

## ONE HUNDRED FOURTH DAY

St. Paul, Minnesota, Wednesday, April 18, 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, Pastor Jenni Eagleman.

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:

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

The President declared a quorum present.

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

**RECESS**

Senator Senjem 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.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communication was received.

April 10, 2012

The Honorable Kurt Zellers  
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2012 Session of the State Legislature has been received from the Office of the Revisor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Date Filed 2012
	*2738	167	April 10, 2012

\* Proposed amendment to the Minnesota Constitution, not requiring governor approval.

Sincerely,  
Mark Ritchie  
Secretary of State

**MESSAGES FROM THE HOUSE**

Madam President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 753, 1416, 2181, 1123, 396, 2224 and 2271.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 17, 2012

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 1073:** A bill for an act relating to education; proposing a transitions plan for high school students to successfully pursue postsecondary education and employment; appropriating money; amending Minnesota Statutes 2010, section 120B.125; proposing coding for new law in Minnesota Statutes, chapter 121A.

Senate File No. 1073 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 17, 2012

### CONCURRENCE AND REPASSAGE

Senator Nelson moved that the Senate concur in the amendments by the House to S.F. No. 1073 and that the bill be placed on its repassage as amended. The motion prevailed.

**S.F. No. 1073:** A bill for an act relating to education; proposing a transitions plan for high school students to successfully pursue postsecondary education and employment; amending Minnesota Statutes 2010, section 120B.125; proposing coding for new law in Minnesota Statutes, chapter 121A.

Was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 51 and nays 13, as follows:

Those who voted in the affirmative were:

Bonoff	Gerlach	Langseth	Nelson	Sheran
Carlson	Gimse	Latz	Newman	Sieben
Chamberlain	Goodwin	Lillie	Olson	Sparks
Cohen	Hall	Limmer	Pappas	Stumpf
Dahms	Harrington	Lourey	Parry	Torres Ray
DeKruif	Hayden	Magnus	Pederson	Wiger
Dibble	Howe	Marty	Rest	Wolf
Dziedzic	Ingebrigtsen	McGuire	Robling	
Eaton	Koch	Metzen	Rosen	
Fischbach	Koenen	Michel	Saxhaug	
Gazelka	Kruse	Miller	Senjem	

Those who voted in the negative were:

Benson	Higgins	Kelash	Skoe	Vandever
Brown	Hoffman	Nienow	Thompson	
Hann	Jungbauer	Reinert	Tomassoni	

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

### MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 1143:** A bill for an act relating to state government; classifying and authorizing sharing of data; making technical changes to data practices; amending Minnesota Statutes 2010, sections

13.02, subdivisions 3, 4, 8a, 9, 12, 13, 14, 15; 13.10, subdivision 1; 13.201; 13.202, subdivision 3; 13.35; 13.3805, subdivisions 1, 2; 13.384, subdivision 1; 13.39, subdivision 2; 13.392, subdivision 1; 13.393; 13.40, subdivision 1; 13.41, subdivision 2; 13.44, subdivision 3; 13.46, subdivisions 2, 3, 4, 5, 6; 13.462, subdivision 1; 13.467, subdivision 1; 13.47, subdivision 1; 13.485, by adding subdivisions; 13.495; 13.51, subdivisions 1, 2; 13.52; 13.548; 13.55, subdivision 1; 13.585, subdivisions 2, 3, 4; 13.59, subdivisions 1, 2, 3; 13.591, subdivision 4; 13.601, subdivision 3; 13.643, subdivisions 1, 2, 3, 5, 6, 7; 13.6435, by adding a subdivision; 13.65, subdivisions 1, 2, 3; 13.67; 13.679, subdivisions 1, 2; 13.714; 13.719, subdivisions 1, 5; 13.7191, subdivisions 14, 18; 13.72, subdivisions 7, 11, by adding subdivisions; 13.792; 13.7932; 13.82, subdivisions 2, 3, 6, 7; 13.83, subdivisions 2, 4, 6; 13.861, subdivision 1; 13.87, subdivisions 1, 2; 79A.16; 79A.28; 216C.266; 237.701, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 13D.

Senate File No. 1143 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 17, 2012

Senator Limmer moved that the Senate do not concur in the amendments by the House to S.F. No. 1143, and that a Conference Committee of 3 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 Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 2334:** A bill for an act relating to lobbying; modifying principal reports; amending Minnesota Statutes 2010, section 10A.04, subdivision 6.

Senate File No. 2334 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 17, 2012

Senator Vandever moved that the Senate do not concur in the amendments by the House to S.F. No. 2334, and that a Conference Committee of 3 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 has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

**S.F. No. 288:** A bill for an act relating to health; regulating dental laboratories; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 150A.

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

Kelly, Abeler and Huntley.

Senate File No. 288 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 18, 2012

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 518, 2527, 2532, 2821 and 2345.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 17, 2012

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 518:** A bill for an act relating to transportation; governing rulemaking and permits; amending rulemaking authority for state-aid program; amending allocation of funds from certain overdimension motor vehicle permits; requiring a legislative report on water permitting process for transportation projects; making clarifying and technical changes; amending Minnesota Statutes 2010, sections 162.02, subdivisions 2, 3; 162.09, subdivisions 2, 3; 162.155; 169.86, by adding a subdivision; 169.865, subdivision 4; Minnesota Statutes 2011 Supplement, section 169.86, subdivision 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1698, now on General Orders.

**H.F. No. 2527:** A bill for an act relating to state government; enacting the Uniform Electronic Legal Material Act approved by the National Conference of Commissioners on Uniform State Laws; proposing coding for new law as Minnesota Statutes, chapter 3E.

Referred to the Committee on Judiciary and Public Safety.

**H.F. No. 2532:** A bill for an act relating to health; allowing the electronic prescribing of controlled substances; amending Minnesota Statutes 2010, section 152.11.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2128, now on General Orders.

**H.F. No. 2821:** A bill for an act relating to redistricting; adjusting the house of representatives district boundaries within senate districts 39 and 49; repealing obsolete district descriptions;

proposing coding for new law in Minnesota Statutes, chapter 2; repealing Minnesota Statutes 2010, sections 2.444; 2.484.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2424, now on General Orders.

**H.F. No. 2345:** A bill for an act relating to insurance; permitting sale to Minnesota residents of health plans permitted under Minnesota law but not under federal law; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Health and Human Services.

### REPORTS OF COMMITTEES

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

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

**H.F. No. 2614** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2614	2227				

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 2627** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2627	2208				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2627 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2627, the second engrossment; and insert the language after the enacting clause of S.F. No. 2208, the first engrossment; further, delete the title of H.F. No. 2627, the second engrossment; and insert the title of S.F. No. 2208, the first

engrossment.

And when so amended H.F. No. 2627 will be identical to S.F. No. 2208, and further recommends that H.F. No. 2627 be given its second reading and substituted for S.F. No. 2208, and that the Senate File be indefinitely postponed.

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

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

**H.F. No. 2647** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2647	2409				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2647 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2647, the second engrossment; and insert the language after the enacting clause of S.F. No. 2409, the first engrossment; further, delete the title of H.F. No. 2647, the second engrossment; and insert the title of S.F. No. 2409, the first engrossment.

And when so amended H.F. No. 2647 will be identical to S.F. No. 2409, and further recommends that H.F. No. 2647 be given its second reading and substituted for S.F. No. 2409, and that the Senate File be indefinitely postponed.

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

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

**H.F. No. 2861** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2861	2466				

and that the above Senate File be indefinitely postponed.

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

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

**H.F. No. 2705** for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2705	2340				

and that the above Senate File be indefinitely postponed.

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

**Senator Olson from the Committee on Education, to which were referred the following appointments:**

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Peter Adolphson  
 Bari Amadio  
 Janeen Carey  
 William Crutcher  
 Stephan Daly  
 Ardythe Gallant  
 Roberta Jones  
 Todd Liljenquist  
 Pierce A. McNally  
 Nancy Paddleford  
 Alex Plechash

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

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

**Senator Olson from the Committee on Education, to which were referred the following appointments:**

BOARD OF THE MINNESOTA STATE ACADEMIES

Martha Amundson  
 Sonny Wasilowski

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

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



**Senator Olson from the Committee on Education, to which were referred the following appointments:**

**BOARD OF SCHOOL ADMINISTRATORS**

Kimberly Hartung  
Denise G. Kapler  
Penny Kodrich  
Mary Mackbee  
Louise Sundin

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

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

**SECOND READING OF HOUSE BILLS**

H.F. Nos. 2614, 2627, 2647, 2861 and 2705 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bill was read the first time.

**Senator Dibble introduced—**

**S.F. No. 2601:** A bill for an act relating to education; providing for policies to prevent harassment, bullying, intimidation, and violence in education; amending Minnesota Statutes 2010, section 363A.13, subdivisions 1, 2; Minnesota Statutes 2011 Supplement, sections 124D.10, subdivision 8; 127A.42, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 121A; repealing Minnesota Statutes 2010, sections 121A.03; 121A.0695; 363A.27.

Referred to the Committee on Education.

**MOTIONS AND RESOLUTIONS**

Senator Cohen moved that his name be stricken as a co-author to S.F. No. 2558. The motion prevailed.

**Senators Senjem and Bakk introduced —**

**Senate Resolution No. 151:** A Senate resolution relating to mileage; setting the miles traveled by members of the Senate in going to and returning from the Capitol.

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

That Senate Resolution No. 23 relating to mileage, Senate Permanent Journal pages 38-40, be amended as follows:

Page 1, after line 35, insert:

"KOENEN, Lyle J. ....254"

Page 1, delete line 37

Senator Senjem moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the resolution was adopted.

**MOTIONS AND RESOLUTIONS - CONTINUED**

S.F. No. 247 and the Conference Committee Report thereon were reported to the Senate.

**CONFERENCE COMMITTEE REPORT ON S.F. NO. 247**

A bill for an act relating to insurance; regulating service cooperative refunds; requiring local government employees to approve participation in or withdrawal from the public employees insurance program; amending Minnesota Statutes 2010, sections 43A.316, subdivision 5; 123A.21, by adding a subdivision; 471.611, subdivision 2.

April 2, 2012

The Honorable Michelle L. Fischbach  
President of the Senate

The Honorable Kurt Zellers  
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 247 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment

We request the adoption of this report and repassage of the bill.

Senate Conferees: Gary H. Dahms, Claire A. Robling, Kathy Sheran

House Conferees: Joe Hoppe, Kathy Brynaert, Mindy Greiling

Senator Dahms moved that the foregoing recommendations and Conference Committee Report on S.F. No. 247 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 247 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bonoff	Harrington	Langseth	Nelson	Skoe
Cohen	Hayden	Latz	Pappas	Sparks
Dibble	Higgins	Lourey	Reinert	Stumpf
Dziedzic	Howe	Marty	Rest	Tomassoni
Eaton	Kelash	McGuire	Saxhaug	Torres Ray
Goodwin	Koenen	Metzen	Sieben	Wiger

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

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

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 1974:

**H.F. No. 1974:** A bill for an act relating to public employment; providing that certain contract terms do not continue in effect after expiration of a collective bargaining agreement; amending Minnesota Statutes 2010, section 179A.20, subdivision 6, by adding a subdivision.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Drazkowski; Benson, M., and Downey have been appointed as such committee on the part of the House.

House File No. 1974 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 18, 2012

Senator Parry moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 1974, and that a Conference Committee of 3 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.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

#### **SPECIAL ORDERS**

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

S.F. No. 1921, H.F. Nos. 2174, 1175, S.F. Nos. 1199, 2187, H.F. Nos. 2373, 2246, 2160 and 738.

#### **SPECIAL ORDER**

**S.F. No. 1921:** A bill for an act relating to health; requiring licensure of certain facilities that perform abortions; requiring a licensing fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Senator Higgins moved to amend S.F. No. 1921 as follows:

Page 2, delete subdivision 6

#### **CALL OF THE SENATE**

Senator Brown imposed a call of the Senate for the balance of the proceedings on S.F. No. 1921. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Higgins amendment. The motion did not prevail. So the amendment was not adopted.

S.F. No. 1921 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 23, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bonoff	Goodwin	Latz	Pappas	Tomassoni
Cohen	Harrington	Lourey	Reinert	Torres Ray
Dibble	Hayden	Marty	Rest	Wiger
Dziedzic	Higgins	McGuire	Sheran	
Eaton	Kelash	Metzen	Sieben	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 2174:** A bill for an act relating to local government finance; authorizing certain investments; providing for designated depositories; amending Minnesota Statutes 2010, sections 123B.14, subdivision 3; 366.01, subdivision 4; 385.07; 427.06.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 1175:** A bill for an act relating to motor vehicles; authorizing additional deputy registrar of motor vehicles for Scott County; providing for provisional reinstatement of the Golden Valley deputy registrar.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1199:** A bill for an act relating to labor and employment; modifying prevailing wage provisions; amending Minnesota Statutes 2010, sections 177.42, subdivision 4; 177.43, subdivision 7.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bonoff	Harrington	Latz	Reinert	Sparks
Cohen	Hayden	Lourey	Rest	Stumpf
Dibble	Higgins	Marty	Saxhaug	Tomassoni
Dziedzic	Kelash	McGuire	Sheran	Torres Ray
Eaton	Koenen	Metzen	Sieben	Wiger
Goodwin	Langseth	Pappas	Skoe	

So the bill passed and its title was agreed to.

### CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Gerlach moved that the following members be excused for a

Conference Committee on S.F. No. 2392 from 2:00 to 2:50 p.m.:

Senators Gerlach, Michel, Hall, Howe and Reinert. The motion prevailed.

### SPECIAL ORDER

**S.F. No. 2187:** A resolution memorializing the President and Congress to enact legislation and take other federal government action related to interim storage of used nuclear fuel.

Was read the third time and placed on its final passage.

The question was taken on the passage of the resolution.

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

Those who voted in the affirmative were:

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

So the resolution passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 2373:** A bill for an act relating to public safety; extending the felony of fraudulent or other improper finance statements to include retaliation against a sheriff or county recorder for performance of official duties regarding real property; amending Minnesota Statutes 2010, section 609.7475, subdivision 3.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Benson	Dziedzic	Howe	Lourey	Ortman
Bonoff	Eaton	Ingebrigtsen	Magnus	Pappas
Brown	Fischbach	Jungbauer	Marty	Parry
Carlson	Gazelka	Kelash	McGuire	Pederson
Chamberlain	Gimse	Koenen	Metzen	Rest
Cohen	Hann	Kruse	Miller	Robling
Dahms	Harrington	Langseth	Nelson	Rosen
Daley	Hayden	Latz	Newman	Saxhaug
DeKruif	Higgins	Lillie	Nienow	Senjem
Dibble	Hoffman	Limmer	Olson	Sheran

Sieben  
SkoeSparks  
StumpfThompson  
TomassoniTorres Ray  
VandeverWiger  
Wolf

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 2246:** A bill for an act relating to public safety; allowing convictions under the original criminal vehicular operation law to enhance certain DWI offenses; correcting a legislative oversight; amending Minnesota Statutes 2010, sections 169A.03, subdivisions 20, 21; 169A.24, subdivision 1.

Senator Nienow moved to amend H.F. No. 2246, as amended pursuant to Rule 45, adopted by the Senate March 5, 2012, as follows:

(The text of the amended House File is identical to S.F. No. 1825.)

Page 3, after line 23, insert:

"Sec. 4. **LEGISLATIVE INTENT.**

The intent of the legislature in enacting this bill is to clarify a cross-referencing change made in 2007 relating to the criminal vehicular operation crime. It was not the legislature's intent in 2007 to make a substantive change regarding whether prior criminal vehicular operation convictions would qualify as prior impaired driving convictions or prior impaired driving-related losses of licenses or be considered as a predicate for the first-degree driving while impaired crime. The legislature's intent has always been that criminal vehicular operation convictions under both the pre-2007 law and the post-2007 law be used for enhancing driving while impaired penalties consistent with the provisions of the driving while impaired laws."

The motion prevailed. So the amendment was adopted.

H.F. No. 2246 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 53 and nays 0, as follows:

Those who voted in the affirmative were:

Benson	Eaton	Koenen	Newman	Sieben
Bonoff	Fischbach	Langseth	Nienow	Skoe
Brown	Gazelka	Latz	Olson	Sparks
Carlson	Goodwin	Lillie	Ortman	Stumpf
Chamberlain	Harrington	Limmer	Pappas	Thompson
Cohen	Higgins	Lourey	Parry	Tomassoni
Dahms	Hoffman	Magnus	Pederson	Vandever
Daley	Howe	McGuire	Rest	Wiger
DeKruif	Ingebrigtsen	Metzen	Robling	Wolf
Dibble	Jungbauer	Miller	Saxhaug	
Dziedzic	Kelash	Nelson	Sheran	

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



**SPECIAL ORDER**

**H.F. No. 2160:** A bill for an act relating to public safety; permitting law enforcement to take fingerprints of an offender interacting with the criminal justice system for any offense to eliminate a suspense record; amending Minnesota Statutes 2011 Supplement, section 299C.10, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 56 and nays 0, as follows:

Those who voted in the affirmative were:

Benson	Fischbach	Koenen	Nienow	Skoe
Bonoff	Gazelka	Langseth	Olson	Sparks
Brown	Goodwin	Latz	Ortman	Stumpf
Carlson	Hann	Lillie	Pappas	Thompson
Chamberlain	Harrington	Limmer	Parry	Tomassoni
Cohen	Higgins	Lourey	Pederson	Vanderveer
Dahms	Hoffman	Magnus	Rest	Wiger
Daley	Howe	McGuire	Robling	Wolf
DeKruif	Ingebrigtsen	Metzen	Saxhaug	
Dibble	Jungbauer	Miller	Senjem	
Dziedzic	Kelash	Nelson	Sheran	
Eaton	Koch	Newman	Sieben	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

**H.F. No. 738:** A bill for an act relating to public safety; modifying certain harassment restraining order provisions; amending Minnesota Statutes 2010, section 609.748, subdivisions 4, 5, 6.

Senator Ortman moved to amend H.F. No. 738 as follows:

Page 1, before line 6, insert:

"Section 1. Minnesota Statutes 2010, section 244.05, is amended by adding a subdivision to read:

Subd. 9. **Public notice of release hearing for killers of peace officers.** (a) At least 30 days before a hearing to consider the release of an inmate sentenced to life imprisonment for committing murder in the first degree involving the killing of a peace officer or a guard employed at a Minnesota or local correctional facility, the commissioner shall post on the department's Web site information about the hearing. The information posted may include only public information about the inmate, the circumstances of the case, and the scheduled hearing.

(b) A member of the public may submit an oral or written statement at the review hearing. Nothing in this subdivision may be interpreted to circumvent or limit the rights of the victim, the victim's family, the inmate, or the criminal justice community specified elsewhere in law to notice of the hearing or the right to participate in it."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Ortman moved to amend the Ortman amendment to H.F. No. 738 as follows:

Page 1, line 12, delete "an oral or" and insert "a"

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

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

H.F. No. 738 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

## MOTIONS AND RESOLUTIONS - CONTINUED

### CONFIRMATION

Senator Limmer moved that the appointment of notaries public, received April 14, 2011, be taken from the table. The motion prevailed.

Senator Limmer moved that the Senate do now consent to and confirm the appointments of the notaries public.

The motion prevailed. So the appointments were confirmed.

### CONFIRMATION

Senator Limmer moved that the appointment of notaries public, received February 8, 2012, be taken from the table. The motion prevailed.

Senator Limmer moved that the Senate do now consent to and confirm the appointments of the notaries public.

The motion prevailed. So the appointments were confirmed.

**CONFIRMATION**

Senator Limmer moved that the report from the Committee on Judiciary and Public Safety, reported February 2, 2012, pertaining to the appointment of the Commissioner of Corrections, be taken from the table. The motion prevailed.

Senator Limmer moved that the foregoing report be now adopted. The motion prevailed.

Senator Limmer moved that in accordance with the report from the Committee on Judiciary and Public Safety, reported February 2, 2012, the Senate, having given its advice, do now consent to and confirm the appointment of:

**COMMISSIONER OF CORRECTIONS**

Thomas A. Roy, 1646 Stoney Beach Blvd., Box 12, Sawyer, Carlton County, effective January 31, 2011, for a term expiring on January 5, 2015.

The motion prevailed. So the appointment was confirmed.

**CONFIRMATION**

Senator Vandever moved that the report from the Committee on Local Government and Elections, reported April 3, 2012, pertaining to appointments to the Campaign Finance and Public Disclosure Board, be taken from the table. The motion prevailed.

Senator Vandever moved that the foregoing report be now adopted. The motion prevailed.

Senator Vandever moved that in accordance with the report from the Committee on Local Government and Elections, reported April 3, 2012, the Senate, having given its advice, do now consent to and confirm the appointment of:

**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

George Beck, 4327 Brook Ln., Saint Louis Park, Hennepin County, effective February 21, 2012, for a term expiring on January 4, 2016.

Neil Peterson, 9640 Xylon Ave. S., Bloomington, Hennepin County, effective February 21, 2012, for a term expiring on January 4, 2016.

The motion prevailed. So the appointments were confirmed.

**RECESS**

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

**MOTIONS AND RESOLUTIONS - CONTINUED**

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

**REPORTS OF COMMITTEES**

Senator Senjem moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 2597. The motion prevailed.

**Senator Gimse from the Committee on Transportation, to which was referred**

**S.F. No. 2597:** A bill for an act relating to transportation; authorizing toll facility on segment of Interstate Highway 35E; redirecting MnPASS revenues; amending Minnesota Statutes 2010, sections 160.845; 160.93, subdivisions 1, 2; repealing Minnesota Statutes 2010, section 160.93, subdivision 2a.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**Senator Robling from the Committee on Finance, to which was re-referred**

**S.F. No. 2326:** A bill for an act relating to barbers; changing licenses and fees; creating penalties; appropriating money; amending Minnesota Statutes 2010, sections 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; Laws 2011, First Special Session chapter 4, article 1, section 11; proposing coding for new law in Minnesota Statutes, chapter 154.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Robling from the Committee on Finance, to which was re-referred**

**S.F. No. 2090:** A bill for an act relating to state government; removing restrictions relating to outside contracts; amending Minnesota Statutes 2010, sections 16C.08, subdivision 2; 16C.09; 136F.77, subdivision 3; repealing Minnesota Statutes 2010, sections 16C.085; 43A.047; 179A.23.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Robling from the Committee on Finance, to which was re-referred**

**S.F. No. 1402:** A bill for an act relating to family law; increasing the parenting time presumption; amending Minnesota Statutes 2010, section 518.175, subdivision 1.

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

**Senator Robling from the Committee on Finance, to which was referred**

**S.F. No. 2558:** A bill for an act relating to state government; updating the equalizing factors and threshold rates to reflect the changed adjusted net tax capacity tax base; updating education and human services appropriations for changes reflected in the February forecast; amending Minnesota Statutes 2010, sections 123B.53, subdivisions 4, 5; 123B.591, subdivision 3; 124D.20, subdivision 5; 124D.22, subdivision 3; 126C.10, subdivisions 13a, 35; 126C.41, subdivision 5; 126C.63, subdivision 8; 126C.69, subdivisions 2, 9; Minnesota Statutes 2011 Supplement, sections 123B.54; 123B.57, subdivision 4; Laws 2011, First Special Session chapter 11, article 1, section 36, subdivisions 2, 3, 4, 5, 6, 7, 10; article 2, section 50, subdivisions 2, 3, 4, 5, 6, 7, 9; article 3, section 11, subdivisions 2, 3, 4, 5; article 4, section 10, subdivisions 2, 3, 4, 6; article 5, section 12, subdivisions 2, 3, 4; article 6, section 2, subdivisions 2, 3, 5; article 7, section 2, subdivisions 2, 3, 4; article 8, section 2, subdivisions 2, 3; article 9, section 3, subdivision 2.

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

Page 3, line 14, delete ".94" and insert "0.94"

Page 4, line 20, delete ".36" and insert "0.36"

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

**Senator Robling from the Committee on Finance, to which was re-referred**

**S.F. No. 2304:** A bill for an act relating to state government; implementing changes to the sunset review; changing certain agency requirements; requiring posting of convictions of felonies or gross misdemeanors and malpractice settlements or judgments for a regulated practitioner; requiring certain information on regulated practitioners; requiring a study; prohibiting transfer of certain funds; requiring reports; appropriating money; requiring a review of the Board of Medical Practice and the Minnesota Medical Practice Act; amending Minnesota Statutes 2010, sections 3.922, by adding a subdivision; 3.9223, subdivision 7; 3.9225, subdivision 7; 3.9226, subdivision 7; 147.01, subdivision 4; 147.111, by adding a subdivision; 341.22; Minnesota Statutes 2011 Supplement, sections 3D.06; 3D.21, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 3D; 16B; 214; repealing Minnesota Statutes 2010, sections 138A.01; 138A.02; 138A.03; 138A.04; 138A.05; 138A.06.

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

Page 2, line 7, delete "the Combative Sports Commission,"

Page 2, delete section 4

Page 5, line 10, after the second comma, insert "and"

Page 5, line 11, delete ", and the Combative Sports Commission"

Page 7, delete section 14

Page 10, line 18, before "Sunset" insert "Legislative Audit Commission, the"

Page 10, line 19, after "Commission" insert a comma and before "senate" insert "chairs and ranking minority members of the"

Page 10, delete section 24

Page 10, after line 30, insert:

### "ARTICLE 3

#### TRANSFER OF COMBATIVE SPORTS DUTIES

Section 1. Minnesota Statutes 2010, section 341.21, is amended by adding a subdivision to read:

Subd. 3a. **Commissioner.** "Commissioner" means the commissioner of labor and industry.

Sec. 2. **[341.221] ADVISORY GROUP.**

The commissioner must appoint a Combative Sports Advisory Council to advise the commissioner on administrative duties under this chapter. The council must include members knowledgeable in the boxing and mixed martial arts industries. Membership terms, removal of members, filling of vacancies, and compensation of members is as provided in section 15.059.

Sec. 3. Minnesota Statutes 2010, section 341.28, subdivision 1, is amended to read:

Subdivision 1. **Regulatory authority; combative sports.** All combative sport contests are subject to this chapter. ~~The commission shall, for every combative sport contest:~~

~~(1) direct a commission member to be present; and~~

~~(2) direct the attending commission member to make a written report of the contest.~~

All combative sport contests within this state must be conducted according to the requirements of this chapter.

Sec. 4. Minnesota Statutes 2010, section 341.37, is amended to read:

#### **341.37 APPROPRIATION.**

A ~~commission~~ combative sports account is created in the special revenue fund. Money in the account is annually appropriated to the ~~commission~~ commissioner for the purposes of conducting its statutory responsibilities and obligations under this chapter.

Sec. 5. **TRANSFER OF DUTIES.**

The Combative Sports Commission is abolished. Duties of the commission are transferred to the commissioner of labor and industry. Minnesota Statutes, section 15.039, subdivisions 1 to 7, applies to this transfer. Members currently serving on the Combative Sports Commission are appointed to the Combative Sports Advisory Council established under Minnesota Statutes, section 341.221.

Sec. 6. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall substitute the term "commissioner" for "commission" in each place the term "commission" appears in Minnesota Statutes, chapter 341.

Sec. 7. **REPEALER.**

Minnesota Statutes 2010, sections 341.21, subdivisions 3 and 4a; 341.22; 341.23; 341.24; and 341.26, are repealed.

Sec. 8. EFFECTIVE DATE.

This article is effective July 1, 2012.

**ARTICLE 4**  
**APPROPRIATIONS**

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2012</u>	<u>2013</u>
Section 1. <u>LEGISLATURE</u>	<u>\$</u>	<u>-0-</u> <u>\$</u> <span style="float: right;"><u>21,000</u></span>
<p><u>For legislative members of the Sunset Advisory Commission. This appropriation is from the general fund.</u></p>		
Sec. 2. <u>BOARD OF BEHAVIORAL HEALTH AND THERAPY</u>	<u>\$</u>	<u>-0-</u> <u>\$</u> <span style="float: right;"><u>65,000</u></span>
<p><u>This appropriation is from the state government special revenue fund.</u></p> <p><u>\$65,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members.</u></p> <p><u>The state government special revenue fund base for ongoing activities in this act is \$9,000 in fiscal years 2014 and 2015.</u></p>		
Sec. 3. <u>BOARD OF CHIROPRACTIC EXAMINERS</u>	<u>\$</u>	<u>-0-</u> <u>\$</u> <span style="float: right;"><u>62,000</u></span>
<p><u>This appropriation is from the state government special revenue fund.</u></p> <p><u>\$52,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members.</u></p> <p><u>\$10,000 is to revise forms and documentation and to update the board's regulatory database.</u></p> <p><u>The state government special revenue fund base for ongoing activities in this act is \$9,000</u></p>		

in fiscal years 2014 and 2015.

Sec. 4. <b><u>BOARD OF DENTISTRY</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>75,000</u></b>
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This appropriation is from the state government special revenue fund.

\$25,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members.

\$50,000 is to modify the board's database and public Web site.

The state government special revenue fund base for ongoing activities in this act is \$26,000 in fiscal years 2014 and 2015.

Sec. 5. <b><u>BOARD OF DIETETICS AND NUTRITION PRACTICE</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>5,000</u></b>
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This appropriation is from the state government special revenue fund.

\$5,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members. This is a onetime appropriation.

Sec. 6. <b><u>BOARD OF MARRIAGE AND FAMILY THERAPY</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>5,000</u></b>
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This appropriation is from the state government special revenue fund.

\$5,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members. This is a onetime appropriation.

Sec. 7. <b><u>BOARD OF MEDICAL PRACTICE</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>95,000</u></b>
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This appropriation is from the state government special revenue fund.

\$50,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or



corrective action for the board's members.

\$45,000 is to transfer to the Office of the Legislative Auditor to conduct an investigation of the Board of Medical Practice.

This is a onetime appropriation from the state government special revenue fund and no money is added to the base for the Board of Medical Practice.

Sec. 8. <b><u>BOARD OF NURSING</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>115,000</u></b>
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This appropriation is from the state government special revenue fund.

\$90,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members.

\$25,000 is to collect primary business addresses and to update the board's database and public Web site.

The state government special revenue fund base for ongoing activities in this act is \$40,000 in fiscal years 2014 and 2015.

Sec. 9. <b><u>BOARD OF NURSING HOME ADMINISTRATORS</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>5,000</u></b>
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This appropriation is from the state government special revenue fund.

\$5,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members. This is a onetime appropriation.

Sec. 10. <b><u>BOARD OF OPTOMETRY</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>5,000</u></b>
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This appropriation is from the state government special revenue fund.

\$5,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members. This is a

onetime appropriation.

Sec. 11. <b><u>BOARD OF PHARMACY</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>81,000</u></b>
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This appropriation includes \$61,000 for additional staff costs to obtain and process criminal background checks, obtain and process malpractice reports, and to process disciplinary actions taken in other states.

\$20,000 is to modify the board's regulatory and licensing database system.

The state government special revenue fund base for ongoing activities in this act is \$61,000 in fiscal years 2014 and 2015.

Sec. 12. <b><u>BOARD OF PHYSICAL THERAPY</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>6,000</u></b>
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This appropriation is from the state government special revenue fund.

\$6,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members. This is a onetime appropriation.

Sec. 13. <b><u>BOARD OF PODIATRIC MEDICINE</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>5,000</u></b>
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This appropriation is from the state government special revenue fund.

\$5,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members. This is a onetime appropriation.

Sec. 14. <b><u>BOARD OF SOCIAL WORK</u></b>	<b><u>\$</u></b>	<b><u>-0-</u></b>	<b><u>\$</u></b>	<b><u>31,000</u></b>
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This appropriation is from the state government special revenue fund.

\$19,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members.

\$12,000 is for attorney general costs resulting from this act.

The state government special revenue fund base for ongoing activities in this act is \$21,000 in fiscal year 2014 and \$5,000 in fiscal year 2015.

Sec. 15. BOARD OF VETERINARY MEDICINE    \$                    -0- \$                    9,000

This appropriation is from the state government special revenue fund.

\$9,000 is to develop and maintain a process to post required information about convictions, malpractice, and disciplinary or corrective action for the board's members. This is a onetime appropriation."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 8, after the semicolon, insert "abolishing the Combative Sports Commission; establishing the Combative Sports Advisory Council;"

Amend the title numbers accordingly

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

## SECOND READING OF SENATE BILLS

S.F. Nos. 2326, 2090, 2558 and 2304 were read the second time.

## MOTIONS AND RESOLUTIONS - CONTINUED

### SPECIAL ORDERS

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

S.F. No. 1653, H.F. Nos. 1812, 1236, S.F. Nos. 1933 and 1755.

### SPECIAL ORDER

**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; providing for penalties; amending Minnesota Statutes 2010, sections 181.723, subdivisions 1, 3, 4, 7, 15, 16, by adding subdivisions; 289A.31, subdivision 5; 326B.081, subdivision 3; Minnesota Statutes 2011 Supplement, section 181.723, subdivision 5; repealing Minnesota Statutes 2010, sections 181.723,

subdivisions 6, 8, 9, 10, 11, 12, 14, 17; 290.92, subdivision 31; Minnesota Rules, parts 5202.0100; 5202.0110; 5202.0120; 5202.0130; 5202.0140; 5202.0150; 5202.0160.

Senator Pederson moved to amend S.F. No. 1653 as follows:

Page 11, after line 22, insert:

"Sec. 12. Minnesota Statutes 2010, section 299F.011, is amended by adding a subdivision to read:

Subd. 4d. **Single-family dwelling; fire sprinklers.** (a) The State Building Code, the State Fire Code, or a political subdivision of the state by code, by ordinance, as a condition of receiving public funding, or in any other way, must not require the installation of fire sprinklers, any fire sprinkler system components, or automatic fire-extinguishing equipment or devices in any new or existing single-family detached dwelling unit.

(b) This subdivision does not affect or limit a requirement for smoke or fire detectors, alarms, or their components.

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

Page 11, after line 28, insert:

"Sec. 14. Minnesota Statutes 2010, section 326B.809, is amended to read:

**326B.809 WRITTEN CONTRACT REQUIRED.**

(a) All agreements including proposals, estimates, bids, quotations, contracts, purchase orders, and change orders between a licensee and a customer for the performance of a licensee's services must be in writing and must contain the following:

- (1) a detailed summary of the services to be performed;
  - (2) a description of the specific materials to be used or a list of standard features to be included;
- and
- (3) the total contract price or a description of the basis on which the price will be calculated.

(b) Before entering into an agreement, the licensee shall provide a prospective customer with written performance guidelines for the services to be performed. Performance guidelines also must be included or incorporated by reference in the agreement. All agreements shall be signed and dated by the licensee and customer.

(c) Before entering into an agreement, the licensee shall offer a prospective customer the option to install fire sprinklers, any fire sprinkler system components, or automatic fire-extinguishing equipment or devices in any new single-family detached dwelling unit. The offer must be included or incorporated by reference in the agreement. Agreements must be signed and dated by the licensee and customer.

~~(e)~~ (d) The licensee shall provide to the customer, at no charge, a signed and dated document at the time that the licensee and customer sign and date the document. Documents include agreements, performance guidelines, fire sprinkler opt-in forms, and mechanic's lien waivers."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rest questioned whether the amendment was germane.

The President ruled that the amendment was germane.

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

The roll was called, and there were yeas 45 and nays 18, as follows:

Those who voted in the affirmative were:

Benson	Gerlach	Koenen	Newman	Senjem
Brown	Gimse	Langseth	Nienow	Sheran
Carlson	Hall	Lillie	Olson	Skoe
Chamberlain	Hann	Limmer	Ortman	Sparks
Dahms	Hoffman	Magnus	Parry	Stumpf
Daley	Howe	Metzen	Pederson	Thompson
DeKruif	Ingebrigtsen	Michel	Robling	Tomassoni
Fischbach	Jungbauer	Miller	Rosen	Vandever
Gazelka	Koch	Nelson	Saxhaug	Wolf

Those who voted in the negative were:

Bonoff	Eaton	Higgins	McGuire	Torres Ray
Cohen	Goodwin	Kelash	Pappas	Wiger
Dibble	Harrington	Lourey	Rest	
Dziedzic	Hayden	Marty	Sieben	

The motion prevailed. So the amendment was adopted.

S.F. No. 1653 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 16, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Koenen	Newman	Sheran
Benson	Gimse	Kruse	Nienow	Skoe
Bonoff	Hall	Langseth	Olson	Sparks
Brown	Hann	Lillie	Ortman	Stumpf
Carlson	Hoffman	Lourey	Parry	Thompson
Chamberlain	Howe	Magnus	Pederson	Tomassoni
Dahms	Ingebrigtsen	Metzen	Robling	Wiger
Daley	Jungbauer	Michel	Rosen	Wolf
Dziedzic	Kelash	Miller	Saxhaug	
Fischbach	Koch	Nelson	Senjem	

Those who voted in the negative were:

Cohen	Goodwin	Limmer	Rest
DeKruif	Harrington	Marty	Sieben
Dibble	Hayden	McGuire	Torres Ray
Eaton	Higgins	Pappas	Vandever

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

**SPECIAL ORDER**

**H.F. No. 1812:** A bill for an act relating to state government; permitting the Department of Administration to contract for waste hauling without determining whether state employees are able to do the work; proposing coding for new law in Minnesota Statutes, chapter 16C.

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 34 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Goodwin	Langseth	Rest	Stumpf
Bonoff	Harrington	Lourey	Saxhaug	Tomassoni
Cohen	Hayden	Marty	Sheran	Wiger
Dibble	Higgins	McGuire	Sieben	
Dziedzic	Kelash	Metzen	Skoe	
Eaton	Koenen	Pappas	Sparks	

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

**H.F. No. 1236:** A bill for an act relating to health; establishing a pharmacy audit integrity program; proposing coding for new law in Minnesota Statutes, chapter 151.

Senator Hoffman moved that the amendment made to H.F. No. 1236 by the Committee on Rules and Administration in the report adopted April 17, 2012, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	DeKruif	Hall	Jungbauer	Magnus
Benson	Dibble	Hann	Kelash	Marty
Bonoff	Dziedzic	Harrington	Koch	McGuire
Brown	Eaton	Hayden	Koenen	Metzen
Chamberlain	Fischbach	Higgins	Langseth	Michel
Cohen	Gazelka	Hoffman	Lillie	Miller
Dahms	Gimse	Howe	Limmer	Nelson
Daley	Goodwin	Ingebrigtsen	Lourey	Newman

Nienow	Pederson	Saxhaug	Skoe	Tomassoni
Olson	Rest	Senjem	Sparks	Vandeveer
Ortman	Robling	Sheran	Stumpf	Wiger
Pappas	Rosen	Sieben	Thompson	Wolf

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1933:** A bill for an act relating to health care; creating a health care compact; proposing coding for new law as Minnesota Statutes, chapter 143.

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 34 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Goodwin	Langseth	Rest	Stumpf
Bonoff	Harrington	Lourey	Saxhaug	Tomassoni
Cohen	Hayden	Marty	Sheran	Wiger
Dibble	Higgins	McGuire	Sieben	
Dziedzic	Kelash	Metzen	Skoe	
Eaton	Koenen	Pappas	Sparks	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1755:** A bill for an act relating to state government; authorizing certain negotiations to avoid layoffs; amending Minnesota Statutes 2010, section 179A.22, by adding a subdivision.

Senator Goodwin moved to amend S.F. No. 1755 as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2010, section 3.855, is amended by adding a subdivision to read:

Subd. 5. **Leave in lieu of layoffs.** No legislative staff shall be laid off for financial reasons until all employees have been first offered unpaid leaves of absence with benefits."

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 29 and nays 32, as follows:

Those who voted in the affirmative were:

Bakk	Goodwin	Koenen	Metzen	Skoe
Bonoff	Harrington	Langseth	Pappas	Sparks
Cohen	Hayden	Lourey	Rest	Stumpf
Dibble	Higgins	Magnus	Saxhaug	Tomassoni
Dziedzic	Jungbauer	Marty	Sheran	Wiger
Eaton	Kelash	McGuire	Sieben	

Those who voted in the negative were:

Benson	Fischbach	Ingebrigtsen	Newman	Senjem
Brown	Gazelka	Koch	Nienow	Thompson
Carlson	Gimse	Lillie	Olson	Vandever
Chamberlain	Hall	Limmer	Ortman	Wolf
Dahms	Hann	Michel	Pederson	
Daley	Hoffman	Miller	Robling	
DeKruif	Howe	Nelson	Rosen	

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

S.F. No. 1755 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 34 and nays 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Goodwin	Langseth	Rest	Stumpf
Bonoff	Harrington	Lourey	Saxhaug	Tomassoni
Cohen	Hayden	Marty	Sheran	Wiger
Dibble	Higgins	McGuire	Sieben	
Dziedzic	Kelash	Metzen	Skoe	
Eaton	Koenen	Pappas	Sparks	

So the bill passed and its title was agreed to.

### RECESS

Senator Senjem 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.



**APPOINTMENTS**

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

S.F. No. 2334: Senators Vandevener, Limmer and Sieben.

H.F. No. 1974: Senators Parry, Thompson and Hoffman.

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

**MEMBERS EXCUSED**

Senator Ortman was excused from the Session of today from 11:00 a.m. to 12:50 p.m. Senator Bakk was excused from the Session of today from 11:00 a.m. to 5:05 p.m. Senator Daley was excused from the Session of today from 12:00 noon to 12:15 p.m. Senator Gimse was excused from the Session of today from 2:10 to 2:30 p.m. Senator Koch was excused from the Session of today from 2:10 to 2:50 p.m. Senator Torres Ray was excused from the Session of today from 2:15 to 2:30 p.m. and at 5:15 p.m. Senator Hayden was excused from the Session of today from 2:15 to 2:50 p.m. Senator Kruse was excused from the Session of today from 2:15 to 5:05 p.m. and at 5:15 p.m. Senator Reinert was excused from the Session of today at 4:15 p.m. Senator Harrington was excused from the Session of today from 4:20 to 4:40 p.m. Senator Latz was excused from the Session of today at 5:00 p.m. Senator Carlson was excused from the Session of today from 5:00 to 5:20 p.m. Senator Gerlach was excused from the Session of today at 5:05 p.m. Senator Parry was excused from the Session of today at 5:15 p.m.

**ADJOURNMENT**

Senator Senjem moved that the Senate do now adjourn until 11:00 a.m., Thursday, April 19, 2012. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

