

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

FOURTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, JANUARY 18, 2011

The House of Representatives convened at 3:00 p.m. and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by the Reverend Gary W. Kubly, Senator, District 20, Granite Falls, Minnesota.

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

The roll was called and the following members were present:

Abeler	Davnie	Hamilton	Kriesel	Morrow	Schomacker
Anderson, B.	Dean	Hancock	Laine	Mullery	Scott
Anderson, D.	Dettmer	Hansen	Lanning	Murdock	Shimanski
Anderson, P.	Dill	Hausman	Leidiger	Murphy, E.	Simon
Anderson, S.	Dittrich	Hayden	LeMieur	Murphy, M.	Slawik
Anzelc	Doepke	Hilty	Lenczewski	Murray	Slocum
Atkins	Downey	Holberg	Lesch	Myhra	Smith
Banaian	Drazkowski	Hoppe	Liebling	Nelson	Stensrud
Barrett	Eken	Hornstein	Lillie	Nornes	Swedzinski
Beard	Erickson	Hortman	Loeffler	Norton	Thissen
Benson, J.	Fabian	Hosch	Lohmer	O'Driscoll	Torkelson
Benson, M.	Falk	Howes	Loon	Paymar	Urdahl
Bills	Franson	Huntley	Mack	Pelowski	Vogel
Brynaert	Fritz	Johnson	Mahoney	Peppin	Wagenius
Buesgens	Garofalo	Kahn	Mariani	Petersen, B.	Ward
Carlson	Gauthier	Kath	Marquart	Peterson, S.	Wardlow
Champion	Gottwalt	Kelly	Mazorol	Poppe	Westrom
Clark	Greene	Kieffer	McDonald	Quam	Winkler
Cornish	Greiling	Kiel	McElfratrick	Rukavina	Woodard
Crawford	Gruenhagen	Kiffmeyer	McFarlane	Runbeck	Spk. Zellers
Daudt	Gunther	Knuth	McNamara	Sanders	
Davids	Hackbarth	Koenen	Moran	Scalze	

A quorum was present.

Hilstrom, Persell and Tillberry were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Liebling and Norton introduced:

H. F. No. 93, A bill for an act relating to highways; designating Arianna Celeste MacNamara Memorial Bridge; amending Minnesota Statutes 2010, section 161.14, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Urdahl, Quam, Lohmer, Gruenhagen, Nornes, Murdock, LeMieur and Westrom introduced:

H. F. No. 94, A bill for an act relating to commerce; authorizing use and sale of incandescent light bulbs manufactured in Minnesota; proposing coding for new law in Minnesota Statutes, chapter 325E.

The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform.

Hortman; Scott; Dittrich; Petersen, B., and Abeler introduced:

H. F. No. 95, A bill for an act relating to waters; eliminating Mississippi River critical area; repealing Minnesota Statutes 2010, section 116G.15.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Davids introduced:

H. F. No. 96, A bill for an act relating to taxes; individual income and corporate franchise; conforming to the federal section 179 expensing allowance for certain taxpayers; amending Minnesota Statutes 2010, section 290.01, subdivisions 19, 19a, 19c.

The bill was read for the first time and referred to the Committee on Taxes.

Davids introduced:

H. F. No. 97, A bill for an act relating to taxes; individual income and corporate franchise; conforming to the federal section 179 expensing allowance; amending Minnesota Statutes 2010, section 290.01, subdivisions 19, 19a, 19c.

The bill was read for the first time and referred to the Committee on Taxes.

Dill introduced:

H. F. No. 98, A bill for an act relating to state lands; creating a pilot land exchange process for tax-forfeited lands in Itasca County.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Anzelc and Persell introduced:

H. F. No. 99, A bill for an act relating to taxation; property; exempting property owned and operated by a veterans organization; amending Minnesota Statutes 2010, section 272.02, by adding a subdivision.

The bill was read for the first time and referred to the Veterans Services Division.

Urdahl, Lanning and Mazorol introduced:

H. F. No. 100, A bill for an act relating to liquor; imposing a criminal penalty for social host liability; amending Minnesota Statutes 2010, section 340A.90, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Urdahl; Hamilton; Davids; Torkelson; Quam; Scott; Anderson, B.; Benson, M.; Fabian; Shimanski; LeMieur; Koenen; Murray; Swedzinski; Anderson, P.; Schomacker; Eken; Hosch and Vogel introduced:

H. F. No. 101, A bill for an act relating to agriculture; appropriating money for livestock investment grants.

The bill was read for the first time and referred to the Committee on Agriculture and Rural Development Policy and Finance.

Mahoney and Davids introduced:

H. F. No. 102, A bill for an act relating to economic development; establishing a Minnesota science and technology program; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 116W.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Murray; Gunther; Holberg; Torkelson; Murdock; Anderson, P.; Sanders; Kelly; Swedzinski; Drazkowski; Benson, M.; Schomacker; Vogel; McDonald; LeMieur; Howes; Leidiger; Davnie and Urdahl introduced:

H. F. No. 103, A bill for an act relating to unemployment insurance; modifying certain eligibility and extension provisions; amending Minnesota Statutes 2010, section 268.085, subdivision 9.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Koenen; Anderson, B., and Murphy, M., introduced:

H. F. No. 104, A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

The bill was read for the first time and referred to the Committee on Ways and Means.

Dettmer, Kriesel and Anderson, B., introduced:

H. F. No. 105, A bill for an act relating to veterans; appropriating money for a matching grant to be used for improvements at the Disabled Veterans Rest Camp on Big Marine Lake in Washington County.

The bill was read for the first time and referred to the Committee on State Government Finance.

Anderson, P.; Urdahl and Swedzinski introduced:

H. F. No. 106, A bill for an act relating to taxation; sales and use; exempting water used for public safety purposes; amending Minnesota Statutes 2010, section 297A.70, subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Rukavina, Anzelc, Hackbarth and Fabian introduced:

H. F. No. 107, A bill for an act relating to game and fish; eliminating slot limits for northern pike while spearing; amending Minnesota Statutes 2010, section 97C.385, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Nelson introduced:

H. F. No. 108, A bill for an act relating to taxation; authorizing an income tax checkoff for multiple sclerosis research and assistance; appropriating money; amending Minnesota Statutes 2010, section 270C.445, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 290.

The bill was read for the first time and referred to the Committee on Taxes.

Hansen, Gunther, Poppe, Kath, Slocum and Hausman introduced:

H. F. No. 109, A bill for an act relating to capital investment; appropriating money for RIM conservation reserve; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Kahn, Smith, Nelson, Peppin and Murphy, M., introduced:

H. F. No. 110, A bill for an act relating to state government; increasing the membership of the Legislative Commission on Pensions and Retirement; amending Minnesota Statutes 2010, section 3.85, subdivision 3.

The bill was read for the first time and referred to the Committee on Government Operations and Elections.

Poppe, Murray and Fritz introduced:

H. F. No. 111, A bill for an act relating to waters; designating Cedar River for state water trail; amending Minnesota Statutes 2010, section 85.32, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Barrett introduced:

H. F. No. 112, A bill for an act relating to the city of Taylors Falls; authorizing the city of Taylors Falls to establish and exercise border city development zone powers; appropriating money.

The bill was read for the first time and referred to the Committee on Taxes.

Quam; Benson, M., and Liebling introduced:

H. F. No. 113, A bill for an act relating to taxation; gross revenues; exempting certain payments; amending Minnesota Statutes 2010, section 295.53, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Barrett, Crawford, Dettmer and Anderson, B., introduced:

H. F. No. 114, A bill for an act relating to unemployment insurance; modifying eligibility requirements; amending Minnesota Statutes 2010, section 268.085, subdivision 9.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Finance.

Barrett; Crawford; Anderson, B., and Dettmer introduced:

H. F. No. 115, A bill for an act relating to education; repealing the January 15 deadline by which school districts must reach a collective bargaining agreement or face a state aid penalty; repealing Minnesota Statutes 2010, section 123B.05.

The bill was read for the first time and referred to the Committee on Education Reform.

Quam; Howes; Urdahl; Drazkowski; Benson, M., and Liebling introduced:

H. F. No. 116, A bill for an act relating to capital improvements; modifying a previous appropriation related to the DR-1941 area; amending Laws 2010, Second Special Session chapter 1, article 1, section 9, subdivision 5.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Peterson, S.; Slocum; Laine; Benson, J.; Norton; Tillberry; Johnson; Ward; Carlson; Moran; Champion; Hosch; Loeffler; Persell; Falk and Lillie introduced:

H. F. No. 117, A bill for an act relating to education; establishing a grant program to provide additional student counseling services in high-need public high schools; appropriating money.

The bill was read for the first time and referred to the Committee on Education Finance.

Scalze and Hausman introduced:

H. F. No. 118, A bill for an act relating to capital investment; appropriating money for the I-694 and Rice Street Interchange; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Scalze and Hausman introduced:

H. F. No. 119, A bill for an act relating to capital investment; appropriating money for I-694 and White Bear Avenue Interchange; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Transportation Policy and Finance.

Morrow and Kath introduced:

H. F. No. 120, A bill for an act relating to disasters; establishing local disaster assistance program and local disaster fund; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 12.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Morrow, Persell, Ward, Dittrich, Brynaert, Nelson and Davnie introduced:

H. F. No. 121, A bill for an act relating to education; establishing teacher performance assessments; proposing coding for new law in Minnesota Statutes, chapter 122A.

The bill was read for the first time and referred to the Committee on Education Reform.

Davids introduced:

H. F. No. 122, A bill for an act relating to insurance; regulating dental plan contracts and provider audits; amending Minnesota Statutes 2010, sections 62Q.76, by adding a subdivision; 62Q.78, by adding subdivisions.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Ward introduced:

H. F. No. 123, A bill for an act relating to traffic regulations; increasing penalties for unlawful passing on the right resulting in bodily injury or death; amending Minnesota Statutes 2010, section 169.18, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance.

Holberg introduced:

H. F. No. 124, A bill for an act relating to game and fish; modifying firearm possession restrictions while taking deer by archery; amending Minnesota Statutes 2010, section 97B.211, subdivision 1.

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance.

Gunther and Holberg introduced:

H. F. No. 125, A bill for an act relating to state government finance; making reductions to executive branch agencies and the legislature.

The bill was read for the first time and referred to the Committee on State Government Finance.

Nornes and Holberg introduced:

H. F. No. 126, A bill for an act relating to state government finance; making appropriation reductions to higher education; amending Laws 2010, First Special Session chapter 1, article 5, sections 4; 5.

The bill was read for the first time and referred to the Committee on Higher Education Policy and Finance.

Dean introduced:

H. F. No. 127, A bill for an act relating to state government; instituting a salary and wage freeze for state employees; proposing coding for new law in Minnesota Statutes, chapter 43A.

The bill was read for the first time and referred to the Committee on State Government Finance.

Abeler and Holberg introduced:

H. F. No. 128, A bill for an act relating to state government finance; making appropriation reductions to human services; amending Minnesota Statutes 2010, section 256B.766.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Davids, Holberg and Runbeck introduced:

H. F. No. 129, A bill for an act relating to state government finance; making changes to tax aids and credits and reducing payments; amending Minnesota Statutes 2010, sections 270A.03, subdivision 7; 273.1384, subdivision 6; 289A.50, subdivision 1; 290.01, subdivision 6; 290A.03, subdivisions 11, 13; 290C.07; 477A.013, subdivision 9; 477A.03; proposing coding for new law in Minnesota Statutes, chapter 477A; repealing Minnesota Statutes 2010, sections 10A.322, subdivision 4; 13.4967, subdivision 2; 290.06, subdivision 23.

The bill was read for the first time and referred to the Committee on Taxes.

Holberg and Dean introduced:

H. F. No. 130, A bill for an act relating to state government finance; making appropriation reductions for fiscal year 2011, policy changes, and appropriation reductions for fiscal years 2012 and 2013; making changes to tax aids and credits and reducing payments; amending Minnesota Statutes 2010, sections 256B.766; 270A.03, subdivision 7; 273.1384, subdivision 6; 289A.50, subdivision 1; 290.01, subdivision 6; 290A.03, subdivisions 11, 13; 290C.07; 477A.013, subdivision 9; 477A.03; Laws 2010, First Special Session chapter 1, article 5, sections 4; 5; proposing coding for new law in Minnesota Statutes, chapter 477A; repealing Minnesota Statutes 2010, sections 10A.322, subdivision 4; 13.4967, subdivision 2; 290.06, subdivision 23.

The bill was read for the first time and referred to the Committee on Ways and Means.

MOTIONS AND RESOLUTIONS

Fabian moved that the name of Shimanski be added as an author on H. F. No. 1. The motion prevailed.

Banaian moved that the name of Shimanski be added as an author on H. F. No. 2. The motion prevailed.

Mariani moved that the name of Myhra be added as an author on H. F. No. 3. The motion prevailed.

McNamara moved that the names of Leidiger, Stensrud, Drazkowski and Shimanski be added as authors on H. F. No. 5. The motion prevailed.

Cornish moved that the names of Shimanski and Wardlow be added as authors on H. F. No. 6. The motion prevailed.

Fabian moved that his name be stricken as an author on H. F. No. 7. The motion prevailed.

Drazkowski moved that the name of Kelly be added as an author on H. F. No. 7. The motion prevailed.

Gottwalt moved that the names of Shimanski and Crawford be added as authors on H. F. No. 8. The motion prevailed.

Loon moved that the names of Abeler and Shimanski be added as authors on H. F. No. 10. The motion prevailed.

LeMieur moved that the names of Abeler, Shimanski and Urdahl be added as authors on H. F. No. 12. The motion prevailed.

Kriesel moved that the name of Shimanski be added as an author on H. F. No. 13. The motion prevailed.

Dauids moved that the names of Drazkowski and Shimanski be added as authors on H. F. No. 21. The motion prevailed.

Norton moved that the name of Clark be added as an author on H. F. No. 37. The motion prevailed.

Dauids moved that the name of Shimanski be added as an author on H. F. No. 42. The motion prevailed.

Mariani moved that the name of Benson, J., be added as an author on H. F. No. 44. The motion prevailed.

Mariani moved that the name of Benson, J., be added as an author on H. F. No. 48. The motion prevailed.

Buesgens moved that the names of Runbeck and Banaian be added as authors on H. F. No. 53. The motion prevailed.

Dauids moved that the name of Drazkowski be added as an author on H. F. No. 54. The motion prevailed.

Kriesel moved that the name of Nelson be added as an author on H. F. No. 57. The motion prevailed.

Erickson moved that the names of Shimanski and Barrett be added as authors on H. F. No. 59. The motion prevailed.

Ward moved that the name of Gauthier be added as an author on H. F. No. 60. The motion prevailed.

Ward moved that the name of Persell be added as an author on H. F. No. 61. The motion prevailed.

Garofalo moved that the name of Myhra be added as an author on H. F. No. 63. The motion prevailed.

Drazkowski moved that the name of Shimanski be added as an author on H. F. No. 64. The motion prevailed.

Downey moved that the names of McDonald and Shimanski be added as authors on H. F. No. 67. The motion prevailed.

Garofalo moved that the names of Kiffmeyer and Shimanski be added as authors on H. F. No. 68. The motion prevailed.

Simon moved that the name of Peterson, S., be added as an author on H. F. No. 71. The motion prevailed.

Beard moved that the names of Hancock and Shimanski be added as authors on H. F. No. 72. The motion prevailed.

Banaian moved that the name of Shimanski be added as an author on H. F. No. 76. The motion prevailed.

Lanning moved that the names of Peterson, S., and Fritz be added as authors on H. F. No. 77. The motion prevailed.

Dauids moved that the names of Abeler, Crawford, Knuth and Loeffler be added as authors on H. F. No. 79. The motion prevailed.

Dettmer moved that the names of Wardlow, Erickson, Abeler, Downey and Shimanski be added as authors on H. F. No. 82. The motion prevailed.

Paymar moved that the name of Greiling be added as an author on H. F. No. 83. The motion prevailed.

Mariani moved that the names of Peterson, S., and Champion be added as authors on H. F. No. 86. The motion prevailed.

Mariani moved that the name of Champion be added as an author on H. F. No. 87. The motion prevailed.

Doepke moved that the name of Shimanski be added as an author on H. F. No. 88. The motion prevailed.

Benson, M., moved that the names of McDonald, Leidiger, Crawford, Hancock, Abeler, Downey, Shimanski and Urdahl be added as authors on H. F. No. 89. The motion prevailed.

Hausman moved that the name of Liebling be added as an author on H. F. No. 90. The motion prevailed.

Howes moved that the names of McDonald, Myhra and Crawford be added as authors on H. F. No. 91. The motion prevailed.

Dean moved that the name of McNamara be added as chief author on H. F. No. 127. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, January 20, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, January 20, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives