

STATE OF MINNESOTA

Journal of the House

EIGHTY-SEVENTH SESSION — 2012

ONE HUNDRED THIRTEENTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 30, 2012

The House of Representatives convened at 12:00 noon and was called to order by Kurt Zellers, Speaker of the House.

Prayer was offered by the Reverend Grady St. Dennis, House Chaplain.

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

A quorum was present.

Peterson, S., was excused.

Mariani was excused until 4:20 p.m. Champion was excused until 4:35 p.m. Greene was excused until 5:35 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.

This document can be made available in alternative formats upon request. Call (651) 296-2314 [voice] or the Minnesota State Relay Service at 1-800-627-3529 [TTY] for assistance; or visit the website at <http://www.house.mn>.

REPORTS OF CHIEF CLERK

S. F. No. 1983 and H. F. No. 2172, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

McElfatrick moved that the rules be so far suspended that S. F. No. 1983 be substituted for H. F. No. 2172 and that the House File be indefinitely postponed. The motion prevailed.

SECOND READING OF SENATE BILLS

S. F. No. 1983 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Petersen, B., introduced:

H. F. No. 3036, A bill for an act relating to transportation; state-aid road system; amending the apportionment sum to counties; amending Minnesota Statutes 2010, section 162.07, subdivision 1b.

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

Hausman, Mariani, Paymar, Ward, Wagenius and Johnson introduced:

H. F. No. 3037, A bill for an act relating to jobs; creating jobs through rehabilitation and construction of affordable housing, green energy investments in public buildings, and capital improvements at institutions of higher education; authorizing nonprofit housing bonds; authorizing the sale and issuance of state bonds; appropriating money; amending Minnesota Statutes 2010, section 462A.36, by adding subdivisions.

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

Clark and Kahn introduced:

H. F. No. 3038, A bill for an act relating to state government; authorizing housing infrastructure bonds; amending liquor gross receipts taxes; appropriating money; amending Minnesota Statutes 2010, sections 295.75, subdivision 2; 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 462A.

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

Clark, Mariani, Mullery, Greiling, Nelson and Davnie introduced:

H. F. No. 3039, A bill for an act relating to capital improvements; appropriating money for rehabilitation to preserve public housing; 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.

Loon introduced:

H. F. No. 3040, A bill for an act relating to the metropolitan area fiscal disparities program; eliminating inflationary growth from the areawide pool; phasing down the contribution percentage; eliminating the 1971 base value subtraction; limiting distributions from the pool for certain municipalities; modifying the definition of fiscal capacity; providing for a portion of the areawide pool to be used for economic development by funding certain costs related to light rail transit; amending Minnesota Statutes 2010, sections 473.4051, subdivision 2; 473F.02, subdivision 14, by adding a subdivision; 473F.06; 473F.07, subdivisions 1, 4; 473F.08, subdivisions 2, 5, 6, 7a.

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

Westrom introduced:

H. F. No. 3041, A bill for an act relating to property taxation; limiting the amount that a property's value can increase from the previous year; providing a small business targeted property tax refund; amending Minnesota Statutes 2010, sections 273.11, subdivision 1a; 290A.02; 290A.03, by adding a subdivision; 290A.04, by adding a subdivision; 290A.23, subdivision 3.

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

Daudt introduced:

H. F. No. 3042, A bill for an act relating to commerce; weights and measures; requiring metering of motor vehicle fuel delivered to underground storage tanks; proposing coding for new law in Minnesota Statutes, chapter 239.

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

Hortman, Mariani, Slawik, Winkler and Laine introduced:

H. F. No. 3043, A bill for an act relating to human services; creating the Family Economic Security Act; increasing minimum wage rates; modifying child care assistance; providing a new child care tax credit; expanding the working family tax credit; appropriating money; amending Minnesota Statutes 2010, sections 119B.02, subdivisions 1, 2; 119B.03, subdivision 9; 119B.035, subdivision 1; 119B.05, subdivision 1; 119B.08, subdivision 3; 119B.09, subdivisions 1, 4a; 119B.231, subdivision 5; 177.24, subdivision 1; 256.017, subdivision 9; Minnesota Statutes 2011 Supplement, section 290.0671, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 2010, sections 119B.011, subdivision 20a; 119B.03, subdivisions 1, 2, 4, 5, 6, 6a, 6b, 8; 119B.09, subdivision 3.

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

Lohmer introduced:

H. F. No. 3044, A bill for an act relating to property taxation; authorizing borrowing for local project costs in conjunction with a trunk highway project; providing for a supplemental fiscal disparities distribution; amending Minnesota Statutes 2010, section 473F.08, by adding a subdivision.

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

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 Speaker pro tempore Davids.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. No. 2269

A bill for an act relating to elections; determining funds for Help America Vote Act; appropriating money.

April 29, 2012

The Honorable Kurt Zellers
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

We, the undersigned conferees for H. F. No. 2269 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendments and that H. F. No. 2269 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **SECRETARY OF STATE; HELP AMERICA VOTE ACT.**

(a) The following amounts are appropriated in fiscal year 2013 to the secretary of state from the account established in Minnesota Statutes, section 5.30, pursuant to the Help America Vote Act:

(1) \$50,000 for Military and Overseas Empowerment Act compliance; and

(2) \$120,000 for support for local election officials.

(b) \$580,000 is appropriated in fiscal year 2013 to the secretary of state from the account established in Minnesota Statutes, section 5.30, pursuant to the Help America Vote Act.

(c) The secretary of state must not make any reductions to the business services division to offset any reductions to election services."

We request the adoption of this report and repassage of the bill.

House Conferees: MORRIE LANNING and CAROL MCFARLANE.

Senate Conferees: MIKE PARRY, THEODORE J. "TED" DALEY and CHARLES W. WIGER.

Lanning moved that the report of the Conference Committee on H. F. No. 2269 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2269, A bill for an act relating to elections; determining funds for Help America Vote Act; appropriating money.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 127 yeas and 1 nay as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson, M.

The bill was repassed, as amended by Conference, and its title agreed to.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

H. F. No. 2555, A bill for an act relating to state government; implementing changes to the sunset review; changing certain agency requirements; requiring posting of convictions of felonies or gross misdemeanors and malpractice settlements or judgments for a regulated practitioner; requiring certain information on regulated practitioners; requiring a study; prohibiting transfer of certain funds; requiring reports and a financial audit; setting fees; abolishing the Combative Sports Commission and transferring combative sports duties to the commissioner of labor and industry; establishing a Combative Sports Advisory Council; requiring a review of the Minnesota Board of Medical Practice; changing provisions for health-related licensing boards; appropriating money; amending Minnesota Statutes 2010, sections 3.922, by adding a subdivision; 3.9223, subdivision 7; 3.9225, subdivision 7; 3.9226, subdivision 7; 147.01, subdivision 4; 147.111, by adding a subdivision; 148.102, by adding a subdivision; 148.261, subdivision 1; 148.263, by adding a subdivision; 148.5194, subdivision 5; 148.6445, subdivision 10; 148B.07, by adding a subdivision; 148C.095, by adding a subdivision; 148E.285, by adding a subdivision; 150A.13, by adding a subdivision; 153.24, by adding a subdivision; 153A.17; 214.06, subdivisions 1, 1a, by adding a subdivision; 214.09, by adding a subdivision; 214.103; 341.21, by adding a subdivision; 341.28, subdivision 1; 341.37; Minnesota Statutes 2011 Supplement, sections 3D.04; 3D.06; 3D.21, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 3D; 16B; 214; 341; repealing Minnesota Statutes 2010, sections 138A.01; 138A.02; 138A.03; 138A.04; 138A.05; 138A.06; 341.21, subdivisions 3, 4a; 341.22; 341.23; 341.24; 341.26.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said House File is herewith returned to the House.

CAL R. LUDEMAN, Secretary of 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. 1721, A bill for an act relating to economic development; authorizing redevelopment demolition loans; eliminating a semiannual report; establishing a small business advocate office in the Business Assistance Center; granting Albert Lea the authority to establish an industrial sewer charge rebate program; amending Minnesota Statutes 2010, sections 116J.555, subdivision 2; 116J.571; 116J.572; 116J.575, by adding a subdivision; 116J.66; proposing coding for new law in Minnesota Statutes, chapter 116J.

CAL R. LUDEMAN, Secretary of the Senate

Gunther moved that the House refuse to concur in the Senate amendments to H. F. No. 1721, 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. 2795, A bill for an act relating to horse racing; medication; providing for certain regulatory threshold concentrations to be set by the commission; amending Minnesota Statutes 2010, section 240.24, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Hoppe moved that the House concur in the Senate amendments to H. F. No. 2795 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2795, A bill for an act relating to horse racing; medication; providing for certain regulatory threshold concentrations to be set by the commission; amending Minnesota Statutes 2010, section 240.24, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 97 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Allen	Dean	Hansen	Leidiger	Nornes	Slocum
Anderson, P.	Dettmer	Hilstrom	LeMieur	Norton	Smith
Anderson, S.	Dill	Holberg	Lillie	O'Driscoll	Stensrud
Anzelc	Dittrich	Hoppe	Loon	Pelowski	Thissen
Atkins	Doepke	Hortman	Mahoney	Peppin	Tillberry
Banaian	Drazkowski	Hosch	Mariani	Persell	Torkelson
Barrett	Eken	Howes	Marquart	Petersen, B.	Urdahl
Beard	Erickson	Huntley	McDonald	Poppe	Vogel
Benson, J.	Fabian	Johnson	McFarlane	Quam	Ward
Bills	Falk	Kath	McNamara	Rukavina	Westrom
Brynaert	Franson	Kelly	Melin	Runbeck	Woodard
Buesgens	Fritz	Kieffer	Morrow	Sanders	Spk. Zellers
Carlson	Garofalo	Kiel	Murdock	Scalze	
Cornish	Gottwalt	Knuth	Murphy, E.	Schomacker	
Crawford	Gunther	Kriesel	Murray	Shimanski	
Daudt	Hamilton	Laine	Myhra	Simon	
Davids	Hancock	Lanning	Nelson	Slawik	

Those who voted in the negative were:

Abeler	Davnie	Hausman	Lesch	McElfatrick	Swedzinski
Anderson, B.	Downey	Hilty	Liebling	Moran	Wagenius
Anderson, D.	Gauthier	Hornstein	Loeffler	Mullery	Wardlow
Benson, M.	Greiling	Kahn	Lohmer	Murphy, M.	Winkler
Champion	Gruenhagen	Kiffmeyer	Mack	Paymar	
Clark	Hackbarth	Lenzewski	Mazorol	Scott	

The bill was repassed, as amended by the Senate, and its title agreed to.

FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Holberg announced her intention to place H. F. No. 1752 and S. F. No. 1808 on the Fiscal Calendar for Monday, April 30, 2012.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1721:

Gunther, Murray and Mahoney.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 1653:

Sanders, Daudt and Nelson.

MESSAGES FROM THE SENATE, Continued

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. 2647, A bill for an act relating to education; clarifying the definition of public data relating to agreements involving payment of public money; amending Minnesota Statutes 2010, section 13.43, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Myhra moved that the House concur in the Senate amendments to H. F. No. 2647 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2647, A bill for an act relating to education; clarifying the definition of public data relating to agreements involving payment of public money; amending Minnesota Statutes 2010, section 13.43, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

CALENDAR FOR THE DAY

S. F. No. 1656, A bill for an act relating to education; requiring the legislature to authorize any cyclical revisions of academic standards and high school graduation requirements; amending Minnesota Statutes 2011 Supplement, section 120B.023, subdivision 2.

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 71 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Anderson, B.	Buesgens	Drazkowski	Hamilton	Kriesel	McElfrick
Anderson, D.	Cornish	Erickson	Hancock	Lanning	McFarlane
Anderson, P.	Crawford	Fabian	Holberg	Leidiger	McNamara
Anderson, S.	Daudt	Franson	Hoppe	LeMieur	Murdock
Banaian	Davids	Garofalo	Howes	Lohmer	Murray
Barrett	Dean	Gottwalt	Kelly	Loon	Myhra
Beard	Dettmer	Gruenhagen	Kieffer	Mack	Nornes
Benson, M.	Doepke	Gunther	Kiel	Mazorol	O'Driscoll
Bills	Downey	Hackbarth	Kiffmeyer	McDonald	Peppin

Petersen, B.	Sanders	Shimanski	Swedzinski	Vogel	Woodard
Quam	Schomacker	Smith	Torkelson	Wardlow	Spk. Zellers
Runbeck	Scott	Stensrud	Urdahl	Westrom	

Those who voted in the negative were:

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

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

Garofalo moved that the name of Ward be added as an author on H. F. No. 68. The motion prevailed.

Greene moved that her name be stricken as an author on H. F. No. 665. The motion prevailed.

Winkler moved that the name of Loeffler be added as an author on H. F. No. 2480. The motion prevailed.

Murphy, E., moved that the name of Loeffler be added as an author on H. F. No. 2739. The motion prevailed.

Hoppe moved that the name of Atkins be added as an author on H. F. No. 2795. The motion prevailed.

Dettmer moved that the name of Banaian be added as an author on H. F. No. 3034. The motion prevailed.

ADJOURNMENT

Dean moved that when the House adjourns today it adjourn until 10:00 a.m., Tuesday, May 1, 2012. The motion prevailed.

Dean moved that the House adjourn. The motion prevailed, and Speaker pro tempore Davids declared the House stands adjourned until 10:00 a.m., Tuesday, May 1, 2012.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives