

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 24, 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 Father Kevin M. McDonough, St. Peter Claver Church, St. Paul, 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	Dean	Hancock	Lanning	Murdock	Shimanski
Anderson, B.	Dettmer	Hansen	Leidiger	Murphy, E.	Simon
Anderson, D.	Dill	Hausman	LeMieur	Murphy, M.	Slawik
Anderson, P.	Dittrich	Hayden	Lenczewski	Murray	Slocum
Anderson, S.	Doepke	Hilstrom	Lesch	Myhra	Stensrud
Anzels	Downey	Hilty	Liebling	Nelson	Swedzinski
Atkins	Drazkowski	Holberg	Lillie	Nornes	Thissen
Banaian	Eken	Hoppe	Loeffler	Norton	Tillberry
Barrett	Erickson	Hornstein	Lohmer	O'Driscoll	Torkelson
Beard	Fabian	Hosch	Loon	Paymar	Urdahl
Benson, J.	Falk	Howes	Mack	Pelowski	Vogel
Benson, M.	Franson	Huntley	Mahoney	Peppin	Wagenius
Bills	Fritz	Johnson	Mariani	Persell	Ward
Brynaert	Garofalo	Kath	Marquart	Peterson, S.	Wardlow
Buesgens	Gauthier	Kelly	Mazorol	Poppe	Westrom
Carlson	Gottwalt	Kieffer	McDonald	Quam	Winkler
Champion	Greene	Kiel	McElfatrick	Rukavina	Woodard
Cornish	Greiling	Kiffmeyer	McFarlane	Runbeck	Spk. Zellers
Crawford	Gruenhagen	Knuth	McNamara	Sanders	
Daudt	Gunther	Koenen	Moran	Scalze	
Davids	Hackbarth	Kriesel	Morrow	Schomacker	
Davnie	Hamilton	Laine	Mullery	Scott	

A quorum was present.

Clark; Hortman; Kahn; Petersen, B., and Smith 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.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Cornish from the Committee on Public Safety and Crime Prevention Policy and Finance to which was referred:

H. F. No. 57, A bill for an act relating to public safety; establishing the crimes of sale or possession of synthetic cannabinoids; providing for a penalty; amending Minnesota Statutes 2010, section 152.027, by adding a subdivision.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Judiciary Policy and Finance.

The report was adopted.

Nornes from the Committee on Higher Education Policy and Finance to which was referred:

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.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Fabian and Zellers introduced:

H. F. No. 175, A resolution encouraging the U.S. Border Patrol to retain its office in Minnesota and locate its new facility in Hallock, Minnesota.

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

Buesgens introduced:

H. F. No. 176, A bill for an act relating to public sector labor relations; changing provisions governing the period after contract expiration; amending Minnesota Statutes 2010, section 179A.20, subdivision 6.

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

Nelson introduced:

H. F. No. 177, A bill for an act relating to capital investment; appropriating money for North Hennepin Community College; authorizing the sale and issuance of state bonds.

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

Downey introduced:

H. F. No. 178, A bill for an act relating to state government; establishing the Lead By Example Act; reducing salaries of legislators and constitutional officers; reducing per diem payments to legislators.

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

Banaian, Gottwalt and Hosch introduced:

H. F. No. 179, A bill for an act relating to capital investment; appropriating money for an Integrated Science and Engineering Laboratory Facility at St. Cloud State University; authorizing the sale and issuance of state bonds.

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

Peppin introduced:

H. F. No. 180, A bill for an act relating to public safety; permitting certain offenses to be charged in either the county of the offense or the home county of the arresting law enforcement agency; amending Minnesota Statutes 2010, section 436.05, 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.

Scott; Anderson, B.; Dettmer; Fabian; Vogel; Hancock and Kiel introduced:

H. F. No. 181, A bill for an act relating to taxation; individual income and property tax refund; providing a checkoff for general fund contributions; 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.

Beard, McNamara and Dill introduced:

H. F. No. 182, A bill for an act relating to environment; requiring a study on state and local water management.

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

Kieffer; Kiel; Erickson; Murdock; Woodard; Myhra; Doepke; McFarlane; Benson, J.; Peterson, S.; Carlson; Moran and Davnie introduced:

H. F. No. 183, A bill for an act relating to education; requiring teacher candidates to pass basic skills exam; amending Minnesota Statutes 2010, section 122A.18, subdivision 2.

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

Schomacker, Hamilton and Gunther introduced:

H. F. No. 184, A resolution memorializing the United States Congress to appropriate money for the Lewis & Clark Regional Water System.

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

Schomacker; Hamilton; Torkelson; Dean; Swedzinski; Anderson, P.; Vogel; Draskowski; Urdahl and Shimanski introduced:

H. F. No. 185, A bill for an act relating to environment; requiring deposit of monetary penalties from environmental violations be redirected to general fund; amending Minnesota Statutes 2010, section 115.073.

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

Urdahl; Dettmer; Anderson, B.; Koenen; Swedzinski; Anderson, P., and Kriesel introduced:

H. F. No. 186, A bill for an act relating to drivers' licenses; extending expiration period for driver's license while person is serving in active military service; amending Minnesota Statutes 2010, section 171.27.

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

Dettmer; Zellers; Kriesel; Shimanski; Leidiger; Downey; Abeler; Anderson, B.; Urdahl; Daudt; Fabian and Scott introduced:

H. F. No. 187, A bill for an act relating to the legislature; proposing an amendment to the Minnesota Constitution, article IV, section 4; providing for temporary successors to members of the legislature called into active military service; providing for implementing statutory language; proposing coding for new law in Minnesota Statutes, chapter 3.

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

Hackbarth; Howes; Rukavina; Anderson, B., and Buesgens introduced:

H. F. No. 188, A bill for an act relating to health; providing an exemption from smoking prohibition in public places; amending Minnesota Statutes 2010, section 144.414, by adding a subdivision.

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

Ward, Howes and LeMieur introduced:

H. F. No. 189, A bill for an act relating to capital investment; appropriating money for the Cuyuna Lakes State Trail; 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.

Holberg, Cornish, Gottwalt and Abeler introduced:

H. F. No. 190, A bill for an act relating to human services; enacting Hanna's law by modifying cardiopulmonary resuscitation requirements for child care center staff; amending Minnesota Statutes 2010, section 245A.40, subdivision 4.

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

Downey; Anderson, S.; Atkins; Benson, M., and Gruenhagen introduced:

H. F. No. 191, A bill for an act relating to state government; proposing the Redundant Technology Elimination Act; consolidating state agency information technology systems and services; transferring duties to the Office of Enterprise Technology; appropriating money; amending Minnesota Statutes 2010, sections 16B.99; 16E.14, by adding a subdivision; 403.36, subdivisions 1, 1e, 1g; proposing coding for new law in Minnesota Statutes, chapter 16E; repealing Minnesota Statutes 2010, section 16B.99, subdivision 9.

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

Downey; Benson, M., and Gruenhagen introduced:

H. F. No. 192, A bill for an act relating to state government; proposing the Reinventing Government Employment Act; providing a public employee compensation freeze and a method for determining future compensation; requiring a reduction in the state workforce; establishing a state employee gainsharing system; removing restrictions on state contracts with private vendors; proposing a constitutional amendment providing a right to work; amending Minnesota Statutes 2010, sections 16C.08, subdivision 2; 16C.09; proposing coding for new law in Minnesota Statutes, chapters 15; 15A; 16A; 43A; 181; repealing Minnesota Statutes 2010, sections 16C.085; 43A.047; 179A.23.

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

Anderson, S., and Dettmer introduced:

H. F. No. 193, A bill for an act relating to state finance; requiring a balanced budget prior to passage of other legislation; proposing coding for new law in Minnesota Statutes, chapter 16A.

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

Anderson, S.; Dettmer; Vogel; Scott and Petersen, B., introduced:

H. F. No. 194, A bill for an act relating to capital investment; requiring state agencies to track and report on the number of jobs created or retained as a result of capital project funding; amending Minnesota Statutes 2010, section 16A.633, by adding a subdivision.

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

Scalze and Knuth introduced:

H. F. No. 195, A bill for an act relating to economic development; extending the deadline for spending tax increments under certain conditions; amending Minnesota Statutes 2010, section 469.176, subdivision 4m.

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

Liebling and Norton introduced:

H. F. No. 196, A bill for an act relating to capital improvements; authorizing the issuance of state bonds; appropriating money to design and construct improvements to the Mayo Civic Center Complex in Rochester.

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

Hackbarth introduced:

H. F. No. 197, A bill for an act relating to natural resources; requiring a nonresident off-road vehicle state trail pass; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Quam; Benson, M.; Vogel and Drazkowski introduced:

H. F. No. 198, A bill for an act relating to state lands; authorizing conveyance of certain surplus state land.

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

Gottwalt, Abeler, Holberg, Lohmer, Dean, Shimanski, Sanders and Banaian introduced:

H. F. No. 199, A bill for an act relating to health; providing a statement of public policy declaring that every resident of Minnesota has the freedom of choice in health care; amending Minnesota Statutes 2010, section 8.31, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 1; repealing Minnesota Statutes 2010, sections 256B.055, subdivision 15; 256B.0756; Laws 2010, First Special Session chapter 1, article 16, sections 6; 7; 18; 46; 47.

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

Gottwalt, Abeler, Lohmer, Fritz, Norton, Hayden and Brynaert introduced:

H. F. No. 200, A bill for an act relating to health; requiring collection and reporting of certain data related to Alzheimer's disease; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Scott; Zellers; Abeler; Fritz; Dean; Franson; Anderson, B.; Murphy, M.; Ward; Hosch; Koenen; Benson, M.; Mack; Leidiger; McElfatrick; Kiffmeyer; Myhra; Gruenhagen; McDonald; Petersen, B.; Vogel; Erickson; Woodard; Barrett; Anderson, D.; Kiel; Gottwalt; Gunther; Swedzinski; Westrom; Hamilton; O'Driscoll; Buesgens; Runbeck and Lanning introduced:

H. F. No. 201, A bill for an act relating to health; limiting use of funds for state-sponsored health programs for funding abortions.

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

Runbeck and Loon introduced:

H. F. No. 202, A bill for an act relating to taxation; corporate franchise tax; accelerating adoption of single sales apportionment; amending Minnesota Statutes 2010, section 290.191, subdivision 2.

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

Westrom; Pelowski; Quam; Runbeck; Gruenhagen; Swedzinski; Kelly; Kieffer; Dill; Rukavina; Eken; Lenczewski; Marquart; Nelson; Persell; Poppe; Holberg; Peppin; Scott; Beard; Daudt; Kiffmeyer; Franson; Peterson, S.; Nornes; Banaian; Drazkowski; Shimanski; Dettmer; Gottwalt; Abeler; Greene; Murphy, M.; Hosch and Downey introduced:

H. F. No. 203, A bill for an act relating to regulatory reform; providing that certain rules take effect only upon legislative approval; amending Minnesota Statutes 2010, section 14.19; proposing coding for new law in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 2010, section 14.127.

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

Norton, Carlson, Slawik, Hayden, Greiling, Fritz, Kahn, Davnie, Hilstrom, Knuth, Dill, Wagenius, Hosch, Morrow and Paymar introduced:

H. F. No. 204, A bill for an act relating to insurance; requiring coverage for autism spectrum disorders; proposing coding for new law in Minnesota Statutes, chapter 62A.

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

Petersen, B.; Hortman; Howes; Abeler; Hackbarth and Dittrich introduced:

H. F. No. 205, A bill for an act relating to capital investment; appropriating money for renovation of the Coon Rapids Dam as an invasive fish barrier; 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.

Dittrich, Ward, Rukavina and Erickson introduced:

H. F. No. 206, A bill for an act relating to the permanent school fund; modifying the membership of the advisory committee; amending Minnesota Statutes 2010, section 127A.30, subdivision 1.

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

Dittrich, Lenczewski, Greiling and Ward introduced:

H. F. No. 207, A bill for an act relating to education finance; prohibiting payment of minerals management costs from permanent school trust fund land proceeds; appropriating money; amending Minnesota Statutes 2010, sections 93.22, subdivision 1; 93.2236.

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

Dittrich, Winkler, Greiling, Brynaert and Ward introduced:

H. F. No. 208, A bill for an act relating to capital investment; appropriating money for a public school's fiber optic infrastructure grant program; establishing the grant program; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 126C.

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

Fritz introduced:

H. F. No. 209, A bill for an act relating to environment; modifying subsurface sewage treatment system replacement and upgrade requirements; appropriating money; amending Minnesota Statutes 2010, section 115.55, subdivision 5a.

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

Kiffmeyer; Benson, M.; Lohmer; Swedzinski; McElfatrick; Wardlow; LeMieur; Quam; Peppin; Myhra; Gruenhagen; Draskowski; Howes; Scott; Dettmer; Anderson, B.; Vogel; Cornish; Kieffer; Mack; Zellers; Gottwalt; Erickson; Anderson, P.; Murdock; Davids; Sanders; Bills; Anderson, D.; Woodard; Petersen, B.; McDonald; Daudt; Kelly and Franson introduced:

H. F. No. 210, A bill for an act relating to elections; requiring voters to provide picture identification before receiving a ballot; providing for the issuance of identification cards at no charge; establishing a procedure for provisional balloting; specifying other election administration procedures; requiring use of electronic polling place rosters; enacting procedures related to recounts; appropriating money; amending Minnesota Statutes 2010, sections 135A.17, subdivision 2; 200.02, by adding a subdivision; 201.021; 201.022, subdivision 1; 201.061, subdivisions 3, 7; 201.071, subdivision 3; 201.081; 201.091, subdivision 4; 201.121, subdivisions 1, 3; 201.171; 201.221, subdivision 3; 203B.06, subdivision 5; 203B.121, subdivision 1; 204B.14, subdivision 2; 204B.40; 204C.10; 204C.12, subdivisions 3, 4; 204C.14; 204C.15, subdivision 1; 204C.20, subdivisions 1, 2, 4, by adding a subdivision; 204C.23; 204C.24, subdivision 1; 204C.38; 204D.24, subdivision 2; 206.86, subdivisions 1, 2; 209.021, subdivision 1; 209.06, subdivision 1; 211B.11, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 200; 201; 204C; proposing coding for new law as Minnesota Statutes, chapters 204E; 206A; repealing Minnesota Statutes 2010, sections 204B.36, subdivision 5; 204C.34; 204C.35; 204C.36; 204C.361; Minnesota Rules, parts 8235.0200; 8235.0300; 8235.0400; 8235.0600; 8235.0700; 8235.0800; 8235.1100; 8235.1200.

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

Wardlow; Bills; Petersen, B.; Scott; Dittrich; McDonald; Anderson, D.; Mazorol; Banaian; Draskowski and Westrom introduced:

H. F. No. 211, A bill for an act relating to civil actions; modifying remedies related to certain unlawful or deceptive trade practice actions; permitting appeals of certain court orders related to class actions; amending Minnesota Statutes 2010, section 8.31, subdivision 3a, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 540.

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

Beard introduced:

H. F. No. 212, A bill for an act relating to employment; modifying definition of public employee; amending Minnesota Statutes 2010, section 179A.03, subdivision 14.

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

Brynaert, Ward, Morrow, Urdahl and Westrom introduced:

H. F. No. 213, A bill for an act relating to taxation; sales and use; expanding the exemption for certain public safety radio equipment; amending Minnesota Statutes 2010, section 297A.70, subdivision 8.

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

MOTIONS AND RESOLUTIONS

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

Cornish moved that the name of Atkins be added as an author on H. F. No. 6. The motion prevailed.

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

Bills moved that the name of Atkins be added as an author on H. F. No. 11. The motion prevailed.

LeMieur moved that the name of McNamara be added as an author on H. F. No. 12. The motion prevailed.

Koenen moved that the name of Atkins be added as an author on H. F. No. 15. The motion prevailed.

Urdahl moved that the name of Hosch be added as an author on H. F. No. 19. The motion prevailed.

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

Peppin moved that the name of Downey be added as an author on H. F. No. 52. The motion prevailed.

Hackbarth moved that the name of McNamara be added as an author on H. F. No. 55. The motion prevailed.

Kriesel moved that the names of Atkins, Lanning, Barrett and Scott be added as authors on H. F. No. 57. The motion prevailed.

Erickson moved that the name of LeMieur be added as an author on H. F. No. 59. The motion prevailed.

Ward moved that the names of Knuth and Persell be added as authors on H. F. No. 60. The motion prevailed.

Ward moved that the name of LeMieur be added as an author on H. F. No. 62. The motion prevailed.

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

Davids moved that the name of Atkins be added as an author on H. F. No. 79. The motion prevailed.

Dettmer moved that the name of McNamara be added as an author on H. F. No. 82. The motion prevailed.

Murray moved that the names of McNamara and Barrett be added as authors on H. F. No. 103. The motion prevailed.

Hansen moved that the name of Ward be added as an author on H. F. No. 109. The motion prevailed.

Scalze moved that the name of Runbeck be added as an author on H. F. No. 118. The motion prevailed.

Davids moved that the name of Ward be added as an author on H. F. No. 122. The motion prevailed.

Hackbarth moved that the name of Anderson, B., be added as an author on H. F. No. 131. The motion prevailed.

Woodard moved that the name of Fritz be added as an author on H. F. No. 134. The motion prevailed.

Morrow moved that the name of Ward be added as an author on H. F. No. 136. The motion prevailed.

Ward moved that the name of Persell be added as an author on H. F. No. 138. The motion prevailed.

O'Driscoll moved that the name of Bills be added as an author on H. F. No. 142. The motion prevailed.

Buesgens moved that the names of Erickson and Lenczewski be added as authors on H. F. No. 147. The motion prevailed.

Cornish moved that the names of Fabian and Bills be added as authors on H. F. No. 149. The motion prevailed.

Rukavina moved that the names of Slocum and Lesch be added as authors on H. F. No. 150. The motion prevailed.

Cornish moved that the name of Scott be added as an author on H. F. No. 151. The motion prevailed.

Ward moved that the name of Persell be added as an author on H. F. No. 156. The motion prevailed.

Dill moved that his name be stricken as an author on H. F. No. 158. The motion prevailed.

Drazkowski moved that the name of Lenczewski be added as an author on H. F. No. 162. The motion prevailed.

Clark moved that the name of Slocum be added as an author on H. F. No. 167. The motion prevailed.

Daudt moved that the names of Holberg and Barrett be added as authors on H. F. No. 171. The motion prevailed.

Peppin moved that the names of Bills and Lenczewski be added as authors on H. F. No. 173. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 4:30 p.m., Wednesday, January 26, 2011. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 4:30 p.m., Wednesday, January 26, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives