

FORTY-NINTH DAY

St. Paul, Minnesota, Friday, May 3, 2013

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Intern Pastor Peter Weston Miller.

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

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

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 1, 2013

The Honorable Sandra L. Pappas
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 29, S.F. No. 442; Chapter 30, S.F. No. 422; Chapter 31, S.F. No. 1016; Chapter 34, S.F. No. 769 and Chapter 35, S.F. No. 324.

Sincerely,
Mark Dayton, Governor

May 1, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

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

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2013	Date Filed 2013
442		29	4:04 p.m. May 1	May 1
422		30	4:04 p.m. May 1	May 1
1016		31	4:05 p.m. May 1	May 1
	669	32	4:05 p.m. May 1	May 1
	1378	33	4:06 p.m. May 1	May 1
769		34	4:06 p.m. May 1	May 1
324		35	4:07 p.m. May 1	May 1
	19	36	4:09 p.m. May 1	May 1

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. 510 and 825.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 2, 2013

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. 843: A bill for an act relating to local government; authorizing publication of advertisements for competitive bids in a recognized industry trade journal; amending Minnesota Statutes 2012, sections 331A.01, by adding a subdivision; 429.041, subdivision 1.

Senate File No. 843 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 2, 2013

CONCURRENCE AND REPASSAGE

Senator Scalze moved that the Senate concur in the amendments by the House to S.F. No. 843 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 843 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eaton	Housley	Nienow	Scalze
Bakk	Eken	Ingebrigtsen	Ortman	Schmit
Benson	Fischbach	Jensen	Osmek	Senjem
Bonoff	Franzen	Johnson	Pappas	Sheran
Carlson	Gazelka	Kent	Pederson, J.	Sieben
Chamberlain	Goodwin	Latz	Petersen, B.	Skoe
Clausen	Hall	Lourey	Pratt	Sparks
Cohen	Hann	Metzen	Reinert	Thompson
Dahle	Hawj	Miller	Rest	Tomassoni
Dibble	Hayden	Nelson	Rosen	Wiklund
Dziedzic	Hoffman	Newman	Saxhaug	

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. 1270: A bill for an act relating to transportation; modifying provisions governing transportation and public safety policies, including highway signs, highway jurisdictions, accounts, state-aid definitions and variances, vehicle registration and license plates, record retention, conformance with federal law, motor vehicle dealers, type III vehicles, bicycle lanes, speed limit, disability parking, school bus safety, vehicle weights, background checks, senior identification

cards, Department of Transportation offices and ombudsperson and surplus land, railroad crossing signs, bus rapid transit, transit planning, operations, and accessibility, and land conveyance; amending Minnesota Statutes 2012, sections 160.80, subdivisions 1, 1a, 2; 161.04, subdivision 5; 161.115, subdivision 229, by adding a subdivision; 161.1231, subdivision 8; 161.44, by adding a subdivision; 162.02, subdivision 3a; 162.09, subdivision 3a; 162.13, subdivision 2; 168.017, subdivisions 2, 3; 168.053, subdivision 1; 168.123, subdivision 2; 168.183, subdivision 1; 168.187, subdivision 17; 168.27, subdivisions 10, 11, by adding a subdivision; 168A.153, subdivisions 1, 2, 3, by adding a subdivision; 168B.15; 169.011, subdivision 71; 169.14, subdivision 2; 169.18, subdivisions 4, 7; 169.19, subdivision 1; 169.34, subdivision 1; 169.346, subdivision 2, by adding a subdivision; 169.443, subdivision 9; 169.447, subdivision 2; 169.454, subdivision 12; 169.824, subdivision 2; 171.01, subdivision 49b; 171.07, subdivisions 3a, 4; 171.12, subdivision 6; 174.02, by adding a subdivision; 174.24, subdivision 5a; 219.17; 219.18; 219.20; 221.0314, subdivisions 2, 3a, 9a; 398A.04, by adding a subdivision; Laws 2002, chapter 393, section 85; Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended; proposing coding for new law in Minnesota Statutes, chapters 171; 174; repealing Minnesota Statutes 2012, sections 168.094; 174.24, subdivision 5; Minnesota Rules, parts 8820.3300, subpart 2; 8835.0330, subpart 2.

Senate File No. 1270 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 2, 2013

Senator Dibble moved that the Senate do not concur in the amendments by the House to S.F. No. 1270, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 195, 1390, 1284 and 590.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted May 2, 2013

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 195: A bill for an act relating to health; allowing a licensed dietitian or licensed nutritionist to adhere to a practice guideline or protocol for a legend drug prescribed by a physician; amending Minnesota Statutes 2012, section 151.37, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 431, now on General Orders.

H.F. No. 1390: A bill for an act relating to state government; updating provisions in the Geospatial Information Office; amending Minnesota Statutes 2012, section 16E.30, subdivisions 7, 8, by adding subdivisions; repealing Minnesota Statutes 2012, section 16E.30, subdivisions 4, 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1298, now on General Orders.

H.F. No. 1284: A bill for an act relating to commerce; prohibiting restriction on sale of motor fuel; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1131, now on General Orders.

H.F. No. 590: A bill for an act relating to crime; prescribing criminal penalties for assaulting a transit operator; amending Minnesota Statutes 2012, section 609.2231, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1068, now on General Orders.

REPORTS OF COMMITTEES

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

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

H.F. No. 681 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.
681	534				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 681 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 681, the third engrossment; and insert the language after the enacting clause of S.F. No. 534, the first engrossment; further, delete the title of H.F. No. 681, the third engrossment; and insert the title of S.F. No. 534, the first engrossment.

And when so amended H.F. No. 681 will be identical to S.F. No. 534, and further recommends that H.F. No. 681 be given its second reading and substituted for S.F. No. 534, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 947 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.
947	490				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 947 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 947, the first engrossment; and insert the language after the enacting clause of S.F. No. 490, the first engrossment; further, delete the title of H.F. No. 947, the first engrossment; and insert the title of S.F. No. 490, the first engrossment.

And when so amended H.F. No. 947 will be identical to S.F. No. 490, and further recommends that H.F. No. 947 be given its second reading and substituted for S.F. No. 490, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1113 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.
1113	987				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1113 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1113, the third engrossment; and insert the language after the enacting clause of S.F. No. 987, the first engrossment; further, delete the title of H.F. No. 1113, the third engrossment; and insert the title of S.F. No. 987, the first engrossment.

And when so amended H.F. No. 1113 will be identical to S.F. No. 987, and further recommends that H.F. No. 1113 be given its second reading and substituted for S.F. No. 987, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1120 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.
1120	516				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 681, 947, 1113 and 1120 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Ingebrigtsen introduced—

S.F. No. 1645: A bill for an act relating to capital improvements; appropriating money for acquisition of Jefferson High School in Alexandria; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Hoffman introduced—

S.F. No. 1646: A bill for an act relating to mental health; providing medical assistance coverage for mental health consultation with primary care practitioners; amending Minnesota Statutes 2012, section 256B.0625, subdivision 48.

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

MOTIONS AND RESOLUTIONS

Senator Eken moved that the name of Senator Sheran be added as a co-author to S.F. No. 533. The motion prevailed.

RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

APPOINTMENTS

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

S.F. No. 1270: Senators Dibble, Kent, Carlson, Jensen and Pederson, J.

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

MOTIONS AND RESOLUTIONS - CONTINUED

SPECIAL ORDERS

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

S.F. No. 1234, H.F. Nos. 1400 and 131.

SPECIAL ORDER

S.F. No. 1234: A bill for an act relating to workers' compensation; making various policy and housekeeping changes; amending Minnesota Statutes 2012, sections 176.102, subdivision 3a; 176.106, subdivision 1; 176.129, subdivision 13; 176.138; 176.183, subdivision 4; 176.245; 176.521.

Senator Sparks moved to amend S.F. No. 1234 as follows:

Page 1, after line 6, insert:

"ARTICLE 1

WORKERS' COMPENSATION DEPARTMENT PROPOSALS"

Page 7, after line 10, insert:

"ARTICLE 2

WORKERS' COMPENSATION ADVISORY COUNCIL RECOMMENDATIONS

Section 1. Minnesota Statutes 2012, section 176.011, subdivision 15, is amended to read:

Subd. 15. **Occupational disease.** (a) "Occupational disease" means a mental impairment as defined in paragraph (d) or physical disease arising out of and in the course of employment peculiar to the occupation in which the employee is engaged and due to causes in excess of the hazards ordinary of employment and shall include undulant fever. Physical stimulus resulting in mental injury and mental stimulus resulting in physical injury shall remain compensable. Mental impairment is not considered a disease if it results from a disciplinary action work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer. Ordinary diseases of life to which the general public is equally exposed outside of employment are not compensable, except where the diseases follow as an incident of an occupational disease, or where the exposure peculiar to the occupation makes the disease an occupational disease hazard. A disease arises out of the employment only if there be a direct causal connection between the conditions under which the work is performed and if the occupational disease follows as a natural incident of the work as a result of the exposure occasioned by the nature of the employment. An employer is not liable for compensation for any occupational disease which cannot be traced to the employment as a direct and proximate cause and is not recognized as a hazard characteristic of and peculiar to the trade, occupation, process, or employment or which results from a hazard to which the worker would have been equally exposed outside of the employment.

(b) If immediately preceding the date of disablement or death, an employee was employed on active duty with an organized fire or police department of any municipality, as a member of the Minnesota State Patrol, conservation officer service, state crime bureau, as a forest officer by the Department of Natural Resources, state correctional officer, or sheriff or full-time deputy sheriff of any county, and the disease is that of myocarditis, coronary sclerosis, pneumonia or its sequel, and at the time of employment such employee was given a thorough physical examination by a licensed doctor of medicine, and a written report thereof has been made and filed with such organized fire or police department, with the Minnesota State Patrol, conservation officer service, state crime bureau, Department of Natural Resources, Department of Corrections, or sheriff's department of any county, which examination and report negated any evidence of myocarditis, coronary sclerosis, pneumonia or its sequel, the disease is presumptively an occupational disease and shall be presumed to have been due to the nature of employment. If immediately preceding the date of disablement or death, any individual who by nature of their position provides emergency medical care, or an employee who was employed as a licensed police officer under section 626.84, subdivision 1; firefighter; paramedic; state correctional officer; emergency medical technician; or licensed nurse providing emergency medical care; and who contracts an infectious or communicable disease to which the employee was exposed in the course of employment outside of a hospital, then the disease is presumptively an occupational disease and shall be presumed to have been due to the nature of employment and the presumption may be rebutted by substantial factors brought by the employer or insurer. Any substantial factors which shall be used to rebut this presumption and which are known to the employer or insurer at the time of the denial of liability shall be communicated to the employee on the denial of liability.

(c) A firefighter on active duty with an organized fire department who is unable to perform duties in the department by reason of a disabling cancer of a type caused by exposure to heat, radiation, or a known or suspected carcinogen, as defined by the International Agency for Research on Cancer, and the carcinogen is reasonably linked to the disabling cancer, is presumed to have an occupational disease under paragraph (a). If a firefighter who enters the service after August 1, 1988, is examined by a physician prior to being hired and the examination discloses the existence of a cancer of a type described in this paragraph, the firefighter is not entitled to the presumption unless a subsequent medical determination is made that the firefighter no longer has the cancer.

(d) For the purposes of this chapter, "mental impairment" means a diagnosis of post-traumatic stress disorder by a licensed psychiatrist or psychologist. For the purpose of this chapter, "post-traumatic stress disorder" means the condition as described in the most recently published edition of the Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association.

Sec. 2. Minnesota Statutes 2012, section 176.011, subdivision 16, is amended to read:

Subd. 16. **Personal injury.** "Personal injury" means any mental impairment as defined in subdivision 15, paragraph (d), or physical injury arising out of and in the course of employment and includes personal injury caused by occupational disease; but does not cover an employee except while engaged in, on, or about the premises where the employee's services require the employee's presence as a part of that service at the time of the injury and during the hours of that service. Where the employer regularly furnished transportation to employees to and from the place of employment, those employees are subject to this chapter while being so transported. Physical stimulus resulting in mental injury and mental stimulus resulting in physical injury shall remain compensable. Mental impairment is not considered a personal injury if it results from

a disciplinary action work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer. Personal injury does not include an injury caused by the act of a third person or fellow employee intended to injure the employee because of personal reasons, and not directed against the employee as an employee, or because of the employment. An injury or disease resulting from a vaccine in response to a declaration by the Secretary of the United States Department of Health and Human Services under the Public Health Service Act to address an actual or potential health risk related to the employee's employment is an injury or disease arising out of and in the course of employment.

Sec. 3. Minnesota Statutes 2012, section 176.081, subdivision 1, is amended to read:

Subdivision 1. **Limitation of fees.** (a) A fee for legal services of ~~25~~ 20 percent of the first ~~\$4,000~~ of compensation awarded to the employee and ~~20~~ percent of the next ~~\$60,000~~ \$130,000 of compensation awarded to the employee is the maximum permissible fee and does not require approval by the commissioner, compensation judge, or any other party. All fees, including fees for obtaining medical or rehabilitation benefits, must be calculated according to the formula under this subdivision, except as otherwise provided in clause (1) or (2).

(1) The contingent attorney fee for recovery of monetary benefits according to the formula in this section is presumed to be adequate to cover recovery of medical and rehabilitation benefit or services concurrently in dispute. Attorney fees for recovery of medical or rehabilitation benefits or services shall be assessed against the employer or insurer only if the attorney establishes that the contingent fee is inadequate to reasonably compensate the attorney for representing the employee in the medical or rehabilitation dispute. In cases where the contingent fee is inadequate the employer or insurer is liable for attorney fees based on the formula in this subdivision or in clause (2).

For the purposes of applying the formula where the employer or insurer is liable for attorney fees, the amount of compensation awarded for obtaining disputed medical and rehabilitation benefits under sections 176.102, 176.135, and 176.136 shall be the dollar value of the medical or rehabilitation benefit awarded, where ascertainable.

(2) The maximum attorney fee for obtaining a change of doctor or qualified rehabilitation consultant, or any other disputed medical or rehabilitation benefit for which a dollar value is not reasonably ascertainable, is the amount charged in hourly fees for the representation or \$500, whichever is less, to be paid by the employer or insurer.

(3) The fees for obtaining disputed medical or rehabilitation benefits are included in the ~~\$13,000~~ \$26,000 limit in paragraph (b). An attorney must concurrently file all outstanding disputed issues. An attorney is not entitled to attorney fees for representation in any issue which could reasonably have been addressed during the pendency of other issues for the same injury.

(b) All fees for legal services related to the same injury are cumulative and may not exceed ~~\$13,000~~ \$26,000. If multiple injuries are the subject of a dispute, the commissioner, compensation judge, or court of appeals shall specify the attorney fee attributable to each injury.

(c) If the employer or the insurer or the defendant is given written notice of claims for legal services or disbursements, the claim shall be a lien against the amount paid or payable as compensation. Subject to the foregoing maximum amount for attorney fees, up to ~~25~~ 20 percent of the first ~~\$4,000~~ \$130,000 of periodic compensation awarded to the employee and ~~20~~ percent of the next ~~\$60,000~~ of periodic compensation awarded to the employee may be withheld from the periodic payments for attorney fees or disbursements if the payor of the funds clearly indicates

on the check or draft issued to the employee for payment the purpose of the withholding, the name of the attorney, the amount withheld, and the gross amount of the compensation payment before withholding. In no case shall fees be calculated on the basis of any undisputed portion of compensation awards. Allowable fees under this chapter shall be based solely upon genuinely disputed claims or portions of claims, including disputes related to the payment of rehabilitation benefits or to other aspects of a rehabilitation plan. The existence of a dispute is dependent upon a disagreement after the employer or insurer has had adequate time and information to take a position on liability. Neither the holding of a hearing nor the filing of an application for a hearing alone may determine the existence of a dispute. Except where the employee is represented by an attorney in other litigation pending at the department or at the Office of Administrative Hearings, a fee may not be charged after June 1, 1996, for services with respect to a medical or rehabilitation issue arising under section 176.102, 176.135, or 176.136 performed before the employee has consulted with the department and the department certifies that there is a dispute and that it has tried to resolve the dispute.

(d) An attorney who is claiming legal fees for representing an employee in a workers' compensation matter shall file a statement of attorney fees with the commissioner, compensation judge before whom the matter was heard, or Workers' Compensation Court of Appeals on cases before the court. A copy of the signed retainer agreement shall also be filed. The employee and insurer shall receive a copy of the statement. The statement shall be on a form prescribed by the commissioner and shall report the number of hours spent on the case.

(e) Employers and insurers may not pay attorney fees or wages for legal services of more than ~~\$13,000~~ \$26,000 per case.

(f) An attorney must file a statement of attorney fees within 12 months of the date the attorney has submitted the written notice specified in paragraph (c). If the attorney has not filed a statement of attorney fees within the 12 months, the attorney must send a renewed notice of lien to the insurer. If 12 months have elapsed since the last notice of lien has been received by the insurer and no statement of attorney fees has been filed, the insurer must release the withheld money to the employee, except that before releasing the money to the employee, the insurer must give the attorney 30 days' written notice of the pending release. The insurer must not release the money if the attorney files a statement of attorney fees within the 30 days.

Sec. 4. Minnesota Statutes 2012, section 176.081, subdivision 7, is amended to read:

Subd. 7. **Award; additional amount.** If the employer or insurer files a denial of liability, notice of discontinuance, or fails to make payment of compensation or medical expenses within the statutory period after notice of injury or occupational disease, or otherwise unsuccessfully resists the payment of compensation or medical expenses, or unsuccessfully disputes the payment of rehabilitation benefits or other aspects of a rehabilitation plan, and the injured person has employed an attorney at law, who successfully procures payment on behalf of the employee or who enables the resolution of a dispute with respect to a rehabilitation plan, the compensation judge, commissioner, or the Workers' Compensation Court of Appeals upon appeal, upon application, shall award to the employee against the insurer or self-insured employer or uninsured employer, in addition to the compensation benefits paid or awarded to the employee, an amount equal to 30 percent of that portion of the attorney's fee which has been awarded pursuant to this section that is in excess of \$250. This subdivision shall apply only to contingent fees payable from the employee's compensation benefits, and not to other fees paid by the employer and insurer, including but

not limited to those fees payable for resolution of a medical dispute or rehabilitation dispute, or pursuant to section 176.191.

Sec. 5. Minnesota Statutes 2012, section 176.101, subdivision 1, is amended to read:

Subdivision 1. **Temporary total disability.** (a) For injury producing temporary total disability, the compensation is 66-2/3 percent of the weekly wage at the time of injury.

(b)(1) Commencing on October 1, ~~2008~~ 2013, and each October 1 thereafter, the maximum weekly compensation payable is ~~\$850 per week~~ 102 percent of the statewide average weekly wage for the period ending December 31 of the preceding year.

(2) The Workers' Compensation Advisory Council may consider adjustment increases and make recommendations to the legislature.

(c) The minimum weekly compensation payable is \$130 per week or the injured employee's actual weekly wage, whichever is less.

(d) Temporary total compensation shall be paid during the period of disability subject to the cessation and recommencement conditions in paragraphs (e) to (l).

(e) Temporary total disability compensation shall cease when the employee returns to work. Except as otherwise provided in section 176.102, subdivision 11, temporary total disability compensation may only be recommenced following cessation under this paragraph, paragraph (h), or paragraph (j) prior to payment of 130 weeks of temporary total disability compensation and only as follows:

(1) if temporary total disability compensation ceased because the employee returned to work, it may be recommenced if the employee is laid off or terminated for reasons other than misconduct if the layoff or termination occurs prior to 90 days after the employee has reached maximum medical improvement. Recommenced temporary total disability compensation under this clause ceases when any of the cessation events in paragraphs (e) to (l) occurs; or

(2) if temporary total disability compensation ceased because the employee returned to work or ceased under paragraph (h) or (j), it may be recommenced if the employee is medically unable to continue at a job due to the injury. Where the employee is medically unable to continue working due to the injury, temporary total disability compensation may continue until any of the cessation events in paragraphs (e) to (l) occurs following recommencement. If an employee who has not yet received temporary total disability compensation becomes medically unable to continue working due to the injury after reaching maximum medical improvement, temporary total disability compensation shall commence and shall continue until any of the events in paragraphs (e) to (l) occurs following commencement. For purposes of commencement or recommencement under this clause only, a new period of maximum medical improvement under paragraph (j) begins when the employee becomes medically unable to continue working due to the injury. Temporary total disability compensation may not be recommenced under this clause and a new period of maximum medical improvement does not begin if the employee is not actively employed when the employee becomes medically unable to work. All periods of initial and recommenced temporary total disability compensation are included in the 130-week limitation specified in paragraph (k).

(f) Temporary total disability compensation shall cease if the employee withdraws from the labor market. Temporary total disability compensation may be recommenced following cessation under

this paragraph only if the employee reenters the labor market prior to 90 days after the employee reached maximum medical improvement and prior to payment of 130 weeks of temporary total disability compensation. Once recommenced, temporary total disability ceases when any of the cessation events in paragraphs (e) to (l) occurs.

(g) Temporary total disability compensation shall cease if the total disability ends and the employee fails to diligently search for appropriate work within the employee's physical restrictions. Temporary total disability compensation may be recommenced following cessation under this paragraph only if the employee begins diligently searching for appropriate work within the employee's physical restrictions prior to 90 days after maximum medical improvement and prior to payment of 130 weeks of temporary total disability compensation. Once recommenced, temporary total disability compensation ceases when any of the cessation events in paragraphs (e) to (l) occurs.

(h) Temporary total disability compensation shall cease if the employee has been released to work without any physical restrictions caused by the work injury.

(i) Temporary total disability compensation shall cease if the employee refuses an offer of work that is consistent with a plan of rehabilitation filed with the commissioner which meets the requirements of section 176.102, subdivision 4, or, if no plan has been filed, the employee refuses an offer of gainful employment that the employee can do in the employee's physical condition. Once temporary total disability compensation has ceased under this paragraph, it may not be recommenced.

(j) Temporary total disability compensation shall cease 90 days after the employee has reached maximum medical improvement, except as provided in section 176.102, subdivision 11, paragraph (b). For purposes of this subdivision, the 90-day period after maximum medical improvement commences on the earlier of: (1) the date that the employee receives a written medical report indicating that the employee has reached maximum medical improvement; or (2) the date that the employer or insurer serves the report on the employee and the employee's attorney, if any. Once temporary total disability compensation has ceased under this paragraph, it may not be recommenced except if the employee returns to work and is subsequently medically unable to continue working as provided in paragraph (e), clause (2).

(k) Temporary total disability compensation shall cease entirely when 130 weeks of temporary total disability compensation have been paid, except as provided in section 176.102, subdivision 11, paragraph (b). Notwithstanding anything in this section to the contrary, initial and recommenced temporary total disability compensation combined shall not be paid for more than 130 weeks, regardless of the number of weeks that have elapsed since the injury, except that if the employee is in a retraining plan approved under section 176.102, subdivision 11, the 130-week limitation shall not apply during the retraining, but is subject to the limitation before the plan begins and after the plan ends.

(l) Paragraphs (e) to (k) do not limit other grounds under law to suspend or discontinue temporary total disability compensation provided under this chapter.

(m) Once an employee has been paid 52 weeks of temporary total compensation, the employer or insurer must notify the employee in writing of the 130-week limitation on payment of temporary total compensation. A copy of this notice must also be filed with the department.

Sec. 6. Minnesota Statutes 2012, section 176.102, subdivision 5, is amended to read:

Subd. 5. **On-the-job training; job development limitation.** (a) On-the-job training is to be given consideration in developing a rehabilitation plan especially where it would produce an economic status similar to that enjoyed prior to disability.

(b) For purposes of this subdivision, job development means systematic contact with prospective employers resulting in opportunities for interviews and employment that might not otherwise have existed, and includes identification of job leads and arranging for job interviews. Job development facilitates a prospective employer's consideration of a qualified employee for employment. Job development services provided by a qualified rehabilitation consultant firm or a registered rehabilitation vendor must not exceed 20 hours per month or 26 consecutive or intermittent weeks. When 13 consecutive or intermittent weeks of job development services have been provided, the qualified rehabilitation consultant must consult with the parties and either file a plan amendment reflecting an agreement by the parties to extend job development services for up to an additional 13 consecutive or intermittent weeks, or file a request for a rehabilitation conference under section 176.106. The commissioner or compensation judge may issue an order modifying the rehabilitation plan or make other determinations about the employee's rehabilitation, but must not order more than 26 total consecutive or intermittent weeks of job development services.

Sec. 7. Minnesota Statutes 2012, section 176.102, subdivision 10, is amended to read:

Subd. 10. **Rehabilitation; consultants and vendors.** (a) The commissioner shall approve rehabilitation consultants who may propose and implement plans if they satisfy rules adopted by the commissioner for rehabilitation consultants. A consultant may be an individual or public or private entity, and except for rehabilitation services, Department of Employment and Economic Development, a consultant may not be a vendor or the agent of a vendor of rehabilitation services. The commissioner shall also approve rehabilitation vendors if they satisfy rules adopted by the commissioner.

(b) An individual qualified rehabilitation consultant registered by the commissioner must not provide any medical, rehabilitation, or disability case management services related to an injury that is compensable under this chapter when these services are part of the same claim, unless the case management services are part of an approved rehabilitation plan.

Sec. 8. Minnesota Statutes 2012, section 176.106, subdivision 3, is amended to read:

Subd. 3. **Conference.** The matter shall be scheduled for an administrative conference within 60 days after receipt of the request for a conference, except that an administrative conference on a rehabilitation issue under section 176.102 must be held within 21 days, unless the issue involves only fees for rehabilitation services that have already been provided or there is good cause for holding the conference later than 21 days. If there is a rehabilitation plan in effect, the qualified rehabilitation consultant must continue to provide reasonable services under the plan until the date the conference was initially scheduled to be held. Notice of the conference shall be served on all parties no later than 14 days prior to the conference, unless the commissioner or compensation judge determines that a conference shall not be held. The commissioner or compensation judge may order an administrative conference before the commissioner's designee whether or not a request for conference is filed.

The commissioner or compensation judge may refuse to hold an administrative conference and refer the matter for a settlement or pretrial conference or may certify the matter to the Office of Administrative Hearings for a full hearing before a compensation judge.

Sec. 9. Minnesota Statutes 2012, section 176.136, subdivision 1b, is amended to read:

Subd. 1b. **Limitation of liability.** (a) The liability of the employer for treatment, articles, and supplies provided to an employee while an inpatient or outpatient at a small hospital shall be the hospital's usual and customary charge, unless the charge is determined by the commissioner or a compensation judge to be unreasonably excessive. A "small hospital," for purposes of this paragraph, is a hospital which has 100 or fewer licensed beds.

(b) The liability of the employer for the treatment, articles, and supplies that are not limited by subdivision 1a or 1c or paragraph (a) shall be limited to 85 percent of the provider's usual and customary charge, or 85 percent of the prevailing charges for similar treatment, articles, and supplies furnished to an injured person when paid for by the injured person, whichever is lower. On this basis, the commissioner or compensation judge may determine the reasonable value of all treatment, services, and supplies, and the liability of the employer is limited to that amount. The commissioner may by rule establish the reasonable value of a service, article, or supply in lieu of the 85 percent limitation in this paragraph. A prevailing charge established under Minnesota Rules, part 5221.0500, subpart 2, must be based on no more than two years of billing data immediately preceding the date of the service.

(c) The limitation of liability for charges provided by paragraph (b) does not apply to a nursing home that participates in the medical assistance program and whose rates are established by the commissioner of human services.

(d) An employer's liability for treatment, articles, and supplies provided under this chapter by a health care provider located outside of Minnesota is limited to the payment that the health care provider would receive if the treatment, article, or supply were paid under the workers' compensation law of the jurisdiction in which the treatment was provided.

Sec. 10. Minnesota Statutes 2012, section 176.645, is amended to read:

176.645 ADJUSTMENT OF BENEFITS.

Subdivision 1. **Amount.** For injuries occurring after October 1, 1975, for which benefits are payable under section 176.101, subdivisions 1, 2 and 4, and section 176.111, subdivision 5, the total benefits due the employee or any dependents shall be adjusted in accordance with this section. On October 1, 1981, and thereafter on the anniversary of the date of the employee's injury the total benefits due shall be adjusted by multiplying the total benefits due prior to each adjustment by a fraction, the denominator of which is the statewide average weekly wage for December 31, of the year two years previous to the adjustment and the numerator of which is the statewide average weekly wage for December 31, of the year previous to the adjustment. For injuries occurring after October 1, 1975, all adjustments provided for in this section shall be included in computing any benefit due under this section. Any limitations of amounts due for daily or weekly compensation under this chapter shall not apply to adjustments made under this section. No adjustment increase made on or after October 1, 1977, but prior to October 1, 1992, under this section shall exceed six percent a year; in those instances where the adjustment under the formula of this section would exceed this maximum, the increase shall be deemed to be six percent. No adjustment increase made on or after October 1, 1992, under this section shall exceed four percent a year; in those instances where the adjustment under the formula of this section would exceed this maximum, the increase shall be deemed to be four percent. For injuries occurring on and after October 1, 1995, no adjustment increase made on or after October 1, 1995, shall exceed two percent a year; in those instances where the adjustment under the formula of this section would exceed this maximum, the increase shall be deemed to be two percent. For injuries occurring on and after October 1, 2013, no

adjustment increase shall exceed three percent a year. If the adjustment under the formula of this section would exceed three percent, the increase shall be three percent. No adjustment under this section shall be less than zero percent. The Workers' Compensation Advisory Council may consider adjustment or other further increases and make recommendations to the legislature.

Subd. 2. **Time of first adjustment.** For injuries occurring on or after October 1, 1981, the initial adjustment made pursuant to subdivision 1 is deferred until the first anniversary of the date of the injury. For injuries occurring on or after October 1, 1992, the initial adjustment under subdivision 1 is deferred until the second anniversary of the date of the injury. The adjustment made at that time shall be that of the last year only. For injuries occurring on or after October 1, 1995, the initial adjustment under subdivision 1 is deferred until the fourth anniversary of the date of injury. The adjustment at that time shall be that of the last year only. For injuries occurring on or after October 1, 2013, the initial adjustment under subdivision 1 is deferred until the third anniversary of the date of injury. The adjustment made at that time shall be that of the last year only.

Sec. 11. Minnesota Statutes 2012, section 176.83, subdivision 5, is amended to read:

Subd. 5. **Treatment standards for medical services.** (a) In consultation with the Medical Services Review Board or the rehabilitation review panel, the commissioner shall adopt rules establishing standards and procedures for health care provider treatment. The rules shall apply uniformly to all providers including those providing managed care under section 176.1351. The rules shall be used to determine whether a provider of health care services and rehabilitation services, including a provider of medical, chiropractic, podiatric, surgical, hospital, or other services, is performing procedures or providing services at a level or with a frequency that is excessive, unnecessary, or inappropriate under section 176.135, subdivision 1, based upon accepted medical standards for quality health care and accepted rehabilitation standards.

(b) The rules shall include, but are not limited to, the following:

(1) criteria for diagnosis and treatment of the most common work-related injuries including, but not limited to, low back injuries and upper extremity repetitive trauma injuries;

(2) criteria for surgical procedures including, but not limited to, diagnosis, prior conservative treatment, supporting diagnostic imaging and testing, and anticipated outcome criteria;

(3) criteria for use of appliances, adaptive equipment, and use of health clubs or other exercise facilities;

(4) criteria for diagnostic imaging procedures;

(5) criteria for inpatient hospitalization; ~~and~~

(6) criteria for treatment of chronic pain; and

(7) criteria for the long-term use of opioids or other scheduled medications to alleviate intractable pain and improve function, including the use of written contracts between the injured worker and the health care provider who prescribes the medication.

(c) If it is determined by the payer that the level, frequency, or cost of a procedure or service of a provider is excessive, unnecessary, or inappropriate according to the standards established by the rules, the provider shall not be paid for the procedure, service, or cost by an insurer, self-insurer, or group self-insurer, and the provider shall not be reimbursed or attempt to collect reimbursement for

the procedure, service, or cost from any other source, including the employee, another insurer, the special compensation fund, or any government program unless the commissioner or compensation judge determines at a hearing or administrative conference that the level, frequency, or cost was not excessive under the rules in which case the insurer, self-insurer, or group self-insurer shall make the payment deemed reasonable.

(d) A rehabilitation provider who is determined by the rehabilitation review panel board, after hearing, to be consistently performing procedures or providing services at an excessive level or cost may be prohibited from receiving any further reimbursement for procedures or services provided under this chapter. A prohibition imposed on a provider under this subdivision may be grounds for revocation or suspension of the provider's license or certificate of registration to provide health care or rehabilitation service in Minnesota by the appropriate licensing or certifying body. The commissioner and Medical Services Review Board shall review excessive, inappropriate, or unnecessary health care provider treatment under section 176.103.

Sec. 12. PATIENT ADVOCATE PILOT PROGRAM.

The commissioner of labor and industry shall implement a two-year patient advocate program for employees with back injuries who are considering back fusion surgery. The purpose of the program is to ensure that injured workers understand their treatment options and receive treatment for their work injuries according to accepted medical standards. The services provided by the patient advocate shall be paid for from the special compensation fund.

Sec. 13. REIMBURSEMENT COST STUDY.

The commissioner of labor and industry shall study the effectiveness and costs of potential reforms and barriers within the workers' compensation carrier and health care provider reimbursement system, including, but not limited to, carrier administrative costs, prompt payment, uniform claim components, and the effect on provider reimbursements and injured worker co-payments of implementing the subjects studied. The commissioner shall consult with interested stakeholders including health care providers, workers' compensation insurance carriers, and representatives of business and labor to provide relevant data promptly to the department to complete the study. The commissioner shall report findings and recommendations to the Workers' Compensation Advisory Council by December 31, 2013.

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

Sec. 14. EFFECTIVE DATE.

(a) Sections 1 to 6 and 10 are effective for employees with dates of injury occurring on or after October 1, 2013.

(b) Sections 7, 8, and 12 are effective on October 1, 2013.

(c) Section 9 is effective on October 1, 2013, and shall be used to establish prevailing charges on or after that date.

(d) Section 11 is effective October 1, 2013, and applies to employees with all dates of injury who receive treatment after the rules are adopted."

Amend the title accordingly

CALL OF THE SENATE

Senator Benson imposed a call of the Senate for the balance of the proceedings on S.F. No. 1234. The Sergeant at Arms was instructed to bring in the absent members.

Senator Gazelka moved that S.F. No. 1234 be re-referred to the Committee on Commerce.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 24 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Limmer	Ortman	Rosen
Benson	Gazelka	Miller	Osmek	Senjem
Bonoff	Hann	Nelson	Pederson, J.	Thompson
Chamberlain	Housley	Newman	Petersen, B.	Westrom
Dahms	Ingebrigtsen	Nienow	Reinert	

Those who voted in the negative were:

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

The motion did not prevail.

Senator Hann moved that the Senate do now recess for one hour subject to the call of the President. The motion did not prevail.

RECESS

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

CALL OF THE SENATE

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

The Senate resumed consideration of S.F. No. 1234 and the Sparks amendment.

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

The roll was called, and there were yeas 39 and nays 23, as follows:

Those who voted in the affirmative were:

Bakk	Dahle	Goodwin	Kent	Nelson
Bonoff	Dibble	Hawj	Koenen	Pappas
Carlson	Dziedzic	Hayden	Latz	Rest
Champion	Eaton	Hoffman	Lourey	Saxhaug
Clausen	Eken	Jensen	Marty	Scalze
Cohen	Franzen	Johnson	Metzen	Schmit

Sheran	Skoe	Stumpf	Torres Ray	Wiklund
Sieben	Sparks	Tomassoni	Wiger	

Those who voted in the negative were:

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

The motion prevailed. So the amendment was adopted.

Senator Limmer moved that S.F. No. 1234 be re-referred to the Committee on Judiciary.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 22 and nays 39, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Senator Newman moved that S.F. No. 1234 be re-referred to the Committee on Finance.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 24 and nays 38, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Senator Dahms moved to amend the Sparks amendment to S.F. No. 1234, adopted by the Senate May 3, 2013, as follows:

Page 1, line 16, delete "in good faith"

Page 2, line 28, after "psychologist" insert "arising out of extraordinary and unusual circumstances as compared to the normal conditions of employment"

Page 3, line 9, delete "in good faith"

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

Senator Dahms moved to amend the Sparks amendment to S.F. No. 1234, adopted by the Senate May 3, 2013, as follows:

Page 13, line 7, delete everything after "COST" and insert ", MENTAL INJURY, AND JOB DEVELOPMENT STUDIES."

Page 13, line 8, before "The" insert "(a)"

Page 13, after line 17, insert:

"(b) The commissioner of labor and industry shall study the issue of compensating mental injuries resulting from mental stimulus, including the specific proposals made in the amendments to sections 1 and 2. The commissioner shall consult with interested stakeholders including health care providers, workers' compensation insurance carriers, and representatives of business and labor to provide relevant data promptly to the department to complete the study. The commissioner shall report findings and recommendations to the Workers' Compensation Advisory Council by December 31, 2013.

(c) The commissioner of labor and industry shall study the issue of limiting the duration of job development services provided to injured workers, including the specific proposals made in the amendments to section 6. The commissioner shall consult with interested stakeholders including health care providers, workers' compensation insurance carriers, and representatives of business and labor to provide relevant data promptly to the department to complete the study. The commissioner shall report findings and recommendations to the Workers' Compensation Advisory Council by December 31, 2013."

Page 13, delete lines 20 and 21 and insert:

"(a) Sections 1, 2, and 6 are effective for employees with dates of injury occurring on or after October 1, 2014.

(b) Sections 3 to 5, and 10 are effective for employees with dates of injury occurring after October 1, 2013."

Page 13, line 22, delete "(b)" and insert "(c)"

Page 13, line 23, delete "(c)" and insert "(d)"

Page 13, line 25, delete "(d)" and insert "(e)"

Amend the title accordingly

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

S.F. No. 1234 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 38 and nays 24, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

SPECIAL ORDER

H.F. No. 1400: A bill for an act relating to public safety; modifying certain provisions regarding domestic abuse; amending Minnesota Statutes 2012, sections 518B.01, subdivision 14, by adding a subdivision; 609.2242, subdivision 2; 609.748, subdivision 6; 629.75, subdivision 2, by adding a subdivision; 634.20.

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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 131: A bill for an act relating to commerce; requiring estate sale conductors to post a bond to protect owners of the property to be sold; proposing coding for new law in Minnesota Statutes, chapter 325E.

Senator Westrom moved to amend H.F. No. 131, as amended pursuant to Rule 45, adopted by the Senate April 16, 2013, as follows:

(The text of the amended House File is identical to S.F. No. 316.)

Page 2, after line 7, insert:

"Subd. 3. **Exemption.** This section shall not apply to licensed certified public accountants or licensed attorneys."

The motion prevailed. So the amendment was adopted.

H.F. No. 131 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 50 and nays 8, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Chamberlain	Nienow	Osmek
Benson	Hann	Ortman	Thompson

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

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Bakk moved that the Senate take up the Confirmation Calendar. The motion prevailed.

CONFIRMATION

Senator Latz moved that the report from the Committee on Judiciary, reported March 6, 2013, pertaining to appointments to the Board on Judicial Standards, be taken from the table. The motion prevailed.

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

Senator Latz moved that in accordance with the report from the Committee on Judiciary, reported March 6, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD ON JUDICIAL STANDARDS

Timothy Gephart, 575 William St., Excelsior, Hennepin County, effective June 27, 2012, for a term expiring on January 4, 2016.

William Wernz, 4014 Highwood Rd., Saint Louis Park, Hennepin County, effective June 1, 2011, for a term expiring on January 5, 2015.

Senator Limmer requested the name of William Wernz be divided out.

CALL OF THE SENATE

Senator Latz imposed a call of the Senate for the balance of the proceedings on the Board on Judicial Standards. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the Latz motion to consent to and confirm the appointment of Timothy Gephart. The motion prevailed. So the appointment was confirmed.

The question was taken on the adoption of the Latz motion to consent to and confirm the appointment of William Wernz.

The roll was called, and there were yeas 38 and nays 19, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Fischbach	Housley	Nienow	Rosen
Benson	Gazelka	Limmer	Ortman	Senjem
Chamberlain	Hall	Nelson	Osmek	Thompson
Dahms	Hann	Newman	Pederson, J.	

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported January 31, 2013, pertaining to appointments to the Environmental Quality Board, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported January 31, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

ENVIRONMENTAL QUALITY BOARD

John Saxhaug, 3940 Harriet Ave., Minneapolis, Hennepin County, effective June 30, 2011, for a term expiring on January 5, 2015.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported January 31, 2013, pertaining to appointments to the Clean Water Council, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported January 31, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

CLEAN WATER COUNCIL

Marilyn Bernhardson, 1241 E. Bridge St., Redwood Falls, Redwood County, effective June 30, 2011, for a term expiring on January 5, 2015.

Gary Burdorf, 42351 – 206th St., Arlington, Sibley County, effective August 28, 2012, to complete a term expiring on January 5, 2015.

Warren Formo, 3080 Eagandale Pl., Eagan, Dakota County, effective June 30, 2011, for a term expiring on January 5, 2015.

Keith Hanson, 332 W. Superior St., Duluth, Saint Louis County, effective June 30, 2011, for a term expiring on January 5, 2015.

John Harren, 27148 Cty. Rd. 39, Freeport, Stearns County, effective June 30, 2011, for a term expiring on January 5, 2015.

Frank Jewell, 2701 Northridge Dr., Duluth, Saint Louis County, effective November 15, 2011, for a term expiring on January 5, 2015.

Bradley Kalk, 43408 Ooodena Dr., Onamia, Aitkin County, effective June 30, 2011, for a term expiring on January 5, 2015.

Michael McKay, 30895 Lakeview Ave., Red Wing, Goodhue County, effective June 30, 2011, for a term expiring on January 5, 2015.

Todd Renville, 4040 Colfax Ave. S., Minneapolis, Hennepin County, effective June 30, 2011, for a term expiring on January 5, 2015.

Sandra Rummel, 4011 Lakehill Cir., White Bear Lake, Ramsey County, effective March 7, 2011, for a term expiring on January 1, 2015.

Louis Smith, 4321 Fremont Ave. S., Minneapolis, Hennepin County, effective June 30, 2011, for a term expiring on January 5, 2015.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported January 31, 2013, pertaining to appointments to the Minnesota Pollution Control Agency, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported January 31, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA POLLUTION CONTROL AGENCY

Kathryn Draeger, 33626 – 660th Ave., Clinton, Big Stone County, effective September 4, 2012, to complete a term expiring on January 6, 2014.

Carolyn Sampson, 3110 Dean Ct., Minneapolis, Hennepin County, effective June 30, 2012, for a term expiring on January 4, 2016.

Senator Nienow requested the name of Kathryn Draeger be divided out.

The question was taken on the Marty motion to consent to and confirm the appointment of Carolyn Sampson. The motion prevailed. So the appointment was confirmed.

CALL OF THE SENATE

Senator Marty imposed a call of the Senate for the balance of the proceedings on the Confirmation Calendar. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Marty motion to consent to and confirm the appointment of Kathryn Draeger.

The roll was called, and there were yeas 35 and nays 18, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Fischbach	Limmer	Ortman	Senjem
Benson	Gazelka	Nelson	Osmek	Thompson
Chamberlain	Hall	Newman	Pederson, J.	
Dahms	Hann	Nienow	Rosen	

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported January 31, 2013, pertaining to appointments to the Minnesota Environmental Quality Board, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported January 31, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA ENVIRONMENTAL QUALITY BOARD

Kate Knuth, 2347 - 14th Ter. N.W., New Brighton, Ramsey County, effective January 14, 2013, to complete a term expiring on January 5, 2015.

The question was taken on the adoption of the Marty motion to consent to and confirm the appointment of Kate Knuth.

The roll was called, and there were yeas 37 and nays 17, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Fischbach	Limmer	Ortman	Thompson
Benson	Gazelka	Nelson	Osmek	
Chamberlain	Hall	Newman	Pederson, J.	
Dahms	Hann	Nienow	Senjem	

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported February 4, 2013, pertaining to appointments to the Lessard-Sams Outdoor Heritage Council, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported February 4, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

LESSARD-SAMS OUTDOOR HERITAGE COUNCIL

Jane Kingston, 7874 N. Saint Mary's Dr., Eveleth, Saint Louis County, effective February 14, 2011, for a term expiring on January 5, 2015.

Scott Rall, 1027 Lexington Ave., Worthington, Nobles County, effective February 14, 2011, for a term expiring on January 5, 2015.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported February 4, 2013, pertaining to appointments to the Minnesota Pollution Control Agency, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported February 4, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA POLLUTION CONTROL AGENCY

Eric Gustafson, 7223 Lanham Ln., Edina, Hennepin County, effective June 28, 2010, for a term expiring on January 6, 2014.

Dennis Jensen, 4219 W. Arrowhead Rd., Duluth, Saint Louis County, effective June 30, 2012, for a term expiring on January 4, 2016.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported February 14, 2013, pertaining to appointments to the Legislative-Citizen Commission on Minnesota Resources, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported February 14, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Bonnie Harper-Lore, 12505 Ridgemount Ave. W., Minnetonka, Hennepin County, effective February 10, 2013, for a term expiring on January 2, 2017.

Norman Moody, P.O. Box 396, Hackensack, Cass County, effective February 10, 2013, for a term expiring on January 2, 2017.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported February 14, 2013, pertaining to appointments to the Public Utilities Commission, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported February 14, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

PUBLIC UTILITIES COMMISSION

Beverly Jones Heydinger, 702 Goodrich Ave., Saint Paul, Ramsey County, effective July 2, 2012, to complete a term expiring on January 2, 2017.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported February 14, 2013, pertaining to appointments to the Legislative-Citizen Commission on Minnesota Resources, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported February 14, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

Thomas Cook, 7700 Erick St., Greenfield, Hennepin County, effective June 22, 2010, for a term expiring on January 6, 2014.

Nancy Gibson, 2712 Glenhurst Ave., Saint Louis Park, Hennepin County, effective March 6, 2012, for a term expiring on January 4, 2016.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported February 21, 2013, pertaining to appointments to the Legislative-Citizen Commission on Minnesota Resources, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported February 21, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES

William Faber, 501 W. College Dr., Brainerd, Morrison County, effective February 10, 2013, for a term expiring on January 6, 2014.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported April 11, 2013, pertaining to appointments to the Lessard-Sams Outdoor Heritage Council, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported April 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

LESSARD-SAMS OUTDOOR HERITAGE COUNCIL

Susan Olson, 1 Hormel Pl., Austin, Mower County, effective January 29, 2013, for a term expiring on January 2, 2017.

Elizabeth Wilkens, 1646 - 290th Ave., Mora, Kanabec County, effective January 29, 2013, for a term expiring on January 2, 2017.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported April 11, 2013, pertaining to appointments to the Public Utilities Commission, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported April 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

PUBLIC UTILITIES COMMISSION

Nancy Lange, 17404 Bridgewater Cir., Minnetonka, Hennepin County, effective March 4, 2013, for a term expiring on January 7, 2019.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Marty moved that the report from the Committee on Environment and Energy, reported April 11, 2013, pertaining to appointment to the Minnesota Environmental Quality Board, be taken from the table. The motion prevailed.

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

Senator Marty moved that in accordance with the report from the Committee on Environment and Energy, reported April 11, 2013, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA ENVIRONMENTAL QUALITY BOARD

Julie Goehring, 708 - 70th Ave. N.W., Moorhead, Clay County, effective March 3, 2013, for a term expiring on January 2, 2017.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

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

REPORTS OF COMMITTEES

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

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

S.F. No. 1191: A bill for an act relating to retirement; various retirement plans; redefining salary for benefit and contribution purposes; increasing member and employer contributions; increasing vesting to ten years for new hires; capping allowable service for computing annuities; modifying the trigger for increasing or lowering annual postretirement adjustments for all plans; modifying duty disability definitions and clarifying disability application requirements for the public employees police and fire and local government correctional plan; increasing the reduction for early retirement; clarifying survivor benefit provisions; delaying the first annual postretirement adjustment for the public employees police and fire retirement plan; increase the normal retirement age for new judge; permitting existing judges to elect to be treated as a new judge for benefit and contribution purposes; mandating certain dues and other payment deductions by MSRS and PERA; modifying the Teachers Retirement Association level benefit tier early retirement reduction factors; increasing member and employer contributions to the Duluth Teachers Retirement Fund Association and the St. Paul Teachers Retirement Fund Association; increasing direct state aid to the DTRFA and to the SPTRFA; increasing the DTRFA and SPTRFA benefit accrual rates for prospective allowable service; revising the DTRFA postretirement adjustment provision; modifying certain salary increase and payroll growth actuarial assumptions; amending Minnesota Statutes 2012, sections 352B.011, subdivision 4; 352B.02, subdivisions 1a, 1c; 352B.08, subdivisions 1, 2, 2a; 352B.10, subdivision 5; 352B.11, subdivisions 1, 2b; 353.01, subdivisions 10, 17a, 41, 47; 353.031, subdivision 4; 353.35, subdivision 1; 353.65, subdivisions 2, 3; 353.651, subdivisions 3, 4; 353.657, subdivisions 2a, 3a; 353E.001, subdivision 1; 354.44, subdivision 6; 354A.011, subdivision 21; 354A.12, subdivisions 1, 2a, 3a, 3c, 7, by adding subdivisions; 354A.27, subdivision 7, by adding a subdivision; 354A.31, subdivisions 3, 4, 4a, 7; 354A.35, subdivision 2; 356.215, subdivision 8; 356.315, by adding a subdivision; 356.415, subdivisions 1, 1b, 1c, 1e, by adding a subdivision; 356.47, subdivision 1; 356.91; 423A.02, subdivision 5; 490.121, subdivisions 21f, 22, by adding subdivisions; 490.123, subdivisions 1a, 1b; 490.124, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 354; 490; repealing Minnesota Statutes 2012, sections 352B.11, subdivision 2c; 354A.27, subdivision 6.

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

Page 8, after line 3, insert:

"Sec. 11. **PUBLIC SAFETY; APPROPRIATIONS.**

The following amounts are appropriated to the Department of Public Safety for the increased employer contribution in section 3:

(1) \$95,000 in fiscal year 2015 is appropriated from the general fund. The general fund base appropriation for fiscal year 2017 is \$189,000;

(2) \$546,000 in fiscal year 2015 is appropriated from the trunk highway fund. The trunk highway fund base appropriation for fiscal year 2017 is \$1,093,000; and

(3) \$8,000 in fiscal year 2015 is appropriated from the highway user tax distribution fund. The highway user tax distribution fund base appropriation for fiscal year 2017 is \$16,000."

Page 28, line 13, delete "the day following final enactment" and insert "July 1, 2014"

Page 32, line 1, delete "the day following final enactment" and insert "July 1, 2014"

Page 46, after line 7, insert:

"Sec. 22. **CONSOLIDATION STUDY.**

The boards and executive directors of the Duluth Teachers Retirement Fund Association, the St. Paul Teachers Retirement Fund Association, and the Teachers Retirement Association shall jointly study and develop a report on the feasibility and requirements necessary for the consolidation of the Duluth Teachers Retirement Fund Association and the St. Paul Teachers Retirement Fund Association into the Teachers Retirement Association. The report shall include detailed actuarial analysis that will define the financial requirements for consolidating with the Teachers Retirement Association in a manner, consistent with past practice, that assures that the assets of the Teachers Retirement Association are protected, that the merging funds are fully funded, and that the Teachers Retirement Association is not subsidizing the merged funds. The report shall include implementation plans, proposed allocation of costs between the state and all interested parties, time frames sufficient for an orderly transition, necessary management and administrative changes, asset investment related considerations, and education and communication plans to fully inform the executive branch, the legislative branch, and all system stakeholders of financial requirements. The report shall include plans to treat the employees of the Duluth Teachers Retirement Fund Association and the St. Paul Teachers Retirement Fund Association in a manner comparable to that provided to the former employees of the former Minneapolis Teachers Retirement Fund Association upon consolidation into the Teachers Retirement Fund Association. The boards and executive directors shall consult with the executive director of the State Board of Investment on investment management transition issues. The report must be submitted to the Legislative Commission on Pensions and Retirement by January 6, 2014.

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

Renumber the sections in sequence

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

SECOND READING OF SENATE BILLS

S.F. No. 1191 was read the second time.

MEMBERS EXCUSED

Senators Brown, Kiffmeyer, Ruud and Weber were excused from the Session of today. Senators Limmer, Stumpf and Torres Ray were excused from the Session of today from 11:00 to 11:30 a.m. Senator Westrom was excused from the Session of today from 11:00 to 11:30 a.m. and at 3:40 p.m. Senator Champion was excused from the Session of today from 11:00 a.m. to 1:00 p.m. Senator Dahms was excused from the Session of today from 11:20 to 11:30 a.m. Senator Pratt was excused from the Session of today at 12:45 p.m. Senator Hall was excused from the Session of today from 12:45 to 1:50 p.m. Senator Hann was excused from the Session of today from 2:40 to 3:00 p.m. Senator Ingebrigtsen was excused from the Session of today at 3:15 p.m. Senator Petersen, B. was excused from the Session of today at 3:20 p.m. Senator Eken was excused from the Session of today from 3:25 to 3:30 p.m. Senator Sheran was excused from the Session of today from 3:30 to 4:00 p.m. Senator Miller was excused from the Session of today at 3:40 p.m. Senators Housley and Metzen were excused from the Session of today at 4:00 p.m. Senator Latz was excused from the Session of today at 4:05 p.m. Senator Rosen was excused from the Session of today at 4:10 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 12:30 p.m., Monday, May 6, 2013. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate