

STATE OF MINNESOTA

EIGHTY-SEVENTH SESSION — 2012

 ONE HUNDREDTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, APRIL 4, 2012

The House of Representatives convened at 12:00 noon and was called to order by Ron Shimanski, Speaker pro tempore.

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

A quorum was present.

Atkins, Clark and Greiling were excused.

Greene was excused until 2:00 p.m.

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.

Dean moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORTS OF CHIEF CLERK

S. F. No. 396 and H. F. No. 539, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Anderson, B., moved that the rules be so far suspended that S. F. No. 396 be substituted for H. F. No. 539 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 753 and H. F. No. 1191, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Abeler moved that the rules be so far suspended that S. F. No. 753 be substituted for H. F. No. 1191 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1553 and H. F. No. 1972, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Davids moved that the rules be so far suspended that S. F. No. 1553 be substituted for H. F. No. 1972 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1880 and H. F. No. 2359, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Quam moved that the rules be so far suspended that S. F. No. 1880 be substituted for H. F. No. 2359 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2060 and H. F. No. 2770, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Wardlow moved that S. F. No. 2060 be substituted for H. F. No. 2770 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2114 and H. F. No. 2476, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Holberg moved that S. F. No. 2114 be substituted for H. F. No. 2476 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2224 and H. F. No. 2582, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Gunther moved that S. F. No. 2224 be substituted for H. F. No. 2582 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2360 and H. F. No. 2587, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Garofalo moved that S. F. No. 2360 be substituted for H. F. No. 2587 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2464 and H. F. No. 2896, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Wardlow moved that S. F. No. 2464 be substituted for H. F. No. 2896 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. Nos. 396, 753, 1553, 1880, 2060, 2114, 2224, 2360 and 2464 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Lenczewski introduced:

H. F. No. 2992, A bill for an act relating to property taxation; the metropolitan area fiscal disparities program; excluding retail property from the areawide pool; eliminating the 1971 base value subtraction; amending Minnesota Statutes 2010, sections 473F.02, subdivision 3; 473F.06.

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

Lenczewski introduced:

H. F. No. 2993, A bill for an act relating to financing a National Football stadium; providing alternative backup financing.

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

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, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2128, A bill for an act relating to health; licensing emergency medical personnel; making changes to the Cooper/Sams volunteer ambulance program; amending Minnesota Statutes 2010, sections 144E.001, subdivisions 1b, 3a, 4a, 4b, 5c, 5d, 5e, 6, 11, 14, by adding subdivisions; 144E.01, subdivision 1; 144E.101, subdivisions 2, 6, 7, 9, 10, 12; 144E.103; 144E.127, subdivision 2; 144E.265, subdivision 2; 144E.27, subdivisions 1, 2, 3, 5, by adding a subdivision; 144E.275, subdivision 3; 144E.28, subdivisions 1, 5, 7; 144E.283; 144E.285; 144E.286, subdivision 3; 144E.29; 144E.30, subdivision 3; 144E.305, subdivision 2; 144E.31; 144E.32, subdivision 2; 144E.35, subdivision 1; 144E.41; 144E.52; Minnesota Statutes 2011 Supplement, sections 144E.001, subdivision 5f; 144E.28, subdivision 9; repealing Minnesota Rules, parts 4690.0100, subparts 16, 17; 4690.1400.

CAL R. LUDEMAN, Secretary of the Senate

Quam moved that the House refuse to concur in the Senate amendments to H. F. No. 2128, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2173, A bill for an act relating to consumer protection; clarifying the definition of home solicitation sale; amending Minnesota Statutes 2010, section 325G.06, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

Kieffer moved that the House refuse to concur in the Senate amendments to H. F. No. 2173, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2508, A bill for an act relating to public safety; aligning state-controlled substance schedules with federal controlled substance schedules; modifying the authority of the Board of Pharmacy to regulate controlled substances; providing for penalties; amending Minnesota Statutes 2010, section 152.02, as amended; Minnesota Statutes 2011 Supplement, section 152.027, subdivision 6.

CAL R. LUDEMAN, Secretary of the Senate

Barrett moved that the House refuse to concur in the Senate amendments to H. F. No. 2508, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

CALENDAR FOR THE DAY

S. F. No. 2296 was reported to the House.

Sanders moved to amend S. F. No. 2296, the first engrossment, as follows:

Page 2, after line 16, insert:

"Sec. 2. Minnesota Statutes 2010, section 208.03, is amended to read:

208.03 NOMINATION OF PRESIDENTIAL ELECTORS.

Presidential electors for the major political parties of this state shall be nominated by delegate conventions called and held under the supervision of the respective state central committees of the parties of this state. At least ~~77~~ 71 days before the general election day the chair of the major political party shall certify to the secretary of state the names of the persons nominated as presidential electors, the names of eight alternate presidential electors, and the names of the party candidates for president and vice president. The chair shall also certify that the party candidates for president and vice president have no affidavit on file as a candidate for any office in this state at the ensuing general election."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Daudt, Winkler, Sanders and Simon moved to amend S. F. No. 2296, the first engrossment, as amended, as follows:

Page 2, after line 16, insert:

"Sec. 2. Minnesota Statutes 2011 Supplement, section 204B.14, subdivision 2, is amended to read:

Subd. 2. **Separate precincts; combined polling place.** (a) The following shall constitute at least one election precinct:

(1) each city ward; and

(2) each town and each statutory city.

(b) A single, accessible, combined polling place may be established no later than ~~May~~ March 1 of any year:

(1) for any city of the third or fourth class, any town, or any city having territory in more than one county, in which all the voters of the city or town shall cast their ballots;

(2) for contiguous precincts in the same municipality;

(3) for up to four contiguous municipalities located entirely outside the metropolitan area, as defined by section 200.02, subdivision 24, that are contained in the same county; or

(4) for noncontiguous precincts located in one or more counties.

A copy of the ordinance or resolution establishing a combined polling place must be filed with the county auditor within 30 days after approval by the governing body. A polling place combined under clause (3) must be approved by the governing body of each participating municipality. A polling place combined under clause (4) must be approved by the governing body of each participating municipality and the secretary of state and may be located outside any of the noncontiguous precincts. A municipality withdrawing from participation in a combined polling place must do so by filing a resolution of withdrawal with the county auditor no later than ~~April~~ February 1 of any year.

The secretary of state shall provide a separate polling place roster for each precinct served by the combined polling place. A single set of election judges may be appointed to serve at a combined polling place. The number of election judges required must be based on the total number of persons voting at the last similar election in all precincts to be voting at the combined polling place. Separate ballot boxes must be provided for the ballots from each precinct. The results of the election must be reported separately for each precinct served by the combined polling place, except in a polling place established under clause (2) where one of the precincts has fewer than ten registered voters, in which case the results of that precinct must be reported in the manner specified by the secretary of state.

Sec. 3. Minnesota Statutes 2010, section 204B.14, subdivision 4, is amended to read:

Subd. 4. **Boundary change procedure.** Any change in the boundary of an election precinct must be adopted at least ten weeks before the date of the next election and, for the state primary and general election, no later than ~~June~~ April 1 in the year of the state general election. The precinct boundary change shall not take effect until notice of the change has been posted in the office of the municipal clerk or county auditor for at least 56 days.

The county auditor must publish a notice illustrating or describing the congressional, legislative, and county commissioner district boundaries in the county in one or more qualified newspapers in the county at least 14 days before the first day to file affidavits of candidacy for the state general election in the year ending in two.

Alternate dates for adopting changes in precinct boundaries, posting notices of boundary changes, and notifying voters affected by boundary changes pursuant to this subdivision, and procedures for coordinating precinct boundary changes with reestablishing local government election district boundaries may be established in the manner provided in the rules of the secretary of state.

Sec. 4. Minnesota Statutes 2010, section 204B.21, subdivision 1, is amended to read:

Subdivision 1. **Appointment lists; duties of political parties and secretary of state.** On ~~May~~ March 1 in a year in which there is an election for a partisan political office, each major political party shall prepare a list of eligible voters to act as election judges in each election precinct. The political parties shall furnish the lists electronically to the secretary of state, in a format specified by the secretary of state. The secretary of state must combine the data received from each political party under this subdivision and must process the data to locate the precinct in which the address provided for each potential election judge is located. If the data submitted by a political party is insufficient for the secretary of state to locate the proper precinct, the associated name must not appear in any list forwarded to an appointing authority under this subdivision. The secretary of state shall notify political parties of any proposed election judges with addresses that could not be located in a precinct.

By ~~May~~ March 15, the secretary of state shall furnish electronically to the county auditor a list of the appropriate names for each election precinct in the jurisdiction of the appointing authority, noting the political party affiliation of each individual on the list. The county auditor must promptly forward the appropriate names to the appropriate municipal clerk.

Sec. 5. Minnesota Statutes 2010, section 204D.03, subdivision 1, is amended to read:

Subdivision 1. **State primary.** The state primary shall be held on the ~~second first~~ second Tuesday ~~after the third Monday~~ in ~~August~~ June in each even-numbered year to select the nominees of the major political parties for partisan offices and the nominees for nonpartisan offices to be filled at the state general election, other than presidential electors.

Sec. 6. Minnesota Statutes 2010, section 204D.09, subdivision 1, is amended to read:

Subdivision 1. **Example ballot.** (a) No later than ~~May~~ March 1 of each year, the secretary of state shall supply each auditor with a copy of an example ballot. The example ballot must illustrate the format required for the ballots used in the primary and general elections that year.

(b) The county auditor shall distribute copies of the example ballot to municipal and school district clerks in municipalities and school districts holding elections that year. The official ballot must conform in all respects to the example ballot.

Sec. 7. Minnesota Statutes 2010, section 204D.28, subdivision 5, is amended to read:

Subd. 5. **Regular state primary.** "Regular state primary" means:

- (a) the state primary at which candidates are nominated for offices elected at the state general election; or
- (b) a primary held on the ~~second first~~ second Tuesday ~~after the third Monday~~ in ~~August~~ June of odd-numbered years.

Sec. 8. Minnesota Statutes 2010, section 205.065, subdivision 1, is amended to read:

Subdivision 1. **Establishing primary.** A municipal primary for the purpose of nominating elective officers may be held in any city on the ~~second first~~ second Tuesday ~~after the third Monday~~ in ~~August~~ June of any year in which a municipal general election is to be held for the purpose of electing officers. The date of a municipal primary held in an odd-numbered year may be postponed for inclement weather as provided in section 205.105.

Sec. 9. Minnesota Statutes 2010, section 205.065, subdivision 2, is amended to read:

Subd. 2. **Resolution or ordinance.** The governing body of a city may, by ordinance or resolution adopted by ~~April~~ January 15 in the year when a municipal general election is held, elect to choose nominees for municipal offices by a primary as provided in this section. The resolution or ordinance, when adopted, is effective for all ensuing municipal elections until it is revoked. The municipal clerk shall notify the secretary of state and the county auditor within 30 days after the adoption of the resolution or ordinance.

Sec. 10. Minnesota Statutes 2010, section 205A.03, subdivision 1, is amended to read:

Subdivision 1. **Resolution requiring primary in certain circumstances.** The school board of a school district may, by resolution adopted by ~~April~~ January 15 of any year, decide to choose nominees for school board by a primary as provided in this section. The resolution, when adopted, is effective for all ensuing elections of board members in that school district until it is revoked. If the board decides to choose nominees by primary and if there are more than two candidates for a specified school board position or more than twice as many school board candidates as there are at-large school board positions available, the school district must hold a primary.

Sec. 11. Minnesota Statutes 2010, section 205A.03, subdivision 2, is amended to read:

Subd. 2. **Date.** The school district primary must be held on the ~~second~~ first Tuesday after the third Monday in ~~August~~ June in the year when the school district general election is held. The clerk shall give notice of the primary in the manner provided in section 205A.07. The date of a school district primary held in an odd-numbered year may be postponed for inclement weather as provided in section 205A.055.

Sec. 12. Minnesota Statutes 2011 Supplement, section 205A.06, subdivision 1a, is amended to read:

Subd. 1a. **Filing period.** In school districts that have adopted a resolution to choose nominees for school board by a primary election, affidavits of candidacy must be filed with the school district clerk no earlier than the 84th day and no later than the 70th day before the ~~second~~ first Tuesday after the third Monday in ~~August~~ June in the year when the school district general election is held. In all other school districts, affidavits of candidacy must be filed no earlier than the 98th day and no later than the 84th day before the school district general election.

Sec. 13. Minnesota Statutes 2010, section 205A.11, subdivision 2a, is amended to read:

Subd. 2a. **Notice of special elections.** The school district clerk shall prepare a notice to the voters who will be voting in a combined polling place for a school district special election. The notice must include the following information: the date of the election, the hours of voting, and the location of the voter's polling place. The notice must be sent by nonforwardable mail to every affected household in the school district with at least one registered voter. The notice must be mailed no later than 14 days before the election. The mailed notice is not required for a school district special election that is held on the ~~second~~ first Tuesday after the third Monday in ~~August~~ June, the Tuesday following the first Monday in November, or for a special election conducted entirely by mail. In addition, the mailed notice is not required for voters residing in a township if the school district special election is held on the second Tuesday in March and the town general election is held on that day. A notice that is returned as undeliverable must be forwarded immediately to the county auditor.

Sec. 14. Minnesota Statutes 2010, section 206.61, subdivision 5, is amended to read:

Subd. 5. **Alternation.** The provisions of the election laws requiring the alternation of names of candidates must be observed as far as practicable by changing the order of the names on an electronic voting system in the various precincts so that each name appears on the machines or marking devices used in a municipality substantially an equal number of times in the first, last, and in each intermediate place in the list or group in which they belong.

However, the arrangement of candidates' names must be the same on all voting systems used in the same precinct. If the number of names to be alternated exceeds the number of precincts, the election official responsible for providing the ballots, in accordance with subdivision 1, shall determine by lot the alternation of names.

If an electronic ballot marker is used with a paper ballot that is not an optical scan ballot card, the manner of alternation of candidate names on the paper ballot must be as prescribed for optical scan ballots in this subdivision.

The rules adopted by the secretary of state for the rotation of candidate names must use the number of registered voters in each precinct as of 8:00 a.m. on ~~May~~ March 1 of the year when the rotation will be made as the basis for determining the rotation of names.

Sec. 15. Minnesota Statutes 2010, section 206.82, subdivision 2, is amended to read:

Subd. 2. **Plan.** The municipal clerk in a municipality where an electronic voting system is used and the county auditor of a county in which an electronic voting system is used in more than one municipality and the county auditor of a county in which a counting center serving more than one municipality is located shall prepare a plan which indicates acquisition of sufficient facilities, computer time, and professional services and which describes the proposed manner of complying with section 206.80. The plan must be signed, notarized, and submitted to the secretary of state more than 60 days before the first election at which the municipality uses an electronic voting system. Before ~~May~~ March 1 of each subsequent general election year, the clerk or auditor shall submit to the secretary of state notification of any changes to the plan on file with the secretary of state. The secretary of state shall review each plan for its sufficiency and may request technical assistance from the Office of Enterprise Technology or other agency which may be operating as the central computer authority. The secretary of state shall notify each reporting authority of the sufficiency or insufficiency of its plan within 20 days of receipt of the plan. The attorney general, upon request of the secretary of state, may seek a district court order requiring an election official to fulfill duties imposed by this subdivision or by rules promulgated pursuant to this section.

Sec. 16. **EFFECTIVE DATE.**

Except where otherwise provided, this act is effective January 1, 2013, and applies to elections conducted on or after that date."

Amend the title accordingly

A roll call was requested and properly seconded.

POINT OF ORDER

Anderson, S., raised a point of order pursuant to rule 3.21 that the Daudt et al amendment was not in order.

The Speaker submitted the following question to the House: "Is it the judgment of the House that the Anderson, S., point of order is well taken?"

The vote was taken on the question "Is it the judgment of the House that the Anderson, S., point of order is well taken?" and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Allen	Banaian	Carlson	Dill	Eken	Gauthier
Anderson, S.	Benson, J.	Champion	Dittrich	Falk	Gunther
Anzelc	Brynaert	Dauids	Downey	Fritz	Hamilton

Hansen	Kath	Liebling	Moran	Paymar	Slawik
Hausman	Knuth	Lillie	Morrow	Pelowski	Slocum
Hilstrom	Koenen	Loeffler	Mullery	Persell	Smith
Hilty	Laine	Mariani	Murphy, E.	Petersen, B.	Thissen
Hosch	Lanning	Marquart	Murphy, M.	Poppe	Tillberry
Huntley	LeMieur	Mazorol	Nelson	Quam	Wagenius
Johnson	Lenczewski	Melin	Norton	Rukavina	Wardlow

Those who voted in the negative were:

Abeler	Davnie	Hackbarth	Kriesel	Murray	Simon
Anderson, B.	Dean	Hancock	Leidiger	Myhra	Stensrud
Anderson, D.	Dettmer	Holberg	Lesch	Nornes	Swedzinski
Anderson, P.	Doepke	Hoppe	Lohmer	O'Driscoll	Torkelson
Barrett	Drazkowski	Hornstein	Loon	Peppin	Urdahl
Beard	Erickson	Hortman	Mack	Peterson, S.	Vogel
Benson, M.	Fabian	Howes	Mahoney	Runbeck	Ward
Bills	Franson	Kahn	McDonald	Sanders	Westrom
Buesgens	Garofalo	Kelly	McElfratrick	Scalze	Winkler
Cornish	Gottwalt	Kieffer	McFarlane	Schomacker	Woodard
Crawford	Greene	Kiel	McNamara	Scott	Spk. Zellers
Daudt	Gruenhagen	Kiffmeyer	Murdock	Shimanski	

So it was the judgment of the House that the Anderson, S., point of order was not well taken and the Daudt et al amendment was in order.

Thissen moved to amend the Daudt et al amendment to S. F. No. 2296, the first engrossment, as amended, as follows:

Page 1, after line 2, insert:

"Sec. 2. Minnesota Statutes 2010, section 204B.14, subdivision 1a, is amended to read:

Subd. 1a. **Legislative policy.** It is the intention of the legislature to complete congressional and legislative redistricting activities in time to permit counties and municipalities to begin the process of reestablishing precinct boundaries as soon as possible after the adoption of the congressional and legislative redistricting plans but in no case later than ~~25 weeks before the state primary election~~ November 1 in the year ending in ~~two one.~~"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Daudt et al amendment and the roll was called. There were 66 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abeler	Anderson, P.	Benson, M.	Cornish	Davnie	Doepke
Anderson, B.	Banaian	Bills	Crawford	Dean	Downey
Anderson, D.	Barrett	Buesgens	Daudt	Dettmer	Drazkowski

Erickson	Hornstein	Kriesel	McElfatrick	Peterson, S.	Swedzinski
Franson	Hortman	Lanning	McFarlane	Sanders	Torkelson
Garofalo	Howes	Leidiger	McNamara	Scalze	Urdahl
Gottwalt	Kahn	Lohmer	Murdock	Schomacker	Ward
Greene	Kelly	Loon	Murray	Scott	Westrom
Gunther	Kieffer	Mack	Myhra	Shimanski	Winkler
Hackbarth	Kiel	Mahoney	Nornes	Simon	Woodard
Hoppe	Kiffmeyer	Mazorol	Peppin	Stensrud	Spk. Zellers

Those who voted in the negative were:

Allen	Eken	Hilty	Lesch	Murphy, E.	Rukavina
Anderson, S.	Fabian	Holberg	Liebling	Murphy, M.	Runbeck
Anzelc	Falk	Hosch	Lillie	Nelson	Slawik
Beard	Fritz	Huntley	Loeffler	Norton	Slocum
Benson, J.	Gauthier	Johnson	Mariani	O'Driscoll	Smith
Brynaert	Gruenhagen	Kath	Marquart	Paymar	Thissen
Carlson	Hamilton	Knuth	McDonald	Pelowski	Tillberry
Champion	Hancock	Koenen	Melin	Persell	Vogel
Davids	Hansen	Laine	Moran	Petersen, B.	Wagenius
Dill	Hausman	LeMieur	Morrow	Poppe	Wardlow
Dittrich	Hilstrom	Lenczewski	Mullery	Quam	

The motion prevailed and the amendment was adopted.

Kahn moved to amend S. F. No. 2296, the first engrossment, as amended, as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2010, section 201.014, is amended by adding a subdivision to read:

Subd. 1a. **Voting in primary.** (a) Notwithstanding the requirement in subdivision 1, clause (a), an individual who meets all other eligibility requirements may vote in a primary in order to select the candidates who will be on the general election ballot if the person will be 18 years of age at the time of the general election.

(b) The ballot provided to an individual authorized to vote under paragraph (a) must be prepared so that the individual may vote only for the candidates seeking nomination for office, and not for any question or proposition."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kahn amendment and the roll was called. There were 30 yeas and 98 nays as follows:

Those who voted in the affirmative were:

Anzelc	Gauthier	Kahn	Marquart	Murphy, M.	Slocum
Champion	Hansen	Kath	Melin	Nelson	Tillberry
Dill	Hilty	Lenczewski	Moran	Persell	Wagenius
Dittrich	Hornstein	Loeffler	Morrow	Petersen, B.	Ward
Falk	Hosch	Mariani	Murphy, E.	Rukavina	Winkler

Those who voted in the negative were:

Abeler	Daudt	Gunther	Kriesel	Murdock	Shimanski
Allen	Davids	Hackbarth	Laine	Murray	Simon
Anderson, B.	Davnie	Hamilton	Lanning	Myhra	Slawik
Anderson, D.	Dean	Hancock	LeMieur	Nornes	Smith
Anderson, P.	Dettmer	Hilstrom	Lesch	Norton	Stensrud
Anderson, S.	Doepke	Holberg	Liebling	O'Driscoll	Swedzinski
Banaian	Downey	Hoppe	Lillie	Paymar	Torkelson
Barrett	Drazkowski	Hortman	Lohmer	Pelowski	Urdahl
Beard	Eken	Howes	Loon	Peppin	Vogel
Benson, J.	Erickson	Huntley	Mack	Peterson, S.	Wardlow
Benson, M.	Fabian	Johnson	Mahoney	Poppe	Westrom
Bills	Franson	Kelly	Mazorol	Quam	Woodard
Brynaert	Fritz	Kieffer	McDonald	Runbeck	Spk. Zellers
Buesgens	Garfalo	Kiel	McElfrick	Sanders	
Carlson	Gottwalt	Kiffmeyer	McFarlane	Scalze	
Cornish	Greene	Knuth	McNamara	Schomacker	
Crawford	Gruenhagen	Koenen	Mullery	Scott	

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

Peppin was excused between the hours of 2:30 p.m. and 4:10 p.m.

Winkler moved to amend S. F. No. 2296, the first engrossment, as amended, as follows:

Page 2, after line 16, insert:

"Sec. 2. Minnesota Statutes 2010, section 204B.04, is amended by adding a subdivision to read:

Subd. 4. **Prohibited activities of a political party.** A political party unit may not, through imposition or threatened imposition of any fine, sanction, or other penalty, attempt to coerce an individual who does not have the party unit's official endorsement as a means to prevent the individual from filing as a candidate for office."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Winkler amendment and the roll was called. There were 74 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Abeler	Carlson	Downey	Hamilton	Huntley	Lenczewski
Allen	Champion	Eken	Hansen	Johnson	Lesch
Anderson, S.	Crawford	Falk	Hilstrom	Kahn	Liebling
Anzelc	Davnie	Fritz	Hilty	Kath	Lillie
Benson, J.	Dill	Gauthier	Hornstein	Knuth	Loeffler
Bills	Dittrich	Greene	Hortman	Koenen	Loon
Brynaert	Doepke	Gruenhagen	Hosch	Laine	Mahoney

Mariani	Morrow	Pelowski	Scalze	Thissen	Winkler
Marquart	Murphy, E.	Persell	Simon	Tillberry	Woodard
Mazorol	Murphy, M.	Petersen, B.	Slawik	Vogel	
McFarlane	Nelson	Peterson, S.	Slocum	Wagenius	
Melin	Norton	Poppe	Smith	Ward	
Moran	Paymar	Rukavina	Stensrud	Wardlow	

Those who voted in the negative were:

Anderson, B.	Daudt	Gottwalt	Kiffmeyer	McNamara	Schomacker
Anderson, D.	Davids	Gunther	Kriesel	Murdock	Scott
Anderson, P.	Dean	Hackbarth	Lanning	Murray	Shimanski
Banaian	Dettmer	Hancock	Leidiger	Myhra	Swedzinski
Barrett	Drazkowski	Holberg	LeMieur	Nornes	Torkelson
Beard	Erickson	Hoppe	Lohmer	O'Driscoll	Urdahl
Benson, M.	Fabian	Howes	Mack	Quam	Westrom
Buesgens	Franson	Kelly	McDonald	Runbeck	Spk. Zellers
Cornish	Garofalo	Kiel	McElfrick	Sanders	

The motion prevailed and the amendment was adopted.

S. F. No. 2296, A bill for an act relating to elections; modifying certificate on absentee ballot envelopes; amending Minnesota Statutes 2010, section 203B.21, subdivision 3.

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

The question was taken on the passage of the bill and the roll was called. There were 78 yeas and 51 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Gruenhagen	Kiffmeyer	Murdock	Shimanski
Anderson, B.	Davnie	Gunther	Kriesel	Murray	Simon
Anderson, D.	Dean	Hackbarth	Leidiger	Myhra	Smith
Anderson, P.	Dettmer	Hamilton	LeMieur	Nelson	Stensrud
Banaian	Doepke	Hancock	Lohmer	Nornes	Swedzinski
Barrett	Downey	Hoppe	Loon	O'Driscoll	Torkelson
Beard	Drazkowski	Hornstein	Mack	Peterson, S.	Urdahl
Benson, M.	Erickson	Hortman	Mahoney	Quam	Vogel
Bills	Fabian	Howes	Mazorol	Runbeck	Ward
Buesgens	Franson	Kahn	McDonald	Sanders	Westrom
Cornish	Garofalo	Kelly	McElfrick	Scalze	Winkler
Crawford	Gottwalt	Kieffer	McFarlane	Schomacker	Woodard
Daudt	Greene	Kiel	McNamara	Scott	Spk. Zellers

Those who voted in the negative were:

Allen	Benson, J.	Champion	Eken	Gauthier	Hilstrom
Anderson, S.	Brynaert	Dill	Falk	Hansen	Hilty
Anzelc	Carlson	Dittrich	Fritz	Hausman	Holberg

Hosch	Laine	Loeffler	Mullery	Persell	Tillberry
Huntley	Lanning	Mariani	Murphy, E.	Poppe	Wagenius
Johnson	Lenczewski	Marquart	Murphy, M.	Rukavina	Wardlow
Kath	Lesch	Melin	Norton	Slawik	
Knuth	Liebling	Moran	Paymar	Slocum	
Koenen	Lillie	Morrow	Pelowski	Thissen	

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

Hornstein was excused for the remainder of today's session.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2128:

Quam, McDonald and Murphy, E.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2173:

Kieffer, O'Driscoll and Dittrich.

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 2508:

Barrett, Kriesel and Gauthier.

The Speaker called Davids to the Chair.

FISCAL CALENDAR

Pursuant to rule 1.22, Holberg requested immediate consideration of S. F. No. 2493.

S. F. No. 2493 was reported to the House.

Urdahl moved to amend S. F. No. 2493, the unofficial engrossment, as follows:

Page 30, lines 22 to 23, delete the new language

Page 30, line 26, reinstate the stricken language

Page 30, line 27, reinstate the stricken "that use storm water or reuse"

Page 30, line 28, reinstate the stricken "wastewater" and reinstate the stricken period and delete "80"

Page 30, delete lines 29 to 36

Page 31, delete lines 1 to 3

Page 31, line 4, delete the new language

Page 45, line 8, delete everything after "sesquicentennial" and insert a period

Page 45, delete lines 9 to 18

Page 45, line 21, delete "Independent Feature" and insert "Minnesota Film and TV Board"

Page 45, line 22, delete "Project/Minnesota" and after "new" insert "competitive" and before "Independent" insert "Minnesota Film and TV Board in consultation with"

Page 45, line 32, delete everything after the period

Page 45, delete line 33

Page 46, delete sections 8 and 10

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hackbarth moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 13, line 15, delete "structural"

Page 13, line 16, delete "deterrents and" and after "barriers" insert "and surrounding structures"

Page 13, line 18, after the period, insert "This appropriation may not be used for the installation of sound projector arrays, bioacoustic fish fences, high intensity light barriers, or air bubble curtains."

The motion prevailed and the amendment was adopted.

Buesgens, Leidiger, McDonald, Erickson, Hackbarth, Drazkowski, Wardlow and Fabian moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 42, after line 28, insert:

"Sec. 4. Minnesota Statutes 2010, section 129D.17, is amended by adding a subdivision to read:

Subd. 4. **State Capitol building.** (a) Beginning July 1, 2014, and each July 1 through 2021, \$30,000,000 is appropriated from the arts and cultural heritage fund to the commissioner of administration for renovation, restoration, and repairs of the State Capitol building in order to preserve Minnesota's history and cultural heritage.

(b) Subdivision 3 does not apply to this subdivision."

Page 43, line 30, after the period, insert "\$1,000,000 of the second year appropriation shall be transferred to the commissioner of administration for renovation of the State Capitol building in order to preserve Minnesota's history and cultural heritage."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Buesgens et al amendment and the roll was called. There were 52 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Dettmer	Gottwalt	Kieffer	Murdock	Shimanski
Anderson, D.	Dittrich	Gruenhagen	Kiffmeyer	Murray	Stensrud
Anderson, S.	Doepke	Gunther	Leidiger	O'Driscoll	Swedzinski
Beard	Downey	Hackbarth	LeMieur	Petersen, B.	Vogel
Benson, M.	Drazkowski	Hamilton	Lohmer	Peterson, S.	Wardlow
Bills	Erickson	Hancock	Loon	Quam	Westrom
Buesgens	Fabian	Holberg	Mack	Runbeck	Woodard
Crawford	Franson	Hoppe	Mazorol	Sanders	
Daut	Garofalo	Kelly	McDonald	Scott	

Those who voted in the negative were:

Abeler	Dean	Howes	Liebling	Murphy, E.	Simon
Allen	Dill	Huntley	Lillie	Murphy, M.	Slawik
Anderson, P.	Eken	Johnson	Loeffler	Myhra	Slocum
Anzelc	Falk	Kahn	Mahoney	Nelson	Smith
Banaian	Fritz	Kath	Mariani	Nornes	Thissen
Barrett	Gauthier	Kiel	Marquart	Norton	Tillberry
Benson, J.	Greene	Knuth	McElfrick	Paymar	Torkelson
Brynaert	Hansen	Koenen	McFarlane	Pelowski	Urdahl
Carlson	Hausman	Kriesel	McNamara	Persell	Wagenius
Champion	Hilstrom	Laine	Melin	Poppe	Ward
Cornish	Hilty	Lanning	Moran	Rukavina	Winkler
Davids	Hortman	Lenczewski	Morrow	Scalze	Spk. Zellers
Davnie	Hosch	Lesch	Mullery	Schomacker	

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

Hansen moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 5, line 24, delete "\$1,320,000" and insert "\$1,281,000"

Page 16, line 12, delete "\$45,000" and insert "\$84,000"

Adjust amounts accordingly

The motion prevailed and the amendment was adopted.

Falk, Draskowski and Hansen moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 5, line 29, after the period, insert "The commissioner of natural resources, as part of the agreement, shall assist in the development of a plan, including identifying project locations, to ensure that projects funded under this paragraph have long-term results."

Page 5, line 31, after "plan" insert "and projects must be ranked based upon the expected increase in the number of prairie chickens and other targeted species per acre, with projects with the highest increase receiving the highest ranking"

Page 5, line 33, after the period, insert "Funds from this appropriation may not be used to acquire private land or otherwise remove property tax obligations on private land."

The motion prevailed and the amendment was adopted.

Hansen moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 18, delete section 3 and insert:

"Sec. 3. **[84.972] PRAIRIE AND GRASSLANDS PUBLIC GRAZING PRACTICES.**

The commissioner of natural resources shall encourage grazing on prairie and grasslands when grazing practices will improve wildlife habitat. The commissioner may enter into cooperative farming agreements or lease agreements with livestock owners to periodically graze prairie and grasslands administered by the commissioner when grazing will assist in the restoration, enhancement, or restoration of wildlife habitat, including controlling invasive species. The commissioner shall maintain a list of lands grazed under the program describing the location, acreage, and years grazed. The program shall have a goal of being financially self-sufficient. Unless otherwise provided by law, revenues received under this section shall be deposited in the game and fish fund and are appropriated to the commissioner for purposes of the program."

Page 24, line 20, delete "and"

"Page 24, line 23, delete the period and insert " ; and"

Page 24, after line 23, insert:

(4) annually report to the commissioner the number of acres that were protected from the spread of invasive species and that were restored through the removal of invasive species."

A roll call was requested and properly seconded.

The question was taken on the Hansen amendment and the roll was called. There were 45 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Allen	Dittrich	Hortman	Mahoney	Paymar	Thissen
Anzelc	Falk	Huntley	Mariani	Persell	Tillberry
Benson, J.	Gauthier	Johnson	Moran	Peterson, S.	Wagenius
Brynaert	Greene	Kahn	Mullery	Rukavina	Ward
Carlson	Hansen	Knuth	Murphy, E.	Scalze	Winkler
Champion	Hausman	Laine	Murphy, M.	Simon	
Davnie	Hilstrom	Lenczewski	Nelson	Slawik	
Dill	Hilty	Liebling	Norton	Slocum	

Those who voted in the negative were:

Abeler	Dean	Hackbarth	Lanning	McNamara	Schomacker
Anderson, B.	Dettmer	Hamilton	Leidiger	Melin	Scott
Anderson, D.	Doepke	Hancock	LeMieur	Morrow	Shimanski
Anderson, P.	Downey	Holberg	Lesch	Murdock	Smith
Anderson, S.	Drazkowski	Hoppe	Lillie	Murray	Stensrud
Banaian	Eken	Hosch	Loeffler	Myhra	Swedzinski
Barrett	Erickson	Howes	Lohmer	Nornes	Torkelson
Beard	Fabian	Kath	Loon	O'Driscoll	Urdahl
Benson, M.	Franson	Kelly	Mack	Pelowski	Vogel
Bills	Fritz	Kieffer	Marquart	Petersen, B.	Wardlow
Buesgens	Garofalo	Kiel	Mazorol	Poppe	Westrom
Crawford	Gottwalt	Kiffmeyer	McDonald	Quam	Woodard
Daudt	Gruenhagen	Koenen	McElpatrick	Runbeck	Spk. Zellers
Dauids	Gunther	Kriesel	McFarlane	Sanders	

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

Lesch was excused between the hours of 4:05 p.m. and 6:00 p.m.

Rukavina moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 28, after line 2, insert:

"Sec. 15. **CONDEMNATION OF SCHOOL TRUST LAND; VERMILION AND BASS LAKES; ST. LOUIS COUNTY.**

(a) To protect and enhance habitat for fish, game, and wildlife and to ensure the enjoyment of those resources by the people of Minnesota, the commissioner of natural resources shall exercise the power of eminent domain under Minnesota Statutes, chapter 117, to acquire fee title to all riparian school trust lands bordering Vermilion and Bass Lakes in St. Louis County.

(b) Riparian land condemned under this section must be in parcels determined according to the subdivisions by the United States surveys. Parcels of riparian land must be designated from the shoreline of the lake, extending away from the lake only to the first surveyed subdivision line that yields a parcel of a size that can be legally developed.

(c) Notwithstanding any requirements of Minnesota Statutes, chapter 117, to the contrary, the damages awarded for riparian lands condemned under this section must be substantially equal to the amount paid by the commissioner of natural resources in acquiring the land for Lake Vermilion State Park under Laws 2008, chapter 365, section 25, as amended by Laws 2010, chapter 189, section 61.

(d) Damages awarded according to this section shall be paid from the outdoor heritage fund to the permanent school fund.

(e) Minnesota Statutes, section 97A.056, subdivision 9, does not apply to acquisition of land under this section. Land acquired under this section shall become part of Lake Vermilion State Park and is open to the public taking of fish and game unless otherwise provided by law and shall be retained in state ownership in perpetuity for the use and enjoyment of the people of Minnesota.

(f) The commissioner of natural resources shall not assess any costs incurred under this section to the permanent school fund."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Hansen moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 1, after line 16, insert:

"Section 1. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision to read:

Subd. 12. **Authority to deny a grant application.** A state agency or other fiscal agent that awards competitive grants funded by the outdoor heritage fund may refuse to award a grant to a person or entity that previously received money from the outdoor heritage fund and knowingly submitted false information during the application process, or otherwise misused money from the outdoor heritage fund. The state agency or fiscal agent may refuse to provide funding to the person or entity for up to two fiscal years."

Page 28, after line 4, insert:

"Section 1. Minnesota Statutes 2010, section 114D.50, is amended by adding a subdivision to read:

Subd. 7. **Authority to deny a grant application.** A state agency or other fiscal agent that awards competitive grants funded by the clean water fund may refuse to award a grant to a person or entity that previously received money from the clean water fund and knowingly submitted false information during the application process, or otherwise misused money from the clean water fund. The state agency or fiscal agent may refuse to provide funding to the person or entity for up to two fiscal years."

Page 39, after line 24, insert:

"Section 1. Minnesota Statutes 2010, section 85.53, is amended by adding a subdivision to read:

Subd. 6. **Authority to deny a grant application.** A state agency or other fiscal agent that awards competitive grants funded by the parks and trails fund may refuse to award a grant to a person or entity that previously received money from the parks and trails fund and knowingly submitted false information during the application process, or otherwise misused money from the parks and trails fund. The state agency or fiscal agent may refuse to provide funding to the person or entity for up to two fiscal years."

Page 42, after line 28, insert:

"Sec. 4. Minnesota Statutes 2010, section 129D.17, is amended by adding a subdivision to read:

Subd. 4. **Authority to deny a grant application.** A state agency or other fiscal agent that awards competitive grants funded by the arts and cultural heritage fund may refuse to award a grant to a person or entity that previously received money from the arts and cultural heritage fund and knowingly submitted false information during the application process, or otherwise misused money from the arts and cultural heritage. The state agency or fiscal agent may refuse to provide funding to the person or entity for up to two fiscal years."

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Hansen amendment and the roll was called. There were 56 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Allen	Fritz	Johnson	Loon	Nelson	Slocum
Anzelc	Gauthier	Kahn	Mahoney	Norton	Thissen
Benson, J.	Greene	Kath	Mariani	Paymar	Tillberry
Brynaert	Hansen	Knuth	Marquart	Pelowski	Wagenius
Carlson	Hausman	Koenen	Melin	Persell	Ward
Champion	Hilstrom	Laine	Moran	Poppe	Winkler
Davnie	Hilty	Lenczewski	Morrow	Rukavina	
Dill	Hortman	Liebling	Mullery	Scalze	
Eken	Hosch	Lillie	Murphy, E.	Simon	
Falk	Huntley	Loeffler	Murphy, M.	Slawik	

Those who voted in the negative were:

Abeler	Crawford	Garofalo	Kiel	McNamara	Scott
Anderson, B.	Daudt	Gottwalt	Kiffmeyer	Murdock	Shimanski
Anderson, D.	Davids	Gruenhagen	Kriesel	Murray	Smith
Anderson, P.	Dean	Gunther	Lanning	Myhra	Stensrud
Anderson, S.	Dettmer	Hackbarth	Leidiger	Nornes	Swedzinski
Banaian	Dittrich	Hamilton	LeMieur	O'Driscoll	Torkelson
Barrett	Doepke	Hancock	Lohmer	Peppin	Urdahl
Beard	Downey	Holberg	Mack	Petersen, B.	Vogel
Benson, M.	Drazkowski	Hoppe	Mazorol	Quam	Wardlow
Bills	Erickson	Howes	McDonald	Runbeck	Westrom
Buesgens	Fabian	Kelly	McElfatrick	Sanders	Woodard
Cornish	Franson	Kieffer	McFarlane	Schomacker	Spk. Zellers

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

Torkelson and Hansen moved to amend S. F. No. 2493, the unofficial engrossment, as amended, as follows:

Page 36, line 16, strike everything after the comma and insert "to facilitate the installation of conservation practices on drainage systems that will result in water quality improvements and evaluate the outcomes of these installations."

Page 36, lines 17 to 21, strike the existing language and delete the new language

Page 36, line 22, strike the existing language

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 2493, A bill for an act relating to natural resources; appropriating money from the outdoor heritage fund; modifying requirements for outdoor heritage fund appropriations; appropriating money for clean water; appropriating money for an Aquatic Invasive Species Cooperative Research Center; modifying prior appropriations; modifying certain parks and trails grant program provisions; amending Minnesota Statutes 2010, sections 85.535, subdivision 3; 97A.056, by adding subdivisions; Laws 2009, chapter 172, article 3, section 3; Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 9; Laws 2011, First Special Session chapter 6, article 2, section 7.

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

The question was taken on the passage of the bill and the roll was called. There were 101 yeas and 28 nays as follows:

Those who voted in the affirmative were:

Abeler	Davnie	Hausman	Lanning	Mullery	Simon
Allen	Dean	Hilstrom	LeMieur	Murdock	Slawik
Anderson, D.	Dill	Hilty	Liebling	Murphy, E.	Slocum
Anderson, P.	Dittrich	Hoppe	Lillie	Murphy, M.	Smith
Anderson, S.	Doepke	Hortman	Loeffler	Murray	Stensrud
Anzelc	Downey	Hosch	Loon	Myhra	Swedzinski
Banaian	Eken	Howes	Mack	Nelson	Thissen
Barrett	Fabian	Huntley	Mahoney	Nornes	Tillberry
Beard	Falk	Johnson	Mariani	Norton	Torkelson
Benson, J.	Fritz	Kahn	Marquart	O'Driscoll	Urdahl
Brynaert	Gauthier	Kath	Mazorol	Paymar	Vogel
Carlson	Gottwalt	Kelly	McElpatrick	Pelowski	Wagenius
Champion	Greene	Kiel	McFarlane	Persell	Ward
Cornish	Gunther	Knuth	McNamara	Peterson, S.	Westrom
Crawford	Hackbarth	Koenen	Melin	Poppe	Winkler
Daudt	Hamilton	Kriesel	Moran	Scalze	Spk. Zellers
Davids	Hansen	Laine	Morrow	Schomacker	

Those who voted in the negative were:

Anderson, B.	Drazkowski	Hancock	Lenczewski	Quam	Shimanski
Benson, M.	Erickson	Holberg	Lohmer	Rukavina	Wardlow
Bills	Franson	Kieffer	McDonald	Runbeck	Woodard
Buesgens	Garofalo	Kiffmeyer	Peppin	Sanders	
Dettmer	Gruenhagen	Leidiger	Petersen, B.	Scott	

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

CALENDAR FOR THE DAY, Continued

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

MOTIONS AND RESOLUTIONS

Howes moved that the name of Kriesel be added as chief author on H. F. No. 2418. The motion prevailed.

Howes moved that the name of Zellers be added as an author on H. F. No. 2418. The motion prevailed.

Garofalo moved that the name of Doepke be added as an author on H. F. No. 2949. The motion prevailed.

Franson moved that the names of Banaian and Garofalo be added as authors on H. F. No. 2963. The motion prevailed.

Hamilton moved that S. F. No. 248, now on the Calendar for the Day, be re-referred to the Committee on Ways and Means. The motion prevailed.

MOTION TO FIX TIME TO CONVENE

Dean moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, April 5, 2012. The motion prevailed.

Dean moved that the House recess subject to the call of the Chair to meet with the Senate in Joint Convention to elect a member of the Board of Regents of the University of Minnesota. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Greene and Petersen, B., were excused for the remainder of today's session.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

JOINT CONVENTION

The Speaker of the House, as President of the Joint Convention, called the Joint Convention to order.

Prayer was offered by the Reverend Phil Shaw, Rochester, Minnesota.

The roll being called, the following Senators answered to their names: Bakk, Benson and Bonoff.

Senator Senjem moved that further proceedings of the roll call be suspended. The motion prevailed and a quorum was declared present.

COMMUNICATION FROM THE JOINT LEGISLATIVE COMMITTEE

April 3, 2012

Dear Speaker Zellers, Majority Leader Senjem, and Minority Leaders Thissen and Bakk:

Pursuant to Minnesota Statutes 2010, section 137.0246, subdivision 2, the Joint Legislative Committee met on April 3, 2012 to nominate and consider candidates for the existing vacancy on the University of Minnesota Board of Regents.

The following names were placed in nomination in accordance with Minnesota Statutes 2010, section 137.0246, subdivision 2(c): *Thomas Devine, Kelly Smith and Robert Vogel.*

The Joint Legislative Committee allowed all nominated candidates an opportunity to address the Joint Committee and to respond to questions.

After hearing from all candidates, the Joint Legislative Committee voted. Based on a majority vote of the House members and a majority vote of the Senate members of the Joint Legislative Committee, we respectfully forward the names of Thomas Devine and Robert Vogel to the Joint Convention of the Senate and House of Representatives without recommendation.

Respectfully submitted,

REPRESENTATIVE BUD NORNES
Co-Chair of the Joint Legislative Committee

SENATOR MICHELLE L. FISHBACH
Co-Chair of the Joint Legislative Committee

ELECTION OF A MEMBER TO THE BOARD
OF REGENTS OF THE UNIVERSITY OF MINNESOTA

Pursuant to the Joint Rules of the Senate and House of Representatives the Joint Convention proceeded to elect a Regent from the Second Congressional District.

Thomas Devine was nominated by Senator Ortman for the Second Congressional District Regent for the remainder of the term of Steve Sviggum.

Robert Vogel was nominated by Senator Robling for the Second Congressional District Regent for the remainder of the term of Steve Sviggum.

There being no further nominations, the President declared nominations closed.

The Secretary called the roll.

SECOND CONGRESSIONAL DISTRICT REGENT JOINT ROLL CALL

The following members of the Senate voted for Thomas Devine:

Bakk	Eaton	Kelash	Metzen	Reinert	Skoe
Bonoff	Goodwin	Latz	Miller	Rest	Tomassoni
Chamberlain	Hann	Lourey	Olson	Saxhaug	Wiger
Cohen	Hayden	Marty	Ortman	Sheran	
Daley	Higgins	McGuire	Pappas	Sieben	

The following members of the House of Representatives voted for Thomas Devine:

Abeler	Doepke	Hoppe	Lenczewski	Morrow	Scalze
Allen	Downey	Hortman	Lesch	Mullery	Simon
Anzelc	Eken	Hosch	Liebling	Murphy, E.	Slawik
Banaian	Falk	Howes	Lillie	Murphy, M.	Slocum
Benson, J.	Franson	Huntley	Loeffler	Murray	Stensrud
Benson, M.	Fritz	Johnson	Lohmer	Nelson	Thissen
Brynaert	Garofalo	Kahn	Loon	Norton	Tillberry
Carlson	Gauthier	Kath	Mahoney	Paymar	Urdahl
Champion	Gottwalt	Kelly	Mariani	Pelowski	Wagenius
Daudt	Gruenhagen	Kieffer	Marquart	Peppin	Ward
Davnie	Hansen	Knuth	Mazorol	Persell	Wardlow
Dettmer	Hausman	Koenen	McDonald	Peterson, S.	Winkler
Dill	Hilstrom	Laine	Melin	Poppe	
Dittrich	Hilty	Leidiger	Moran	Rukavina	

Thomas Devine received 110 votes.

The following members of the Senate voted for Robert Vogel:

Benson	Fischbach	Hoffman	Lillie	Nienow	Senjem
Brown	Gazelka	Howe	Limmer	Parry	Thompson
Carlson	Gerlach	Ingebrigtsen	Magnus	Pederson	Vandever
Dahms	Gimse	Jungbauer	Nelson	Robling	Wolf
DeKruif	Hall	Kruse	Newman	Rosen	

The following members of the House of Representatives voted for Robert Vogel:

Anderson, B.	Cornish	Hackbarth	LeMieur	O'Driscoll	Swedzinski
Anderson, D.	Crawford	Hamilton	Mack	Quam	Torkelson
Anderson, P.	Davids	Hancock	McElfatrick	Runbeck	Vogel
Anderson, S.	Dean	Holberg	McFarlane	Sanders	Westrom
Barrett	Drazkowski	Kiel	McNamara	Schomacker	Woodard
Beard	Erickson	Kiffmeyer	Murdock	Scott	Pres. Zellers
Bills	Fabian	Kriesel	Myhra	Shimanski	
Buesgens	Gunther	Lanning	Nornes	Smith	

Robert Vogel received 75 votes.

DECLARATION OF ELECTION

Thomas Devine, having received 110 votes, a majority of the votes cast, was declared elected Regent for the Second Congressional District by the President of the Joint Convention, for the remainder of the term of Steve Sviggum.

Senator Senjem moved that the Joint Convention adjourn. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

The House reconvened and was called to order by the Speaker.

CERTIFICATION

April 4, 2012

To the Governor
State of Minnesota

To the Senate
State of Minnesota

To the House of Representatives
State of Minnesota

This is to certify that the House of Representatives and the Senate in Joint Convention on Wednesday, April 4, 2012, have elected as a member of the Board of Regents of the University of Minnesota the following member to hold office for the remainder of the term of Steve Sviggum:

Thomas Devine, Second Congressional District.

MICHELLE L. FISHBACH
President of the Senate

KURT ZELLERS
Speaker of the House of Representatives

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place H. F. Nos. 2580, 2729, 2164 and 2754; and S. F. No. 1543 on the Fiscal Calendar for Thursday, April 5, 2012.

ADJOURNMENT

Dean moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Thursday, April 5, 2012.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives