

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2011

 TWENTY-FIRST DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 7, 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 Mr. Raymond Seaver, Fergus 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 | Scalze |
| Anderson, B. | Dean | Hancock | Lanning | Mullery | Schomacker |
| Anderson, D. | Dettmer | Hansen | Leidiger | Murdock | Scott |
| Anderson, P. | Dill | Hausman | LeMieur | Murphy, E. | Shimanski |
| Anderson, S. | Dittrich | Hilstrom | Lenczewski | Murphy, M. | Simon |
| Anzelc | Doepke | Hilty | Lesch | Murray | Slawik |
| Atkins | Downey | Holberg | Liebling | Myhra | Slocum |
| Banaian | Drazkowski | Hoppe | Lillie | Nelson | Smith |
| Barrett | Eken | Hornstein | Loeffler | Nornes | Stensrud |
| Beard | Erickson | Hortman | Lohmer | Norton | Swedzinski |
| Benson, J. | Fabian | Hosch | Loon | O'Driscoll | Thissen |
| Benson, M. | Falk | Howes | Mack | Paymar | Tillberry |
| Bills | Franson | Huntley | Mahoney | Pelowski | Urdahl |
| Brynaert | Fritz | Johnson | Mariani | Peppin | Vogel |
| Buesgens | Garofalo | Kahn | Marquart | Persell | Wagenius |
| Carlson | Gauthier | Kath | Mazorol | Petersen, B. | Ward |
| Champion | Gottwalt | Kelly | McDonald | Peterson, S. | Wardlow |
| Clark | Greene | Kieffer | McElpatrick | Poppe | Westrom |
| Cornish | Greiling | Kiel | McFarlane | Quam | Winkler |
| Crawford | Gruenhagen | Kiffmeyer | McNamara | Rukavina | Woodard |
| Daudt | Gunther | Knuth | Melin | Runbeck | Spk. Zellers |
| Davids | Hackbarth | Koenen | Moran | Sanders | |

A quorum was present.

Hayden, Laine and Torkelson 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.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 2, 2011

The Honorable Kurt Zellers
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Zellers:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State H. F. No. 55.

Sincerely,

MARK DAYTON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Kurt Zellers
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2011 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S. F. No.</i> | <i>H. F. No.</i> | <i>Session Laws Chapter No.</i> | <i>Time and Date Approved 2011</i> | <i>Date Filed 2011</i> |
|----------------------|----------------------|-------------------------------------|--|----------------------------|
| | 55 | 3 | 11:44 a.m. March 2 | March 2 |

Sincerely,

MARK RITCHIE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

March 3, 2011

The Honorable Kurt Zellers
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Zellers:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State H. F. No. 1.

Sincerely,

MARK DAYTON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Kurt Zellers
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2011 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

| <i>S. F. No.</i> | <i>H. F. No.</i> | <i>Session Laws Chapter No.</i> | <i>Time and Date Approved 2011</i> | <i>Date Filed 2011</i> |
|----------------------|----------------------|-------------------------------------|--|----------------------------|
| | 1 | 4 | 3:58 p.m. March 3 | March 3 |

Sincerely,

MARK RITCHIE
Secretary of State

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Dauids from the Committee on Taxes to which was referred:

H. F. No. 12, A bill for an act relating to taxation; property; making changes to the green acres and rural preserve programs; amending Minnesota Statutes 2010, sections 273.111, subdivision 9, by adding a subdivision; 273.114, subdivisions 2, 5, 6; repealing Minnesota Statutes 2010, section 273.114, subdivision 1.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 273.111, is amended by adding a subdivision to read:

Subd. 2a. **Purpose.** The legislature finds that it is in the interest of the state to encourage and preserve farms by mitigating the property tax impact of increasing land values due to nonagricultural economic forces.

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

Sec. 2. Minnesota Statutes 2010, section 273.111, subdivision 9, is amended to read:

Subd. 9. **Additional taxes.** (a) Except as provided in paragraph (b), when real property which is being, or has been valued and assessed under this section no longer qualifies under subdivision 3, the portion no longer qualifying shall be subject to additional taxes, in the amount equal to the difference between the taxes determined in accordance with subdivision 4, and the amount determined under subdivision 5. Provided, however, that the amount determined under subdivision 5 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arm's-length transaction been used in lieu of the market value determined under subdivision 5. Such additional taxes shall be extended against the property on the tax list for the current year, provided, however, that no interest or penalties shall be levied on such additional taxes if timely paid, and provided further, that such additional taxes shall only be levied with respect to (1) the last three years that the said property has been valued and assessed under this section, for property originally enrolled on or before May 1, 2012, or (2) the last five years that the property has been valued and assessed under this section, for property originally enrolled after May 1, 2012.

(b) Real property that has been valued and assessed under this section prior to May 29, 2008, and that ceases to qualify under this section after May 28, 2008, and is withdrawn from the program before August 16, 2010, is not subject to additional taxes under this subdivision or subdivision 3, paragraph (c). If additional taxes have been paid under this subdivision with respect to property described in this paragraph prior to April 3, 2009, the county must repay the property owner in the manner prescribed by the commissioner of revenue.

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

Sec. 3. Minnesota Statutes 2010, section 273.114, subdivision 2, is amended to read:

Subd. 2. **Requirements.** ~~Class 2a or 2b property that had been assessed properly enrolled under Minnesota Statutes 2006, section 273.111 for taxes payable in 2008, or that is part of an agricultural homestead under Minnesota Statutes, section 273.13, subdivision 23, paragraph (a), at least a portion of which is enrolled under section 273.111, is entitled to valuation and tax deferment under this section if:~~

(1) the land consists of at least ten acres property is contiguous to class 2a property enrolled under section 273.111 under the same ownership;

~~(2) a conservation assessment plan for the land must be prepared by an approved plan writer and implemented during the period in which the land is subject to valuation and deferment under this section;~~

~~(3) the land must be enrolled for a minimum of eight years;~~

~~(4) (2) there are no delinquent property taxes on the land; and~~

~~(5) (3) the property is not also enrolled for valuation and deferment under section 273.111 or 273.112, or chapter 290C or 473H.~~

EFFECTIVE DATE. This section is effective for taxes payable in 2012 and thereafter.

Sec. 4. Minnesota Statutes 2010, section 273.114, subdivision 5, is amended to read:

Subd. 5. **Application and covenant agreement.** ~~(a)~~ Application for deferment of taxes and assessment under this section shall be filed by May 1 of the year prior to the year in which the taxes are payable. Any application filed under this subdivision and granted shall continue in effect for subsequent years until the ~~termination of the covenant agreement under paragraph (b)~~ property is withdrawn or no longer qualifies. The application must be filed with the assessor of the taxing district in which the real property is located on the form prescribed by the commissioner of revenue. ~~The assessor may require proof by affidavit or otherwise that the property qualifies under subdivision 2.~~

~~(b) The owner of the property must sign a covenant agreement that is filed with the county recorder and recorded in the county where the property is located. The covenant agreement must include all of the following:~~

~~(1) legal description of the area to which the covenant applies;~~

~~(2) name and address of the owner;~~

~~(3) a statement that the land described in the covenant must be kept as rural preserve land, which meets the requirements of subdivision 2, for the duration of the covenant;~~

~~(4) a statement that the landowner may terminate the covenant agreement by notifying the county assessor in writing three years in advance of the date of proposed termination, provided that the notice of intent to terminate may not be given at any time before the land has been subject to the covenant for a period of five years;~~

~~(5) a statement that the covenant is binding on the owner or the owner's successor or assigns and runs with the land; and~~

~~(6) a witnessed signature of the owner, agreeing by covenant, to maintain the land as described in subdivision 2.~~

~~(e) After a covenant under this section has been terminated, the land that had been subject to the covenant is ineligible for subsequent valuation under this section for a period of three years after the termination.~~

EFFECTIVE DATE. This section is effective for taxes payable in 2012 and thereafter.

Sec. 5. Minnesota Statutes 2010, section 273.114, subdivision 6, is amended to read:

Subd. 6. **Additional taxes.** ~~Upon termination of a covenant agreement in subdivision 5, paragraph (b), the land to which the covenant applied~~ When real property that is being or has been valued and assessed under this section no longer qualifies under subdivision 2, the portion no longer qualifying shall be subject to additional taxes in the amount equal to the difference between the taxes determined in accordance with subdivision 3 and the amount

determined under subdivision 4, provided that the amount determined under subdivision 4 shall not be greater than it would have been had the actual bona fide sale price of the real property at an arm's-length transaction been used in lieu of the market value determined under subdivision 4. The additional taxes shall be extended against the property on the tax list for the current year, provided that no interest or penalties shall be levied on the additional taxes if timely paid and that the additional taxes shall only be levied with respect to the current year plus (1) two prior years that the property has been valued and assessed under this section, for property that had been enrolled under this section or section 273.111 on or before May 1, 2012, or (2) four prior years that the property had been valued and assessed under this section, for all other property.

EFFECTIVE DATE. This section is effective for taxes payable in 2012 and thereafter.

Sec. 6. **LAND REMOVED FROM PROGRAM.**

(a) Any class 2a land that had been properly enrolled in the Minnesota Agricultural Property Tax Law under Minnesota Statutes 2006, section 273.111, and that was removed from the program between May 21, 2008, and the effective date of this section must be reinstated to the program at the request of the owner provided that the request is made prior to September 1, 2011.

(b) Any class 2b land that had been properly enrolled in the Minnesota Agricultural Property Tax Law under Minnesota Statutes, section 273.111, and that was removed from the program between May 21, 2008, and the effective date of this section, and that applies for enrollment in the rural preserve program under Minnesota Statutes, section 273.114, prior to September 1, 2011, shall be allowed to apply as if it had been enrolled under Minnesota Statutes, section 273.111, immediately prior to application for enrollment under Minnesota Statutes, section 273.114.

(c) If additional taxes, as defined under Minnesota Statutes, section 273.111, subdivision 9, have been paid by a property owner prior to the effective date of this paragraph for property being enrolled or reenrolled under paragraph (a) or (b), the county must repay the property owner in the manner prescribed by the commissioner of revenue.

EFFECTIVE DATE. Paragraphs (a) and (b) are effective for taxes payable in 2012 and thereafter. Paragraph (c) is effective the day following final enactment.

Sec. 7. **COVENANTS TERMINATED.**

Any covenants entered into in order to comply with the requirements of Minnesota Statutes 2010, section 273.114, subdivision 5, are terminated.

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

Sec. 8. **STUDY REQUIRED.**

The commissioner of revenue, in consultation with the Minnesota Association of Assessing Officers, the Department of Applied Economics at the University of Minnesota, and representatives of major farm groups within the state of Minnesota, must explore alternative methods for determining the taxable value of tillable and nontillable land enrolled in the green acres program under Minnesota Statutes, section 273.111, and the rural preserves program under Minnesota Statutes, section 273.114. The commissioner must make a report to the legislature by February 15, 2012, describing the methodologies intended to be used for assessment year 2012 and thereafter.

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

Sec. 9. **REPEALER.**

Minnesota Statutes 2010, section 273.114, subdivision 1, is repealed.

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

Delete the title and insert:

"A bill for an act relating to taxation; property; making changes to the green acres and rural preserve programs; amending Minnesota Statutes 2010, sections 273.111, subdivision 9, by adding a subdivision; 273.114, subdivisions 2, 5, 6; repealing Minnesota Statutes 2010, section 273.114, subdivision 1."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 287, A bill for an act relating to state government; Mitochondrial Disease Awareness Week; proposing coding for new law in Minnesota Statutes, chapter 10.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 460, A bill for an act relating to State Fire Code; prohibiting sprinkler requirements in single-family dwellings; amending Minnesota Statutes 2010, section 299F.011, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

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

H. F. No. 506, A bill for an act relating to public safety; expanding the fourth-degree assault crime and the assaulting a police horse crime to provide more protection to law enforcement assistants; amending Minnesota Statutes 2010, sections 609.02, by adding a subdivision; 609.2231, by adding a subdivision; 609.597.

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.

Peppin from the Committee on Government Operations and Elections to which was referred:

H. F. No. 561, A bill for an act relating to elections; changing certain recount requirements and procedures; amending Minnesota Statutes 2010, sections 204C.35, subdivision 1, by adding a subdivision; 204C.36, subdivision 1; 206.89, subdivision 3.

Reported the same back with the following amendments:

Page 4, delete section 4

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 571, A bill for an act relating to employment; modifying overtime requirements for certain air carrier employees; amending Minnesota Statutes 2010, section 177.25, by adding a subdivision.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Hoppe from the Committee on Commerce and Regulatory Reform to which was referred:

H. F. No. 664, A bill for an act relating to elevators; modifying certain compliance provisions; amending Minnesota Statutes 2010, section 326B.175; proposing coding for new law in Minnesota Statutes, chapter 326B.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 287, 460, 561, 571 and 664 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Vogel, Beard and Eken introduced:

H. F. No. 880, A bill for an act relating to traffic regulations; authorizing special overweight permits for hauling construction aggregate; proposing coding for new law in Minnesota Statutes, chapter 169.

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

Hilstrom and Lenczewski introduced:

H. F. No. 881, A bill for an act relating to the legislature; creating a waiting period for legislation; proposing coding for new law in Minnesota Statutes, chapter 3.

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

McNamara, Cornish, Wagenius, Hansen and Knuth introduced:

H. F. No. 882, A bill for an act relating to waters; requiring urban storm water retention pond buffers; proposing coding for new law in Minnesota Statutes, chapter 103F.

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

Greiling; Carlson; Kath; Benson, J.; Davnie; Mullery; Brynaert; Anzelc and Murphy, M., introduced:

H. F. No. 883, A bill for an act relating to education; clarifying role of commissioner of education in approving, certifying, and recertifying online learning providers; amending Minnesota Statutes 2010, section 124D.095, subdivision 7.

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

Laine, Hausman, Gruenhagen, McDonald, Franson, Hilstrom, Slocum and Liebling introduced:

H. F. No. 884, A bill for an act relating to accountability in health care program contracts; requiring competitive bids and audits; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Drazkowski introduced:

H. F. No. 885, A bill for an act relating to education finance; extending a fund transfer for Independent School District No. 857, Lewiston; amending Laws 2001, First Special Session chapter 6, article 5, section 10, subdivision 4.

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

Lanning and Kahn introduced:

H. F. No. 886, A bill for an act relating to human services; appropriating money for compulsive gambling.

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

Morrow introduced:

H. F. No. 887, A bill for an act relating to capital improvements; appropriating money to construct a new dam in the Lake Titlow Watershed District; 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.

Morrow and Brynaert introduced:

H. F. No. 888, A bill for an act relating to education finance; creating a collaboration grant; appropriating money.

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

Beard introduced:

H. F. No. 889, A bill for an act relating to liquor; authorizing a license for Raceway Park.

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

Quam, Davids, Norton and Liebling introduced:

H. F. No. 890, A bill for an act relating to the city of Rochester; modifying its local sales and use tax authority; amending Laws 1998, chapter 389, article 8, section 43, subdivisions 3, as amended, 4, as amended, 5, as amended.

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

Davnie; Slawik; Peterson, S., and Mariani introduced:

H. F. No. 891, A bill for an act relating to education finance; creating a school district levy for early learning programs; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Hamilton; Mack; Murphy, E., and Schomacker introduced:

H. F. No. 892, A bill for an act relating to human services; modifying set-aside requirements in certain circumstances; placing requirements on the commissioner when establishing rate setting methodology; instructing the commissioner to eliminate duplicative and outdated standards; amending Minnesota Statutes 2010, sections 245A.11, subdivision 2a; 245B.07, subdivision 1; 245C.04, subdivisions 1, 6; 245C.05, subdivision 7; 245C.17, subdivision 2; 245C.22, subdivision 5; 256B.4912, subdivision 2; 256D.44, subdivision 5; Laws 2009, chapter 79, article 8, section 81.

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

Gunther introduced:

H. F. No. 893, A bill for an act relating to labor and industry; appropriating money for the Vinland Center for rehabilitation services.

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

Mazorol; Drazkowski; Anderson, S.; Daudt; Sanders and Dittrich introduced:

H. F. No. 894, A bill for an act relating to insurance; no-fault auto; modifying the limitation on damages for noneconomic detriment; amending Minnesota Statutes 2010, section 65B.51, subdivision 3.

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

Hoppe and Sanders introduced:

H. F. No. 895, A bill for an act relating to commerce; modifying certain insurance notices and authorizations to collect information; regulating certain insurance appraisers; amending Minnesota Statutes 2010, sections 60C.21, subdivision 1; 65A.12, subdivision 2; 72A.501; 72A.502, subdivision 1.

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

Fritz introduced:

H. F. No. 896, A bill for an act relating to taxation; authorizing the city of Medford to impose a local sales and use tax.

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

Winkler; McFarlane; Anderson, P.; Kiel; Murphy, M.; Bills and Davids introduced:

H. F. No. 897, A bill for an act relating to arts and cultural heritage; appropriating money for arts education best practices networks.

The bill was read for the first time and referred to the Legacy Funding Division.

McFarlane; Hackbarth; Scalze; McNamara; Wagenius; Greene; Loeffler; Lillie; Slocum; Greiling; Carlson; Davnie; Kahn; Johnson; Hausman; Hornstein; Hansen; Winkler; Hoppe; Kriesel; Loon; Garofalo; Doepke; Anderson, D.; Sanders; Mack; Atkins; Stensrud; Slawik; Mahoney; Benson, J.; Knuth; Smith; Anderson, S., and Dean introduced:

H. F. No. 898, A bill for an act relating to natural resources; appropriating money from the parks and trails fund for metropolitan regional parks.

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

McDonald, Norton, Fritz, Urdahl, Gottwalt, Mack, Hosch and Hayden introduced:

H. F. No. 899, A bill for an act relating to human services; requiring the commissioner of human services to propose statutory changes to address frequency of medical assistance eligibility assessments for nonemergency medical transportation and the length of time a recipient is deemed eligible for special transportation.

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

Abeler and Benson, M., introduced:

H. F. No. 900, A bill for an act relating to higher education; requiring the Board of Trustees of MnSCU to implement a policy on credit transfers; requiring a report to the legislature.

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

Dill, Rukavina, Anzelc, Hackbarth and McNamara introduced:

H. F. No. 901, A bill for an act relating to natural resources; modifying certain wetland replacement requirements; amending Minnesota Statutes 2010, section 103G.222, subdivision 1.

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

Dill introduced:

H. F. No. 902, A bill for an act relating to taxation; modifying the ownership requirements that apply to certain homestead resorts; amending Minnesota Statutes 2010, section 273.13, subdivision 22.

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

Mullery, Rukavina, Hayden, Mariani and Champion introduced:

H. F. No. 903, A bill for an act relating to employment; providing for community-based workforce development; appropriating money.

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

Lanning and Davids introduced:

H. F. No. 904, A bill for an act relating to taxation; providing contract authority to commissioner of revenue; regulating abusive transfer pricing schemes.

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

Hamilton, McElpatrick, Abeler, Swedzinski, Schomacker, Kiel, Murdock, Eken, Mariani, Kath and Murphy, E., introduced:

H. F. No. 905, A bill for an act relating to health; establishing policies for youth athletes with concussions resulting from participation in youth athletic activities; proposing coding for new law in Minnesota Statutes, chapter 123B.

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

Rukavina, Melin, Anzelc and Dill introduced:

H. F. No. 906, A bill for an act relating to transportation; requiring commissioner of transportation to make a decision on alternative route for State Highway 53.

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

Rukavina and Melin introduced:

H. F. No. 907, A bill for an act relating to capital investment; appropriating money for water and wastewater system improvements in the city of Hoyt Lakes; authorizing the sale and issuance of state bonds.

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

Torkelson and Anderson, P., introduced:

H. F. No. 908, A bill for an act relating to natural resources; modifying Wetland Conservation Act; amending Minnesota Statutes 2010, sections 103G.005, by adding a subdivision; 103G.2212; 103G.222, subdivision 3; 103G.2242, subdivisions 2a, 6, 7, 9, 12, 14, by adding a subdivision; 103G.2251; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Murphy, M., and Davids introduced:

H. F. No. 909, A bill for an act relating to local sales tax; requesting Department of Revenue to report on use of zip codes in collecting local sales taxes.

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

Murphy, M., and Davids introduced:

H. F. No. 910, A bill for an act relating to the city of Hermantown; modifying its current local sales tax rate; amending Laws 1996, chapter 471, article 2, section 29, subdivision 1, as amended.

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

Quam and Benson, M., introduced:

H. F. No. 911, A bill for an act relating to capital investment; appropriating money for improvements related to Trunk Highway 52 in Rochester; authorizing sale and issuance of state bonds.

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

Abeler, Franson and Slawik introduced:

H. F. No. 912, A bill for an act relating to human services; providing a requirement for special family day care homes; amending Minnesota Statutes 2010, section 245A.14, subdivision 4.

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

Slawik; Huntley; Greiling; Peterson, S., and Brynaert introduced:

H. F. No. 913, A bill for an act relating to education; continuing implementation of quality rating and improvement system for child care; appropriating money; amending Minnesota Statutes 2010, section 119B.13, subdivision 3a; proposing coding for new law in Minnesota Statutes, chapter 124D.

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

Hilty, Mariani, Clark, Falk, Mahoney, Slocum, Nelson, Hausman, Anzelc, Liebling, Wagenius, Koenen, Hayden, Brynaert, Kahn, Johnson, Hornstein and Murphy, E., introduced:

H. F. No. 914, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, by adding a section; defining the term "person."

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

Beard and Woodard introduced:

H. F. No. 915, A bill for an act relating to capital improvements; appropriating money for the Scott County Regional Public Safety Training Center; authorizing the sale and issuance of state bonds.

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

Hilty, Davids and Murphy, M., introduced:

H. F. No. 916, A bill for an act relating to taxes; authorizing the city of Cloquet to impose a local sales tax.

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

Melin, Rukavina and Anzelc introduced:

H. F. No. 917, A bill for an act relating to St. Louis county; county fair; tax status of fairgrounds; amending Minnesota Statutes 2010, section 383C.16, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 383C.

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

Kahn, Lillie, Hornstein, Hausman and Mariani introduced:

H. F. No. 918, A bill for an act relating to traffic regulations; requiring bicycle operators under age 16 to wear protective headgear; amending Minnesota Statutes 2010, section 169.222, subdivision 6.

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

Urdahl, Ward, Howes, Hausman and Hackbarth introduced:

H. F. No. 919, A bill for an act relating to capital investment; appropriating money for state trail acquisition and development; 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.

Myhra; Howes; Beard; Anderson, D., and Woodard introduced:

H. F. No. 920, A bill for an act relating to capital improvements; appropriating money for interchange at Trunk Highway 13 and County State-Aid Highway 5 in Dakota County; 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.

Leidiger, Cornish, Bills and Kiel introduced:

H. F. No. 921, A bill for an act relating to crime; clarifying targeted misdemeanors to include no contact order misdemeanor violations for the purpose of requiring fingerprinting; amending Minnesota Statutes 2010, section 299C.10, subdivision 1.

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

Kiel, Beard, Atkins, Stensrud, McDonald, Leidiger, Vogel and McFarlane introduced:

H. F. No. 922, A bill for an act relating to motor vehicles; allowing collector emergency vehicles to display and use nonconforming colored lights; amending Minnesota Statutes 2010, section 169.64, subdivision 2.

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

Kiel, Lanning and Erickson introduced:

H. F. No. 923, A bill for an act relating to education; amending the definition of public employee to include replacement employees who are employed for more than 50 days as a replacement teacher or faculty member; 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.

Barrett, Abeler and Nornes introduced:

H. F. No. 924, A bill for an act relating to state government; consolidating the Departments of Health and Human Services; changing the name to Department of Health and Human Services; requiring a report.

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

Barrett, Crawford and Nornes introduced:

H. F. No. 925, A bill for an act relating to state government; revising procedures for public purchasing from corrections industries; amending Minnesota Statutes 2010, sections 16B.181, subdivision 2; 16B.335, subdivision 3; 16C.10, subdivision 5.

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

Gottwalt; Huntley; Hosch; Abeler; Kiffmeyer; Gruenhagen; Murphy, E., and Lohmer introduced:

H. F. No. 926, A bill for an act relating to health; changing provisions for evaluation of health coverage mandates; amending Minnesota Statutes 2010, section 62J.26.

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

Abeler introduced:

H. F. No. 927, A bill for an act relating to human services; requiring the commissioner of human services to seek a waiver from the federal government to reform the medical assistance program; setting guidelines for the reformed medical assistance program; providing for rulemaking authority; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

Falk introduced:

H. F. No. 928, A bill for an act relating to human services; clarifying the additional local share of certain publicly owned nursing facility costs; clarifying a publicly owned nursing facility payment rate; amending Minnesota Statutes 2010, sections 256B.19, subdivision 1e; 256B.441, subdivision 55a.

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

Falk and Koenen introduced:

H. F. No. 929, A bill for an act relating to public safety; providing for special "MN supports family farmers" license plates; proposing coding for new law in Minnesota Statutes, chapter 168.

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

Falk, Eken and Lillie introduced:

H. F. No. 930, A bill for an act relating to taxation; prohibiting sales of tax-forfeited lands to owners of certain property; requiring county auditors to file lists of delinquent real estate taxes; amending Minnesota Statutes 2010, section 282.016.

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

Falk, Hilty and Huntley introduced:

H. F. No. 931, A bill for an act relating to energy; requiring Legislative Energy Commission to examine issue of permanent storage of spent nuclear fuel produced by nuclear-powered electric generating plants.

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

Urdahl introduced:

H. F. No. 932, A bill for an act relating to education; lane changes for teachers earning master's degrees; 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.

Smith, Cornish, Johnson, Mullery, Shimanski, Paymar and Kelly introduced:

H. F. No. 933, A bill for an act relating to public safety; clarifying and recodifying certain provisions and modifying certain definitions in the prostitution laws; amending Minnesota Statutes 2010, sections 609.321, subdivisions 4, 8, 9; 609.324, subdivisions 2, 3, by adding subdivisions.

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

Garofalo introduced:

H. F. No. 934, A bill for an act relating to education finance; removing an obsolete reference; amending Minnesota Statutes 2010, section 126C.10, subdivision 2b.

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

Dauids introduced:

H. F. No. 935, A bill for an act relating to taxation; repealing requirement that commissioner of revenue delay corporate refunds; repealing Laws 2010, First Special Session chapter 1, article 13, section 6.

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

Holberg, Zellers and Dean introduced:

H. F. No. 936, A bill for an act relating to health; prohibiting abortions at or after 20 weeks gestational age unless certain exceptions apply; providing civil and criminal penalties; amending Minnesota Statutes 2010, section 145.4131, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 8; 145.

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

Schomacker and Hosch introduced:

H. F. No. 937, A bill for an act relating to human services; modifying certain nursing facility provisions; amending Minnesota Statutes 2010, sections 12A.10, by adding a subdivision; 144A.071, subdivisions 3, 4a; 144A.073, subdivision 3c, by adding a subdivision; 256B.431, subdivision 26; 256B.437, subdivision 4; 256B.441, by adding a subdivision; repealing Minnesota Statutes 2010, section 144A.073, subdivisions 4, 5.

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

Schomacker and Hosch introduced:

H. F. No. 938, A bill for an act relating to state government; allowing nursing facility and home care agency employees to buy into the state long-term care insurance program; amending Minnesota Statutes 2010, section 43A.318, subdivision 1.

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

Westrom; Gunther; Drazkowski; Anderson, P.; Nornes; Barrett; Hackbarth; Buesgens; Swedzinski; Murdock; Hancock; Beard; Dettmer; Franson; Runbeck; Gruenhagen; Holberg; Shimanski; Anderson, B.; Benson, M.; Wardlow; Torkelson; Peppin; LeMieur; Mack; Zellers; Dean and Leidiger introduced:

H. F. No. 939, A bill for an act relating to corrections; requiring the commissioner of corrections to issue a request for proposals for housing individuals committed to the custody of the commissioner in private prisons; amending Minnesota Statutes 2010, section 241.01, subdivision 3a.

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

Mack, Hosch, Loeffler and Schomacker introduced:

H. F. No. 940, A bill for an act relating to human services; modifying personal care assistance services; amending Minnesota Statutes 2010, sections 256B.0625, subdivision 19a; 256B.0652, subdivision 6.

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

Persell, Hausman and Howes introduced:

H. F. No. 941, A bill for an act relating to capital investment; appropriating money for the Headwaters Regional Center for Science, History, Culture, and the Arts; authorizing the sale and issuance of state bonds.

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

Hilty introduced:

H. F. No. 942, A bill for an act relating to taxation; authorizing the city of Grand Rapids to impose a local sales tax; adjusting the local government aid payment to the city.

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

Simon introduced:

H. F. No. 943, A bill for an act relating to building officials; establishing the Building Code Administrators and Inspections Board; amending Minnesota Statutes 2010, sections 326B.133, subdivisions 2, 3, 8, 9; 326B.135, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 326B.

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

Davids introduced:

H. F. No. 944, A bill for an act relating to human services; repealing requirement relating to evaluation of actuarial soundness of managed health care contracts; repealing Minnesota Statutes 2010, section 256B.69, subdivision 5k.

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

Petersen, B.; Garofalo; Anderson, S.; Downey and Kieffer introduced:

H. F. No. 945, A bill for an act relating to education; modifying teacher licensure, evaluations, and tenure; authorizing rulemaking; requiring reports; amending Minnesota Statutes 2010, sections 120B.35, subdivision 1; 120B.36, subdivision 1; 122A.18, by adding a subdivision; 122A.40, subdivisions 2, 5, 6, 7, 8, 9, 10, 11, by adding a subdivision; 122A.41, subdivisions 1, 2, 3, 4, 5, 6, 14; 122A.60; 122A.61, subdivision 1; 123B.09, subdivision 8; 123B.143, subdivision 1; 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.

Loeffler and Kahn introduced:

H. F. No. 946, A bill for an act relating to taxation; individual income; conforming to the federal extension of the deduction for qualified tuition and related expenses for tax year 2010; amending Minnesota Statutes 2010, section 290.01, subdivisions 19, 19a.

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

Erickson introduced:

H. F. No. 947, A bill for an act relating to education; modifying alternative teacher pay system; amending Minnesota Statutes 2010, section 122A.414, subdivisions 1a, 2, 2a, 2b.

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

Lenczewski introduced:

H. F. No. 948, A bill for an act relating to transportation; requiring toll facility on segment of Highway 169; proposing coding for new law in Minnesota Statutes, chapter 160.

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

Gruenhagen and Gottwalt introduced:

H. F. No. 949, A bill for an act relating to insurance; requiring compliance with all federal health coverage mandates; repealing all mandated health benefits under state law; amending Minnesota Statutes 2010, section 62Q.021; repealing Minnesota Statutes 2010, sections 62A.041, subdivisions 1, 2; 62A.0411; 62A.042; 62A.043; 62A.047; 62A.048; 62A.14; 62A.141; 62A.145; 62A.146; 62A.147; 62A.148; 62A.149, subdivision 1; 62A.15; 62A.151; 62A.152; 62A.153; 62A.154; 62A.155; 62A.17, subdivisions 1, 2, 4, 5, 5b, 6; 62A.20; 62A.21, subdivisions 1, 2a, 2b, 3; 62A.25; 62A.26; 62A.265; 62A.27; 62A.28; 62A.285, subdivisions 1, 2, 3; 62A.30; 62A.302; 62A.304; 62A.305; 62A.307; 62A.3075; 62A.308; 62A.3091; 62A.3092; 62A.3093; 62D.101; 62D.102; 62D.103; 62D.105; 62D.107; 62Q.19; 62Q.23; 62Q.47; 62Q.471; 62Q.50; 62Q.525; 62Q.527; 62Q.53; 62Q.535; 62Q.545; 62Q.55; 62Q.66; 62Q.67; 62Q.675.

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

Gruenhagen, Scott and Shimanski introduced:

H. F. No. 950, A resolution urging the members of the United States Congress to propose the Parental Rights Amendment to the Constitution of the United States relating to parental rights.

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

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.

CAL R. LUDEMAN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 69, 125 and 194.

CAL R. LUDEMAN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 69, A bill for an act relating to education; reducing mandates for home schools; relieving superintendents of certain reporting requirements; amending Minnesota Statutes 2010, sections 120A.22, subdivision 11; 120A.24; 121A.15, subdivision 8; 123B.42, subdivision 1; 123B.44, subdivision 1; 171.05, subdivision 2; 171.17, subdivision 1; 171.22, subdivision 1; 181A.05, subdivision 1; repealing Minnesota Statutes 2010, section 120A.26, subdivisions 1, 2.

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

S. F. No. 125, A bill for an act relating to financial institutions; authorizing a detached facility in Northern Township under certain conditions.

The bill was read for the first time.

Persell moved that S. F. No. 125 and H. F. No. 305, now on the Calendar for the Day, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 194, A bill for an act relating to secured transactions; enacting amendments to the Uniform Commercial Code Article 9 adopted by the National Conference of Commissioners on Uniform State Laws; making conforming changes; amending Minnesota Statutes 2010, sections 86B.820, subdivisions 10, 11; 168A.01, subdivisions 18, 19; 336.2A-103; 336.9-102; 336.9-105; 336.9-307; 336.9-311; 336.9-316; 336.9-317; 336.9-326; 336.9-406; 336.9-408; 336.9-502; 336.9-503; 336.9-507; 336.9-515; 336.9-516; 336.9-518; 514.963, subdivision 7; 514.965, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 336.

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

CALENDAR FOR THE DAY

H. F. No. 362, A bill for an act relating to real property; allowing common interest community unit owners to obtain copies of association records; specifying access to and charges for copying records; amending Minnesota Statutes 2010, section 515B.3-118.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

Dean moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

MOTIONS AND RESOLUTIONS

Peppin moved that the name of Dettmer be added as an author on H. F. No. 173. The motion prevailed.

Peppin moved that the name of Dettmer be added as an author on H. F. No. 174. The motion prevailed.

Downey moved that the names of Dettmer and Kahn be added as authors on H. F. No. 191. The motion prevailed.

Lohmer moved that her name be stricken as an author on H. F. No. 200. The motion prevailed.

Sanders moved that the name of Dettmer be added as an author on H. F. No. 233. The motion prevailed.

Dettmer moved that his name be stricken as an author on H. F. No. 419. The motion prevailed.

Morrow moved that the name of Dettmer be added as an author on H. F. No. 466. The motion prevailed.

Downey moved that the name of Erickson be added as an author on H. F. No. 482. The motion prevailed.

Shimanski moved that the name of Woodard be added as an author on H. F. No. 506. The motion prevailed.

Runbeck moved that the name of Barrett be added as an author on H. F. No. 536. The motion prevailed.

Benson, M., moved that the name of LeMieur be added as an author on H. F. No. 633. The motion prevailed.

Hackbarth moved that the names of McNamara and Anderson, B., be added as authors on H. F. No. 635. The motion prevailed.

Davnie moved that the name of Thissen be added as an author on H. F. No. 646. The motion prevailed.

Urdahl moved that the name of McDonald be added as chief author on H. F. No. 668. The motion prevailed.

Loon moved that the name of Slocum be added as an author on H. F. No. 669. The motion prevailed.

Bills moved that the name of Dettmer be added as an author on H. F. No. 687. The motion prevailed.

Kath moved that the name of Dettmer be added as an author on H. F. No. 727. The motion prevailed.

Loon moved that the name of Benson, J., be added as an author on H. F. No. 743. The motion prevailed.

Mack moved that the name of Dettmer be added as an author on H. F. No. 746. The motion prevailed.

Woodard moved that the name of Kieffer be added as an author on H. F. No. 750. The motion prevailed.

Loon moved that the name of O'Driscoll be added as an author on H. F. No. 776. The motion prevailed.

McDonald moved that the name of Woodard be added as an author on H. F. No. 807. The motion prevailed.

Buesgens moved that the name of Kiffmeyer be added as an author on H. F. No. 841. The motion prevailed.

Cornish moved that the name of Kiffmeyer be added as an author on H. F. No. 853. The motion prevailed.

Swedzinski moved that the name of Kiffmeyer be added as an author on H. F. No. 856. The motion prevailed.

Benson, M., moved that the name of Norton be added as an author on H. F. No. 862. The motion prevailed.

Smith moved that the name of Moran be added as an author on H. F. No. 876. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 4:30 p.m., Wednesday, March 9, 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, March 9, 2011.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives