the House.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 1, 2012

REPORTS OF COMMITTEES

Senator Senjem moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to the appointments. The motion prevailed.

Senator Michel from the Committee on Jobs and Economic Growth, to which was referred

S.F. No. 1624: A bill for an act relating to taxation; property; reducing business property taxes; amending Minnesota Statutes 2010, section 275.025, subdivisions 1, 4.

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

Senator Ingebrigtsen from the Committee on Environment and Natural Resources, to which was referred

S.F. No. 1567: A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; amending Minnesota Statutes 2010, sections 14.05, by adding a subdivision; 84.027, by adding a subdivision; 116.07, subdivision 4a; 116J.03, by adding subdivisions; 116J.035, by adding a subdivision; Minnesota Statutes 2011 Supplement, sections 84.027, subdivision 14a; 116.03, subdivision 2b.

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

Delete everything after the enacting clause and insert:

**"ARTICLE 1
PERMITTING**

Section 1. Minnesota Statutes 2011 Supplement, section 84.027, subdivision 14a, is amended to read:

Subd. 14a. **Permitting efficiency.** (a) It is the goal of the state that environmental and resource management permits be issued or denied within 150 days of the submission of a substantially completed permit application. The commissioner of natural resources shall establish management systems designed to achieve the goal.

(b) The commissioner shall prepare semiannual permitting efficiency reports that include statistics on meeting the goal in paragraph (a). The reports are due February 1 and August 1 each year. For permit applications that have not met the goal, the report must state the reasons for not meeting the goal, steps that will be taken to complete action on the application, and the expected timeline. In stating the reasons for not meeting the goal, the commissioner shall separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The report must specify the number of days from initial submission of the application to the day of determination that the application is complete. The report for August 1 each year must aggregate the data for the year and assess whether program or system changes are necessary to achieve the goal. The report must be posted on the department's Web site and submitted to the governor and the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over natural resources policy and

finance.

(c) The commissioner shall allow electronic submission of environmental review and permit documents to the department.

(d) Beginning July 1, 2011, within 30 business days of application for a permit subject to paragraph (a), the commissioner of natural resources shall notify the project proposer, in writing, of whether or not the permit application is complete enough for processing. ~~If the permit is incomplete, the commissioner must identify where any deficiencies exist and advise the applicant on how they can be remedied. A resubmittal of the application begins a new 30-day review period. If the commissioner fails to notify the project proposer of completeness within 30 business days, the application is deemed to be substantially complete and subject to the 150-day permitting review period in paragraph (a) from the date it was submitted.~~ This paragraph does not apply to an application for a permit that is subject to a grant or loan agreement under chapter 446A.

Sec. 2. Minnesota Statutes 2010, section 84.027, is amended by adding a subdivision to read:

Subd. 14b. **Irrevocability or suspensions of permits.** If, by July 1 of an odd-numbered year, a biennial appropriation law has not been enacted for the department to fund programs to protect the air, water, and land resources of the state, until the biennial appropriation law is enacted, permits granted may not be terminated or suspended for the term of the permits, nor shall they expire or not be renewed without the consent of the permittee, except for breach or nonperformance of any condition of the permit by the permittee that is an imminent threat to impair or destroy the environment or injure the health, safety, or welfare of the citizens of the state.

Sec. 3. Minnesota Statutes 2010, section 103G.291, subdivision 3, is amended to read:

Subd. 3. **Water supply plans; demand reduction.** (a) Every public water supplier serving more than 1,000 people must submit a water supply plan to the commissioner for approval by January 1, 1996. In accordance with guidelines developed by the commissioner, the plan must address projected demands, adequacy of the water supply system and planned improvements, existing and future water sources, natural resource impacts or limitations, emergency preparedness, water conservation, supply and demand reduction measures, and allocation priorities that are consistent with section 103G.261. Public water suppliers must update their plan and, upon notification, submit it to the commissioner for approval every ten years.

(b) The water supply plan in paragraph (a) is required for all communities in the metropolitan area, as defined in section 473.121, with a municipal water supply system and is a required element of the local comprehensive plan required under section 473.859. Water supply plans or updates submitted after December 31, 2008, must be consistent with the metropolitan area master water supply plan required under section 473.1565, subdivision 1, paragraph (a), clause (2).

(c) Public water suppliers serving more than 1,000 people must employ water use demand reduction measures, ~~including a conservation rate structure, as defined in subdivision 4, paragraph (a), unless exempted under subdivision 4, paragraph (e),~~ before requesting approval from the commissioner of health under section 144.383, paragraph (a), to construct a public water supply well or requesting an increase in the authorized volume of appropriation. ~~Demand reduction measures must include evaluation of conservation rate structures and a public education program that may include a toilet and showerhead retrofit program.~~

(d) Public water suppliers serving more than 1,000 people must submit records that indicate the number of connections and amount of use by customer category and volume of water unaccounted for with the annual report of water use required under section 103G.281, subdivision 3.

(e) For the purposes of this section, "public water supplier" means an entity that owns, manages, or operates a public water supply, as defined in section 144.382, subdivision 4.

Sec. 4. Minnesota Statutes 2010, section 115.03, is amended by adding a subdivision to read:

Subd. 8b. **Permit duration; state disposal system permits; animal feeding operations.** State disposal system permits that are issued without a national pollutant discharge elimination system permit to animal feeding operations shall be issued for a term of ten years.

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

Sec. 5. Minnesota Statutes 2011 Supplement, section 116.03, subdivision 2b, is amended to read:

Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and resource management permits be issued or denied within 150 days of the submission of a substantially completed permit application. The commissioner of the Pollution Control Agency shall establish management systems designed to achieve the goal.

(b) The commissioner shall prepare semiannual permitting efficiency reports that include statistics on meeting the goal in paragraph (a). The reports are due February 1 and August 1 each year. For permit applications that have not met the goal, the report must state the reasons for not meeting the goal, steps that will be taken to complete action on the application, and the expected timeline. In stating the reasons for not meeting the goal, the commissioner shall separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The report must specify the number of days from initial submission of the application to the day of determination that the application is complete. The report for August 1 each year must aggregate the data for the year and assess whether program or system changes are necessary to achieve the goal. The report must be posted on the agency's Web site and submitted to the governor and the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over environment policy and finance.

(c) The commissioner shall allow electronic submission of environmental review and permit documents to the agency.

(d) Beginning July 1, 2011, within 30 business days of application for a permit subject to paragraph (a), the commissioner of the Pollution Control Agency shall notify the project proposer, in writing, of ~~whether or not the permit application is complete enough for processing. If the permit is incomplete, the commissioner must identify where any~~ deficiencies exist and advise the applicant on how they can be remedied. ~~A resubmittal of the application begins a new 30-day review period. If the commissioner fails to notify the project proposer of completeness within 30 business days, the application is deemed to be substantially complete and subject to the 150-day permitting review period in paragraph (a) from the date it was submitted.~~ This paragraph does not apply to an application for a permit that is subject to a grant or loan agreement under chapter 446A.

(e) For purposes of this subdivision, "permit applicant professional" means an individual not employed by the Pollution Control Agency, who:

(1) has a professional license issued by the state of Minnesota in the subject area of the permit; and

(2) has at least ten years of experience preparing applications for environmental permits issued by the agency.

(f) All applicants relying on a permit applicant professional upon the agency's request must participate in a meeting with the agency before submitting an application:

(1) during the preapplication meeting, the applicant must submit at least the following:

(i) project description, including, but not limited to, scope of work, primary emissions points, discharge outfalls, and water intake points;

(ii) location of the project, including county, municipality, and location on the site; and

(iii) business schedule for project completion; and

(2) during the preapplication meeting, the agency shall provide for the applicant at least the following:

(i) an overview of the permit review program;

(ii) a determination of which specific application or applications will be necessary to complete the project;

(iii) a statement notifying the applicant if the specific permit being sought requires a mandatory public hearing or comment period;

(iv) a review of the timetable established in the permit review program for the specific permit being sought; and

(v) a determination of what information must be included in the application, including a description of any required modeling or testing.

(g) The applicant may select a permit applicant professional to undertake the preparation and review of the permit application.

(h) A permit application submitted by a permit applicant professional shall be deemed complete and approved unless the terms and conditions in the permit application submitted by the permit applicant professional are clearly erroneous under statute or rule. The agency shall, within 30 days of receipt of an application, return to the applicant and submitting permit applicant professional any application the agency deems contrary to statute or rule, specifying the deficiencies of the application.

(i) A person aggrieved by a final decision of the agency under this section has the right within 30 days from notice of the action to appeal the final action to the court of appeals.

(j) Nothing in this section shall be construed to modify:

(1) any requirement of law that is necessary to retain federal delegation to or assumption by the state; or

(2) the authority to implement a federal law or program.

(k) If, by July 1 of an odd-numbered year, a biennial appropriation law has not been enacted for the agency to fund programs to protect the air, water, and land resources of the state, until the biennial appropriation law is enacted, permits granted may not be terminated or suspended for the term of the permits, nor shall they expire or not be renewed without the consent of the permittee, except for breach or nonperformance of any condition of the permit by the permittee that is an imminent threat to impair or destroy the environment or injure the health, safety, or welfare of the citizens of the state.

Sec. 6. Minnesota Statutes 2010, section 116.07, subdivision 4a, is amended to read:

Subd. 4a. **Permits.** (a) The Pollution Control Agency may issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the emission of air contaminants, or for the installation or operation of any emission facility, air contaminant treatment facility, treatment facility, potential air contaminant storage facility, or storage facility, or any part thereof, or for the sources or emissions of noise pollution.

The Pollution Control Agency may also issue, continue in effect or deny permits, under such conditions as it may prescribe for the prevention of pollution, for the storage, collection, transportation, processing, or disposal of waste, or for the installation or operation of any system or facility, or any part thereof, related to the storage, collection, transportation, processing, or disposal of waste.

The agency may not issue a permit to a facility without analyzing and considering the cumulative levels and effects of past and current environmental pollution from all sources on the environment and residents of the geographic area within which the facility's emissions are likely to be deposited, provided that the facility is located in a community in a city of the first class in Hennepin County that meets all of the following conditions:

- (1) is within a half mile of a site designated by the federal government as an EPA superfund site due to residential arsenic contamination;
- (2) a majority of the population are low-income persons of color and American Indians;
- (3) a disproportionate percent of the children have childhood lead poisoning, asthma, or other environmentally related health problems;
- (4) is located in a city that has experienced numerous air quality alert days of dangerous air quality for sensitive populations between February 2007 and February 2008; and
- (5) is located near the junctions of several heavily trafficked state and county highways and two one-way streets which carry both truck and auto traffic.

The Pollution Control Agency may revoke or modify any permit issued under this subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to prevent or abate pollution.

(b) The Pollution Control Agency has the authority for approval over the siting, expansion, or operation of a solid waste facility with regard to environmental issues. However, the agency's issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by any applicable county ordinances. Nothing in this chapter precludes, or shall be construed to preclude, a county from enforcing land use controls, regulations, and ordinances existing at the time of the

permit application and adopted pursuant to sections 366.10 to 366.181, 394.21 to 394.37, or 462.351 to 462.365, with regard to the siting, expansion, or operation of a solid waste facility.

(c) Except as prohibited by federal law, a person may commence construction, reconstruction, replacement, or modification of any facility prior to the issuance of a construction permit.

Sec. 7. Minnesota Statutes 2010, section 116J.03, is amended by adding a subdivision to read:

Subd. 1a. **Agency.** "Agency" means:

(1) a state department, commission, board, or other agency of the state however titled; or

(2) a local governmental unit or instrumentality, only when that unit or instrumentality is acting within existing legal authority to grant or deny a permit that otherwise would be granted or denied by a state agency.

Sec. 8. Minnesota Statutes 2010, section 116J.03, is amended by adding a subdivision to read:

Subd. 4. **Local governmental unit.** "Local governmental unit" means a county, city, town, or special district with legal authority to issue a permit.

Sec. 9. Minnesota Statutes 2010, section 116J.03, is amended by adding a subdivision to read:

Subd. 5. **Permit.** "Permit" means a license, permit, certificate, certification, approval, compliance schedule, or other similar document pertaining to a regulatory or management program related to the protection, conservation, or use of, or interference with, the natural resources of land, air, or water that must be obtained from a state agency before constructing or operating a project in the state.

Sec. 10. Minnesota Statutes 2010, section 116J.03, is amended by adding a subdivision to read:

Subd. 6. **Person.** "Person" means an individual; an association or partnership; or a cooperative, municipal, public, or private corporation, including, but not limited to, a state agency and a county.

Sec. 11. Minnesota Statutes 2010, section 116J.03, is amended by adding a subdivision to read:

Subd. 7. **Project.** "Project" means a new activity or an expansion of or addition to an existing activity, which is fixed in location and for which permits are required from an agency prior to construction or operation, including, but not limited to, industrial and commercial operations and developments.

Sec. 12. Minnesota Statutes 2010, section 116J.035, is amended by adding a subdivision to read:

Subd. 8. **Environmental permits coordinator.** (a) The commissioner is designated the environmental permits coordinator and shall coordinate the implementation and administration of state permits, including:

(1) establishing a mechanism in state government that will coordinate administrative decision-making procedures and related quasijudicial and judicial review pertaining to permits related to the state's air, land, and water resources;

(2) providing better coordination and understanding between federal, state, and local governmental units in the administration of the various programs relating to air, water, and land

resources;

(3) identifying all existing federal, state, and local licenses; permits and other approvals; compliance schedules; or other programs that pertain to the use of natural resources and protection of the environment; and

(4) recommending legislative or administrative modifications to existing permit programs to increase their efficiency and utility.

(b) A person proposing a project may apply to the environmental permits coordinator for assistance in obtaining necessary state licenses, permits, and other approvals. Upon request, the environmental permits coordinator shall provide the requesting person:

(1) a list of all necessary federal, state, and local licenses, permits, and other approvals for the project;

(2) a plan that will coordinate federal, state, and local administrative decision-making practices, including monitoring; analysis and reporting; public comments and hearings; and issuances of licenses, permits, and approvals;

(3) a timeline for the issuance of all federal, state, and local licenses, permits, and other approvals required for the project; and

(4) other assistance necessary to obtain final approval and issuance of all federal, state, and local licenses, permits, and other approvals required for the project.

Sec. 13. **REPEALER.**

Minnesota Statutes 2010, section 103G.291, subdivision 4, is repealed.

ARTICLE 2

ENVIRONMENTAL REVIEW

Section 1. Minnesota Statutes 2010, section 41A.10, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of this section and section 103F.518, the terms defined in this subdivision have the meanings given them.

(a) "Cellulosic biofuel" means transportation fuel derived from cellulosic materials.

(b) "Cellulosic material" means an agricultural or wood feedstock primarily comprised of cellulose, hemicellulose, or lignin or a combination of those ingredients grown on agricultural lands or harvested on timber lands.

(c) "Agricultural land" means land used for horticultural, row, close grown, pasture, and hayland crops; growing nursery stocks; animal feedlots; farm yards; associated building sites; and public and private drainage systems and field roads located on any of that land.

(d) "Cellulosic biofuel facility" means a facility at which cellulosic biofuel is produced.

(e) "Perennial crops" means agriculturally produced plants that have a life cycle of at least three years at the location where the plants are being cultivated.

(f) "Perennial cropping system" means an agricultural production system that utilizes a perennial crop.

(g) "Native species" means a plant species which was present in a defined area of Minnesota prior to European settlement (circa 1850). A defined area may be an ecological classification province. Wild-type varieties therefore are regional or local ecotypes that have not undergone a selection process.

(h) "Diverse native prairie" means a prairie planted from a mix of local Minnesota native prairie species. A selection from all available native prairie species may be made so as to match species appropriate to local site conditions.

(i) "Commissioner" means the commissioner of agriculture.

Sec. 2. Minnesota Statutes 2011 Supplement, section 116D.04, subdivision 2a, is amended to read:

Subd. 2a. **When prepared.** Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision-making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action. No mandatory environmental impact statement may be required for an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), a biobutanol facility, as defined in section 41A.105, subdivision 1a, clause (1), or a cellulosic biofuel facility, as defined in section 41A.10, subdivision 1, paragraph (d), that produces less than 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually and is located outside of the seven-county metropolitan area.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section. A mandatory environmental assessment worksheet shall not be required for the expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol facility as defined in section 41A.105, subdivision 1a, based on the capacity of the expanded or converted facility to produce alcohol fuel, but must be required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other categories of actions for which environmental assessment worksheets must be prepared. The responsible governmental unit for an ethanol plant or biobutanol facility project for which an environmental assessment worksheet is prepared shall be the state agency with the greatest responsibility for supervising or approving the project as a whole.

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet in a manner to be determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible

governmental unit during a 30-day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after the close of the comment period. The board's chair may extend the 15-day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 100 individuals who reside or own property in the state, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet shall be submitted to the board. The chair of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15-day period by not more than 15 additional days upon request of the responsible governmental unit.

(d) Except in an environmentally sensitive location where Minnesota Rules, part 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental review under this chapter and rules of the board, if:

(1) the proposed action is:

- (i) an animal feedlot facility with a capacity of less than 1,000 animal units; or
- (ii) an expansion of an existing animal feedlot facility with a total cumulative capacity of less than 1,000 animal units;

(2) the application for the animal feedlot facility includes a written commitment by the proposer to design, construct, and operate the facility in full compliance with Pollution Control Agency feedlot rules; and

(3) the county board holds a public meeting for citizen input at least ten business days prior to the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot facility unless another public meeting for citizen input has been held with regard to the feedlot facility to be permitted. The exemption in this paragraph is in addition to other exemptions provided under other law and rules of the board.

(e) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(f) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition, the permits which will be required

for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(g) The responsible governmental unit shall, to the extent practicable, avoid duplication and ensure coordination between state and federal environmental review and between environmental review and environmental permitting. Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement.

(h) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement.

(i) The proposer of a specific action may include in the information submitted to the responsible governmental unit a preliminary draft environmental impact statement under this section on that action for review, modification, and determination of completeness and adequacy by the responsible governmental unit. A preliminary draft environmental impact statement prepared by the project proposer and submitted to the responsible governmental unit shall identify or include as an appendix all studies and other sources of information used to substantiate the analysis contained in the preliminary draft environmental impact statement. The responsible governmental unit shall require additional studies, if needed, and obtain from the project proposer all additional studies and information necessary for the responsible governmental unit to perform its responsibility to review, modify, and determine the completeness and adequacy of the environmental impact statement.

Sec. 3. Minnesota Statutes 2010, section 116D.04, is amended by adding a subdivision to read:

Subd. 5b. Review and repeal of environmental assessment worksheets and impact statements. By December 1, 2012, and each year thereafter, the Environmental Quality Board, Pollution Control Agency, Department of Natural Resources, and Department of Transportation, after consultation with political subdivisions, shall submit to the governor; the Legislative Coordinating Commission; the chairs of the house of representatives and senate committees having jurisdiction over environment and natural resources; and the revisor of statutes a list of categories of mandatory environmental assessment worksheets or mandatory environmental impact statements for which the agency or a political subdivision is designated as the responsible government unit, and for each worksheet or statement, a document including:

- (1) intended outcomes of the specific worksheet or statement;
- (2) the cost to state and local government and the private sector;
- (3) the relationship of the worksheet or statement to other local, state, and federal permits; and

(4) a justification for why the mandatory worksheet or statement should not be eliminated and its intended outcomes achieved through an existing permit or other federal, state, or local law."

Delete the title and insert:

"A bill for an act relating to environment; providing for permitting efficiency; modifying environmental review requirements; eliminating conservation rate structure requirement; modifying terms for certain permits; amending Minnesota Statutes 2010, sections 41A.10, subdivision 1; 84.027, by adding a subdivision; 103G.291, subdivision 3; 115.03, by adding a subdivision; 116.07, subdivision 4a; 116D.04, by adding a subdivision; 116J.03, by adding subdivisions; 116J.035, by adding a subdivision; Minnesota Statutes 2011 Supplement, sections 84.027, subdivision 14a; 116.03, subdivision 2b; 116D.04, subdivision 2a; repealing Minnesota Statutes 2010, section 103G.291, subdivision 4."

And when so amended the bill do pass and be re-referred to the Committee on Jobs and Economic Growth. Amendments adopted. Report adopted.

Senator Olson from the Committee on Education, to which was referred

S.F. No. 1493: A bill for an act relating to education; requiring teacher candidates to pass basic skills exam; amending Minnesota Statutes 2010, section 122A.18, subdivision 2; Minnesota Statutes 2011 Supplement, section 122A.09, subdivision 4.

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

Page 1, line 17, delete "entering that program" and insert "starting student teaching"

Page 3, after line 22, insert:

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

Page 4, line 4, strike "School districts"

Page 4, lines 5 and 7, delete the new language and strike the old language

Page 4, strike lines 6, 8, and 9

Page 5, after line 2, insert:

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

Sec. 3. Minnesota Statutes 2010, section 122A.23, subdivision 2, is amended to read:

Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a teaching license or a temporary teaching license under paragraphs (b) to (e) to an applicant who holds at least a baccalaureate degree from a regionally accredited college or university and holds or held a similar out-of-state teaching license that requires the applicant to successfully complete a teacher preparation program approved by the issuing state, which includes field-specific teaching methods and student teaching or essentially equivalent experience.

(b) The Board of Teaching must issue a teaching license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach the same content field and grade levels if the scope of the out-of-state license is no more than one grade level less than a similar Minnesota license.

(c) The Board of Teaching, consistent with board rules and paragraph (h), must issue up to three one-year temporary teaching licenses to an applicant who holds or held an out-of-state teaching license to teach the same content field and grade levels, where the scope of the out-of-state license is no more than one grade level less than a similar Minnesota license, but has not successfully completed all exams and human relations preparation components required by the Board of Teaching.

(d) The Board of Teaching, consistent with board rules, must issue up to three one-year temporary teaching licenses to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach the same content field and grade levels, where the scope of the out-of-state license is no more than one grade level less than a similar Minnesota license, but has not completed field-specific teaching methods or student teaching or equivalent experience.

The applicant may complete field-specific teaching methods and student teaching or equivalent experience by successfully participating in a one-year school district mentorship program consistent with board-adopted standards of effective practice and Minnesota graduation requirements.

(e) The Board of Teaching must issue a temporary teaching license for a term of up to three years only in the content field or grade levels specified in the out-of-state license to an applicant who:

(1) successfully completed all exams and human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license where the out-of-state license is more limited in the content field or grade levels than a similar Minnesota license.

(f) The Board of Teaching must not issue to an applicant more than three one-year temporary teaching licenses under this subdivision.

(g) The Board of Teaching must not issue a license under this subdivision if the applicant has not attained the additional degrees, credentials, or licenses required in a particular licensure field.

(h) The Board of Teaching must require an applicant for a teaching license or a temporary teaching license under this subdivision to pass a skills examination in reading, writing, and mathematics before the board issues the license.

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

Renumber the sections in sequence

Amend the title numbers accordingly

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

Senator Olson from the Committee on Education, to which was referred

S.F. No. 1528: A bill for an act relating to education; modifying online learning parameters; providing for digital learning; amending Minnesota Statutes 2010, sections 124D.095, subdivision 4; 126C.15, subdivision 1; 179A.07, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 124D.095, subdivision 10, is amended to read:

Subd. 10. **Online Learning Advisory Council.** (a) An Online Learning Advisory Council is established. The term for each council member shall be three years. The advisory council is composed of 12 members from throughout the state who have demonstrated experience with or interest in online learning. The members of the council shall be appointed by the commissioner. The advisory council shall bring to the attention of the commissioner any matters related to online learning and provide input to the department in matters related, but not restricted, to:

- (1) quality assurance;
- (2) teacher qualifications;
- (3) program approval;
- (4) special education;
- (5) attendance;
- (6) program design and requirements; and
- (7) fair and equal access to programs.

(b) The Online Learning Advisory Council with the support of the Minnesota Department of Education and the Minnesota Learning Commons shall:

(1) oversee the development and maintenance of a catalog of publicly available digital learning content currently aligned to Minnesota academic standards to include:

- (i) indexing of Minnesota academic standards with which curriculum is aligned;
- (ii) a method for student and teacher users to provide evaluative feedback; and
- (iii) a plan for ongoing maintenance;

(2) conduct a study to examine methods for including student performance data on the digital resources within the catalog to include a report to the committees of the legislature having jurisdiction over kindergarten through grade 12 education within three months of enactment recommending a student performance data collection process to be implemented.

(c) The Online Learning Advisory Council under this subdivision expires June 30, 2013.

Sec. 2. Minnesota Statutes 2010, section 126C.15, subdivision 1, is amended to read:

Subdivision 1. **Use of revenue.** The basic skills revenue under section 126C.10, subdivision 4, must be reserved and used to meet the educational needs of pupils who enroll under-prepared to learn and whose progress toward meeting state or local content or performance standards is below the level that is appropriate for learners of their age. Any of the following may be provided to meet these learners' needs:

(1) direct instructional services under the assurance of mastery program according to section 124D.66;

(2) remedial instruction in reading, language arts, mathematics, other content areas, or study skills to improve the achievement level of these learners;

(3) additional teachers and teacher aides to provide more individualized instruction to these learners through individual tutoring, lower instructor-to-learner ratios, or team teaching;

(4) a longer school day or week during the regular school year or through a summer program that may be offered directly by the site or under a performance-based contract with a community-based organization;

(5) comprehensive and ongoing staff development consistent with district and site plans according to section 122A.60, for teachers, teacher aides, principals, and other personnel to improve their ability to identify the needs of these learners and provide appropriate remediation, intervention, accommodations, or modifications;

(6) instructional materials, digital learning, and technology appropriate for meeting the individual needs of these learners;

(7) programs to reduce truancy, encourage completion of high school, enhance self-concept, provide health services, provide nutrition services, provide a safe and secure learning environment, provide coordination for pupils receiving services from other governmental agencies, provide psychological services to determine the level of social, emotional, cognitive, and intellectual development, and provide counseling services, guidance services, and social work services;

(8) bilingual programs, bicultural programs, and programs for learners of limited English proficiency;

(9) all day kindergarten;

(10) extended school day and extended school year programs; and

(11) substantial parent involvement in developing and implementing remedial education or intervention plans for a learner, including learning contracts between the school, the learner, and the parent that establish achievement goals and responsibilities of the learner and the learner's parent or guardian.

Sec. 3. **ONLINE LEARNING COURSE.**

All Minnesota students are strongly encouraged to take at least one online learning course before

graduating high school.

Sec. 4. **ONLINE LEARNING ADVISORY COUNCIL REPORT.**

(a) The Online Learning Advisory Council shall review Minnesota education laws and rules pertaining to classroom learning to determine which ones, if any, inhibit digital learning. The council shall include the results of their review in the report under paragraph (d).

(b) The council shall review the effect of student-teacher ratios and teacher licensure requirements on digital learning and include the review in its report under paragraph (d).

(c) The Minnesota Department of Education shall provide assistance to the Online Learning Advisory Council for the review and report upon request.

(d) The council shall report to the committees of the legislature having jurisdiction over kindergarten through grade 12 education with its recommendations, including any proposed legislation, by January 11, 2013."

Delete the title and insert:

"A bill for an act relating to education; providing 21st century tools for teachers; encouraging students to take one online course; requiring a report; amending Minnesota Statutes 2010, sections 124D.095, subdivision 10; 126C.15, subdivision 1."

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

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

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

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

Page 1, line 12, delete "2,500" and insert "3,000"

Page 3, line 6, delete "2011" and insert "2012"

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

Senator Parry from the Committee on State Government Innovation and Veterans, to which was referred

S.F. No. 1599: A bill for an act relating to veterans affairs; permitting a preference for private employers to hire and promote veterans; permitting a preference for private employers to hire and promote the spouse of a disabled or deceased veteran; proposing coding for new law in Minnesota Statutes, chapter 197.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Jobs and Economic Growth. Report adopted.

Senator Parry from the Committee on State Government Innovation and Veterans, to which was re-referred

S.F. No. 1527: A bill for an act relating to agriculture; providing for voluntary certification of good manufacturing practices for commercial feed and feed ingredients; authorizing fees for voluntary certification; modifying rule provisions relating to animal feed; appropriating money; amending Minnesota Statutes 2010, section 25.40, subdivisions 1, 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 25; repealing Minnesota Rules, parts 1510.2220; 1510.2230.

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

Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred the following appointment:

COMMISSIONER OF CORRECTIONS
Thomas A. Roy

Reports the same back with the recommendation that the appointment be confirmed.

Senator Senjem moved that the foregoing committee report be laid on the table. The motion prevailed.

Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred the following appointment:

COMMISSIONER OF HUMAN RIGHTS
Kevin M. Lindsey

Reports the same back with the recommendation that the appointment be confirmed.

Senator Senjem moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 1493 and 1528 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Rosen introduced—

S.F. No. 1633: A bill for an act relating to retirement; Fairmont Police Relief Association; consolidating the relief association with the Public Employees Police and Fire Retirement Plan and Fund; amending Minnesota Statutes 2011 Supplement, sections 69.77, subdivisions 1a, 4;

356.215, subdivision 8; Laws 2002, chapter 392, article 1, section 8; proposing coding for new law in Minnesota Statutes, chapter 353; repealing Minnesota Statutes 2010, section 423A.06; Laws 1947, chapter 624, sections 1; 2; 3; 4; 5; 6; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 21; 22, as amended; Laws 1963, chapter 423; Laws 1999, chapter 222, article 3, sections 3; 4; 5.

Referred to the Committee on State Government Innovation and Veterans.

Senator Wiger introduced—

S.F. No. 1634: A bill for an act relating to economic development; modifying Explore Minnesota Tourism Council; amending Minnesota Statutes 2010, section 116U.25.

Referred to the Committee on State Government Innovation and Veterans.

Senators Magnus, Ingebrigtsen and Gimse introduced—

S.F. No. 1635: A bill for an act relating to agriculture; extending certain exceptions to the minimum content requirements for biodiesel; amending Minnesota Statutes 2010, section 239.77, subdivision 3.

Referred to the Committee on Agriculture and Rural Economies.

Senators DeKruif, Ortman and Hall introduced—

S.F. No. 1636: A bill for an act relating to taxation; sales and use; modifying definition of retail sale; amending Minnesota Statutes 2010, section 297A.61, subdivision 4.

Referred to the Committee on Taxes.

Senator Sieben introduced—

S.F. No. 1637: A bill for an act relating to public safety; prohibiting predatory offenders from serving as hotel or motel employees; requiring background checks; amending Minnesota Statutes 2010, sections 299C.67, by adding subdivisions; 299C.68; 299C.69; 299C.70; proposing coding for new law in Minnesota Statutes, chapter 609.

Referred to the Committee on Judiciary and Public Safety.

Senators Chamberlain, Jungbauer and Olson introduced—

S.F. No. 1638: A bill for an act relating to education; clarifying the ability of school boards to conduct school on certain holidays; amending Minnesota Statutes 2010, section 120A.42.

Referred to the Committee on Education.

Senator Parry introduced—

S.F. No. 1639: A bill for an act relating to state government; reducing the number of departments in the executive branch; amending Minnesota Statutes 2010, sections 15.01; 15.06, subdivision 1; 15A.0815, subdivisions 2, 3; 43A.08, subdivision 1a.

Referred to the Committee on State Government Innovation and Veterans.

Senator Parry introduced—

S.F. No. 1640: A bill for an act relating to capital investment; appropriating money for the Minnesota State Academies; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Nelson, Parry and Carlson introduced—

S.F. No. 1641: A bill for an act relating to veterans; family law; allowing recovery of a portion of the marriage license fee for members of the armed forces who complete premarital education after the license is issued; amending Minnesota Statutes 2011 Supplement, section 517.08, subdivision 1b.

Referred to the Committee on State Government Innovation and Veterans.

Senators Parry, Nelson, Miller and Carlson introduced—

S.F. No. 1642: A bill for an act relating to the military; beyond the yellow ribbon program; civil immunity; proposing coding for new law in Minnesota Statutes, chapter 192.

Referred to the Committee on State Government Innovation and Veterans.

Senators Carlson, Parry, Gazelka and Miller introduced—

S.F. No. 1643: A bill for an act relating to veterans; modifying eligibility for a tax credit for past military service; amending Minnesota Statutes 2010, section 290.0677, subdivision 2.

Referred to the Committee on State Government Innovation and Veterans.

Senators Parry, Senjem, Rosen and DeKruif introduced—

S.F. No. 1644: A bill for an act relating to capital investment; appropriating money for capital improvements at the Minnesota State Academies; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Gimse and Newman introduced—

S.F. No. 1645: A bill for an act relating to capital investment; appropriating money for Ridgewater College in Willmar; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Ortman, Bakk, Kelash, Hall and Michel introduced—

S.F. No. 1646: A bill for an act relating to the city of Bloomington; extending certain time limits applicable to a tax increment financing district.

Referred to the Committee on Local Government and Elections.

Senator Metzen introduced—

S.F. No. 1647: A bill for an act relating to higher education; expanding disclosure requirements for private institutions; amending Minnesota Statutes 2010, sections 136A.67; 141.28, subdivision 1.

Referred to the Committee on Higher Education.

Senators Ingebrigtsen, Hoffman, Bakk, Gimse and Tomassoni introduced—

S.F. No. 1648: A bill for an act relating to public safety; authorizing county attorneys and assistant county attorneys to carry firearms on duty under the terms of a permit to carry; amending Minnesota Statutes 2010, section 388.051, by adding a subdivision.

Referred to the Committee on Judiciary and Public Safety.

Senators Carlson and Skoe introduced—

S.F. No. 1649: A bill for an act relating to capital investment; appropriating money for the Northland Regional Sports Center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Nelson, Parry, Benson and Senjem introduced—

S.F. No. 1650: A bill for an act relating to state government; requiring a request for proposal for a reorganization study.

Referred to the Committee on State Government Innovation and Veterans.

Senators Carlson, Gazelka, Bakk, Skoe and Ingebrigtsen introduced—

S.F. No. 1651: A bill for an act relating to game and fish; modifying requirements for certain bear stands; amending Minnesota Statutes 2010, section 97A.137, subdivision 5.

Referred to the Committee on Environment and Natural Resources.

Senators Reinert, Bakk, Saxhaug, Lourey and Tomassoni introduced—

S.F. No. 1652: A bill for an act relating to capital investment; appropriating money for the American Indian Learning Resource Center at the University of Minnesota, Duluth; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Pederson, Kelash and Tomassoni introduced—

S.F. No. 1653: A bill for an act relating to labor and industry; clarifying employee classification

of independent contractors; providing pilot project for contractor registration; amending Minnesota Statutes 2010, sections 181.723, subdivisions 1, 3, 4, 7, 15, 16, by adding subdivisions; 326B.081, subdivision 3; Minnesota Statutes 2011 Supplement, section 181.723, subdivision 5; repealing Minnesota Statutes 2010, section 181.723, subdivisions 6, 8, 9, 10, 11, 12, 14, 17; Minnesota Rules, parts 5202.0100; 5202.0110; 5202.0120; 5202.0130; 5202.0140; 5202.0150; 5202.0160.

Referred to the Committee on Jobs and Economic Growth.

Senators Sieben, Torres Ray, Eaton, Stumpf and Wiger introduced—

S.F. No. 1654: A bill for an act relating to education; offering a financial incentive for school boards and teacher representatives to sign a collective bargaining agreement by January 15 in an even-numbered year; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 123B.

Referred to the Committee on Education.

Senators Sieben, Vandever and Wiger introduced—

S.F. No. 1655: A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water.

Referred to the Committee on Environment and Natural Resources.

Senators Nelson, Michel, Harrington and Olson introduced—

S.F. No. 1656: A bill for an act relating to education; requiring the legislature to authorize any cyclical revisions of academic standards and high school graduation requirements; amending Minnesota Statutes 2011 Supplement, section 120B.023, subdivision 2.

Referred to the Committee on Education.

Senators Latz, Harrington, Pappas, Limmer and Ortman introduced—

S.F. No. 1657: A bill for an act relating to public safety; expanding the definition of qualified domestic violence-related offense; amending Minnesota Statutes 2010, section 609.02, subdivision 16.

Referred to the Committee on Judiciary and Public Safety.

Senator Latz introduced—

S.F. No. 1658: A bill for an act relating to public safety; narrowing the neglect of a vulnerable adult crime while increasing the penalty for egregious neglect; expanding the second degree manslaughter crime to include death caused by egregious vulnerable adult neglect; prescribing criminal penalties; amending Minnesota Statutes 2010, sections 609.205; 609.233, subdivision 1, by adding subdivisions.

Referred to the Committee on Judiciary and Public Safety.

Senators Gimse, Daley, Gazelka and Kruse introduced—

S.F. No. 1659: A bill for an act proposing an amendment to the Minnesota Constitution, article VII, section 1; requiring voters to present photographic identification; providing photographic identification to voters at no charge; requiring equal verification standards for all voters.

Referred to the Committee on Local Government and Elections.

Senators Chamberlain and Eaton introduced—

S.F. No. 1660: A bill for an act relating to notaries public; repealing certain maximum fees; repealing Minnesota Statutes 2010, section 357.17.

Referred to the Committee on Judiciary and Public Safety.

Senator Chamberlain introduced—

S.F. No. 1661: A bill for an act relating to transportation; municipal state-aid street system; amending municipal state-aid street funds eligibility and allocation; amending Minnesota Statutes 2010, section 162.09, by adding a subdivision.

Referred to the Committee on Transportation.

Senators Vandever and Wiger introduced—

S.F. No. 1662: A bill for an act relating to capital investment; appropriating money for Browns Creek Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Jungbauer introduced—

S.F. No. 1663: A bill for an act relating to capital investment; appropriating money for the Highway 10 and Armstrong Boulevard Interchange in the city of Ramsey; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Ortman, Limmer, Bakk, Gerlach and Metzen introduced—

S.F. No. 1664: A bill for an act relating to eminent domain; authorizing inverse condemnation by a mixed municipal solid waste services business when a governmental entity occupies the market; proposing coding for new law in Minnesota Statutes, chapter 117.

Referred to the Committee on Judiciary and Public Safety.

Senators Ingebrigtsen, Gimse, Nienow, Benson and Hoffman introduced—

S.F. No. 1665: A bill for an act relating to human services; requiring drug testing for MFIP applicants and participants; authorizing rulemaking; proposing coding for new law in Minnesota

Statutes, chapter 256J.

Referred to the Committee on Health and Human Services.

Senators Wolf, Chamberlain and Wiger introduced–

S.F. No. 1666: A bill for an act relating to capital investment; appropriating money for Northeast Metro 916 Intermediate School District for a new facility; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Chamberlain, Limmer and Lillie introduced–

S.F. No. 1667: A bill for an act relating to metropolitan government; making certain Metropolitan Council guidelines and plans advisory; amending Minnesota Statutes 2010, sections 473.145; 473.175, subdivision 1; 473.206; 473.856; repealing Minnesota Statutes 2010, section 473.851.

Referred to the Committee on Local Government and Elections.

Senators Chamberlain, Limmer and Lillie introduced–

S.F. No. 1668: A bill for an act relating to metropolitan government; requiring city, county, and town approval prior to constructing light rail transit facilities; amending Minnesota Statutes 2010, section 473.3994, subdivisions 3, 4, 5, 7.

Referred to the Committee on Local Government and Elections.

Senator Jungbauer introduced–

S.F. No. 1669: A bill for an act relating to capital investment; appropriating money for the Rum River Dam; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Koch, Ortman, Limmer, DeKruif and Rosen introduced–

S.F. No. 1670: A bill for an act relating to taxation; sales and use; providing an upfront capital equipment exemption for certain businesses; amending Minnesota Statutes 2010, section 297A.68, subdivision 5.

Referred to the Committee on Taxes.

Senators Chamberlain and Vandev eer introduced–

S.F. No. 1671: A bill for an act relating to state government; requiring public value impact statements for certain legislation; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Finance.

Senators Hayden, Dibble, Higgins, Harrington and Marty introduced—

S.F. No. 1672: A bill for an act relating to human services; modifying eligibility provisions; amending Minnesota Statutes 2011 Supplement, sections 256B.06, subdivision 4; 256L.04, subdivision 10.

Referred to the Committee on Health and Human Services.

Senator Carlson introduced—

S.F. No. 1673: A bill for an act relating to performance bonds; modifying a cost threshold relating to public works contracts; amending Minnesota Statutes 2010, section 574.26, subdivision 2.

Referred to the Committee on Jobs and Economic Growth.

Senators Benson and Ingebrigtsen introduced—

S.F. No. 1674: A bill for an act relating to human services; modifying electronic benefit transfer cards; amending Minnesota Statutes 2011 Supplement, section 256.987, subdivision 1.

Referred to the Committee on Health and Human Services.

Senators Benson, Hayden and Higgins introduced—

S.F. No. 1675: A bill for an act relating to human services; modifying provisions related to children and family services; reforming adoptions under guardianship of the commissioner; modifying statutory provisions related to child support; amending Minnesota Statutes 2010, sections 13.46, subdivision 2; 13.461, subdivision 17; 13.465, by adding a subdivision; 145.902, subdivision 1; 256.998, subdivisions 1, 5; 256J.24, subdivision 5; 259.22, subdivision 2; 259.23, subdivision 1; 259.24, subdivisions 1, 3, 5, 6a, 7; 259.29, subdivision 2; 260C.193, subdivision 3; 260C.201, subdivision 11a; 260C.212, subdivisions 1, 2, 5, 7; 260C.217; 260C.317, subdivisions 3, 4; 260C.325, subdivisions 1, 3, 4; 260C.328; 541.04; 548.09, subdivision 1; 626.556, subdivisions 2, 10f, 10i, 11; proposing coding for new law in Minnesota Statutes, chapter 260C; repealing Minnesota Statutes 2010, section 256.022.

Referred to the Committee on Health and Human Services.

Senator Gerlach introduced—

S.F. No. 1676: A bill for an act relating to taxation; city of Apple Valley; authorizing use of tax increment financing; extending authority.

Referred to the Committee on Taxes.

Senator Gerlach introduced—

S.F. No. 1677: A bill for an act relating to taxation; authorizing the city of Apple Valley to create a tax increment financing district.

Referred to the Committee on Taxes.

Senators Hall, Jungbauer, Limmer, Newman and Latz introduced—

S.F. No. 1678: A bill for an act relating to public defenders; amending provisions related to public defender representation, appointment, and reimbursement obligations; outlining financial responsibility for public defender costs, cost for counsel in CHIPS cases, pretrial appeals costs, and standby counsel costs; establishing an appellate process working group; amending Minnesota Statutes 2010, sections 244.052, subdivision 6; 244.11, subdivision 1; 257.69, subdivision 1; 260B.163, subdivision 4; 260B.331, subdivision 5; 260C.163, subdivision 3; 260C.331, subdivision 5; 609.115, subdivision 4; 609.131, subdivision 1; 611.14; 611.16; 611.17; 611.18; 611.20, subdivision 4; 611.215, subdivision 2; 611.26, subdivision 6; 611.27, subdivision 5, by adding a subdivision; repealing Minnesota Statutes 2010, sections 611.20, subdivision 6; 611.27, subdivision 15.

Referred to the Committee on Judiciary and Public Safety.

Senator Hall introduced—

S.F. No. 1679: A bill for an act relating to human services; modifying advisory council provisions; amending Minnesota Statutes 2010, sections 254A.035, subdivision 2; 254A.04; 256B.093, subdivision 1; 260.835, subdivision 2.

Referred to the Committee on Health and Human Services.

Senators Wiger, Chamberlain and Fischbach introduced—

S.F. No. 1680: A bill for an act relating to capital investment; appropriating money for classroom addition and renovation at Century College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Magnus introduced—

S.F. No. 1681: A bill for an act relating to capital investment; appropriating money for The Casey Jones Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Magnus introduced—

S.F. No. 1682: A bill for an act relating to counties; providing a process for making the office of county auditor-treasurer appointive in Jackson County.

Referred to the Committee on Local Government and Elections.

Senators Senjem, Parry, Olson, Wolf and Wiger introduced—

S.F. No. 1683: A bill for an act relating to gambling; authorizing the director of the State Lottery to establish gaming machines; imposing a fee on gaming machine revenue; providing powers and duties to the director; amending Minnesota Statutes 2010, sections 240.13, by adding subdivisions; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10,

by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A; repealing Minnesota Statutes 2010, section 240.30, subdivision 8.

Referred to the Committee on State Government Innovation and Veterans.

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

S.F. No. 1684: A bill for an act relating to gambling; authorizing the director of the State Lottery to establish gaming machines at a licensed racetrack; imposing a fee on gaming machine revenue; providing powers and duties to the director; dedicating money for education; amending Minnesota Statutes 2010, sections 240.03; 240.13, by adding a subdivision; 240.28, subdivision 2; 299L.07, subdivisions 2, 2a; 340A.410, subdivision 5; 349A.01, subdivision 10, by adding subdivisions; 349A.10, subdivision 3; 349A.13; 541.20; 541.21; 609.75, subdivision 3; 609.761, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 297A; 349A; repealing Minnesota Statutes 2010, section 240.30, subdivision 8.

Referred to the Committee on Education.

Senators Pederson, Sheran, Dibble, Gimse and Lourey introduced—

S.F. No. 1685: A bill for an act relating to transportation; appropriating money for local road improvement; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Pederson, Sheran, Dibble, Gimse and Lourey introduced—

S.F. No. 1686: A bill for an act relating to transportation; appropriating money for local bridge replacement and rehabilitation; authorizing sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Ortman, Gazelka, Gimse, Sparks and Reinert introduced—

S.F. No. 1687: A bill for an act relating to transportation; motor carriers; prohibiting indemnity provisions in motor carrier contracts; proposing coding for new law in Minnesota Statutes, chapter 221.

Referred to the Committee on Transportation.

Senators Saxhaug, Tomassoni, Bakk and Lourey introduced—

S.F. No. 1688: A bill for an act relating to natural resources; modifying restrictions on expedited exchanges of public lands; amending Minnesota Statutes 2010, section 94.3495, subdivision 2, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

Senators DeKruif, Daley, Parry and Reinert introduced—

S.F. No. 1689: A bill for an act relating to military affairs; extending reemployment rights protections to certain nonpublic employees; amending Minnesota Statutes 2010, section 192.261, subdivision 6.

Referred to the Committee on State Government Innovation and Veterans.

Senators Wolf, Chamberlain, Kruse and Olson introduced—

S.F. No. 1690: A bill for an act relating to education; allowing school districts to base unrequested leave of absence and certain discharge and demotion decisions on teacher evaluation outcomes; amending Minnesota Statutes 2010, sections 122A.40, subdivisions 10, 11; 122A.41, subdivision 14; Minnesota Statutes 2011 Supplement, section 122A.41, subdivision 6.

Referred to the Committee on Education.

Senator Gimse introduced—

S.F. No. 1691: A bill for an act relating to capital investment; appropriating money for a grant to the city of Glenwood for flood hazard mitigation; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Rosen introduced—

S.F. No. 1692: A bill for an act relating to retirement; Teachers Retirement Association and other plans; revising Teachers Retirement Association post-retirement adjustment initial eligibility procedure; recodifying Teachers Retirement Association aid provisions; creating new Teachers Retirement Association contribution and aid payment deficiency recovery procedures; revising federal code compliance provisions applicable to all plans; making other changes of an administrative nature; amending Minnesota Statutes 2010, sections 126C.41, subdivision 3; 352.91, subdivision 3d; 354.51, subdivision 5; 354A.12, subdivision 3c; 356.415, subdivision 1d; 356.611, subdivisions 3, 3a, 4, by adding a subdivision; 423A.02, subdivision 3; Minnesota Statutes 2011 Supplement, section 356.215, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 354; repealing Minnesota Statutes 2010, sections 128D.18; 354A.12, subdivision 3b.

Referred to the Committee on State Government Innovation and Veterans.

Senators Rosen, Senjem and Sparks introduced—

S.F. No. 1693: A bill for an act relating to capital improvements; appropriating money for a cooperative facilities grant to Independent School District No. 2134, United South Central; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Magnus introduced—

S.F. No. 1694: A bill for an act relating to public safety; regulating the manufacture, sale, and

use of fireworks; amending Minnesota Statutes 2010, sections 624.21; 624.221.

Referred to the Committee on Judiciary and Public Safety.

Senator Magnus introduced—

S.F. No. 1695: A bill for an act relating to highways; authorizing issuance of trunk highway bonds; appropriating money for marked Trunk Highway 75 in Luverne.

Referred to the Committee on Transportation.

Senator Pappas introduced—

S.F. No. 1696: A bill for an act relating to capital investment; appropriating money for design and renovation at Saint Paul College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Skoe and Langseth introduced—

S.F. No. 1697: A bill for an act relating to capital improvements; appropriating money for construction and renovation of facilities in Independent School District No. 38, Red Lake; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators DeKruif and Parry introduced—

S.F. No. 1698: A bill for an act relating to transportation; limiting authority of commissioner of transportation to adopt rules for county state-aid roads and municipal state-aid streets; abolishing provision promoting complete streets policies for local road authorities; amending Minnesota Statutes 2010, sections 162.02, subdivisions 1, 2, 10; 162.021, subdivision 1; 162.07, subdivision 2; 162.09, subdivisions 1, 2; 162.13, subdivision 2; repealing Minnesota Statutes 2010, sections 162.02, subdivisions 3, 3a, 3b; 162.09, subdivisions 3, 3a; 162.155; 174.75, subdivision 4; Laws 2010, chapter 351, section 72; Minnesota Rules, parts 8820.2500; 8820.2700; 8820.3100, subparts 1, 2, 5, 6, 7a, 8, 9a, 10; 8820.3300; 8820.3400; 8820.4060; 8820.9920; 8820.9922; 8820.9926, subpart 1; 8820.9936; 8820.9946; 8820.9956; 8820.9961; 8820.9981; 8820.9986; 8820.9990; 8820.9995.

Referred to the Committee on Transportation.

Senators Nienow, Hann, Lourey and Miller introduced—

S.F. No. 1699: A bill for an act relating to human services; modifying group residential housing and Minnesota supplemental aid shelter needy provisions; modifying adult foster care homes; amending Minnesota Statutes 2010, sections 245A.11, subdivisions 2, 2a, 7, 7a, 8; 245B.07, subdivision 1; 245C.04, subdivision 6; 256B.092, subdivision 1b; 256D.44, subdivision 5; 256I.04, subdivision 2a; 326B.103, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 245B; 256B; repealing Minnesota Rules, part 9555.5105, subpart 37, item B.

Referred to the Committee on Health and Human Services.

Senator Jungbauer introduced—

S.F. No. 1700: A bill for an act relating to labor and industry; eliminating the Plumbing Board; creating a Plumbing Advisory Board; amending Minnesota Statutes 2010, section 326B.43, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2010, section 326B.435, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10; Minnesota Statutes 2011 Supplement, section 326B.435, subdivision 2.

Referred to the Committee on Jobs and Economic Growth.

Senators Kruse, Hann and Michel introduced—

S.F. No. 1701: A bill for an act relating to restaurants; providing for the Restaurant Recovery and Jobs Creation Act; expanding the sales tax exemption for certain meals and drinks; expanding the capital equipment exemption; providing for the application of gratuities in calculating the minimum wage; modifying the calculation of unemployment taxes; modifying license fees; amending Minnesota Statutes 2010, sections 157.16; 177.24, subdivisions 1, 2; 268.035, subdivision 24; 297A.68, subdivision 5, by adding subdivisions.

Referred to the Committee on Health and Human Services.

Senator Higgins introduced—

S.F. No. 1702: A bill for an act relating to capital improvements; authorizing Hennepin County to construct a center for providing mental health services to children; appropriating money to construct a new Washburn Center for Children; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Rosen, Magnus and Pederson introduced—

S.F. No. 1703: A bill for an act relating to capital investment; appropriating money for a grant to the city of Truman for a storm water project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Hoffman, Benson, Hann, Rosen and Sheran introduced—

S.F. No. 1704: A bill for an act relating to human services; modifying the long-term care consultation requirements for prospective housing with services residents; amending Minnesota Statutes 2011 Supplement, section 256B.0911, subdivision 3c.

Referred to the Committee on Health and Human Services.

MOTIONS AND RESOLUTIONS

Senator Gerlach moved that the name of Senator Langseth be added as a co-author to S.F. No. 230. The motion prevailed.

Senator Hoffman moved that the name of Senator Kubly be added as a co-author to S.F. No. 1402. The motion prevailed.

Senator Lourey moved that the name of Senator Sparks be added as a co-author to S.F. No. 1429. The motion prevailed.

Senator Saxhaug moved that the name of Senator Carlson be added as a co-author to S.F. No. 1486. The motion prevailed.

Senator Pederson moved that the name of Senator Metzen be added as a co-author to S.F. No. 1524. The motion prevailed.

Senator Stumpf moved that the name of Senator Skoe be added as a co-author to S.F. No. 1555. The motion prevailed.

Senator Daley moved that the name of Senator DeKruif be added as a co-author to S.F. No. 1614. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Saxhaug be added as a co-author to S.F. No. 1632. The motion prevailed.

Senator Dahms moved that S.F. No. 1066 be withdrawn from the Committee on Environment and Natural Resources and returned to its author. The motion prevailed.

Senator Nelson introduced –

Senate Resolution No. 125: A Senate resolution in recognition of Minnesota Wear Red Day.
Referred to the Committee on Rules and Administration.

Senators Senjem and Bakk introduced –

Senate Resolution No. 126: A Senate resolution relating to appointment of a committee to escort the Governor to the House Chamber for a Joint Convention.

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

The President of the Senate shall appoint a committee of five members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Mark Dayton, Governor of the State of Minnesota, to the House Chamber on the occasion of the Joint Convention on Wednesday, February 15, 2012, at 6:45 p.m.

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

APPOINTMENTS

Pursuant to the foregoing resolution, the President made the following appointments:

Senators Dzedzic, Eaton, Hayden, Howe and Miller.

MEMBERS EXCUSED

Senators Bakk, Lourey, Olson and Sieben were excused from the Session of today.

ADJOURNMENT

Senator Senjem moved that the Senate do now adjourn until 12:00 noon, Wednesday, February 8, 2012. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate