

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION — 2013

 THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 14, 2013

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

Prayer was offered by the Reverend Bill Davnie, Presbyterian Minister, Minneapolis, 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	Dettmer	Hansen	Lien	Newton	Simon
Albright	Dill	Hausman	Lillie	Nornes	Simonson
Allen	Dorholt	Hertaus	Loeffler	Norton	Slocum
Anderson, M.	Drazkowski	Hilstrom	Lohmer	O'Driscoll	Sundin
Anderson, P.	Erhardt	Holberg	Loon	O'Neill	Swedzinski
Anderson, S.	Erickson, R.	Hoppe	Mack	Paymar	Torkelson
Anzelc	Erickson, S.	Hornstein	Mahoney	Pelowski	Uglen
Barrett	Fabian	Hortman	Mariani	Peppin	Urdahl
Beard	Falk	Howe	Marquart	Persell	Wagenius
Benson, J.	Faust	Isaacson	Masin	Petersburg	Ward, J.A.
Benson, M.	Fischer	Johnson, B.	McDonald	Poppe	Ward, J.E.
Bernardy	FitzSimmons	Johnson, S.	McNamar	Pugh	Wills
Bly	Franson	Kahn	McNamara	Quam	Winkler
Brynaert	Freiberg	Kelly	Melin	Radinovich	Woodard
Carlson	Fritz	Kieffer	Metsa	Rosenthal	Yarusso
Clark	Garofalo	Kiel	Morgan	Runbeck	Zellers
Cornish	Green	Kresha	Mullery	Sanders	Zerwas
Daudt	Gruenhagen	Laine	Murphy, E.	Savick	Spk. Thissen
Davids	Gunther	Leidiger	Murphy, M.	Sawatzky	
Davnie	Hackbarth	Lenczewski	Myhra	Schoen	
Dean, M.	Halverson	Lesch	Nelson	Schomacker	
Dehn, R.	Hamilton	Liebling	Newberger	Selcer	

A quorum was present.

Atkins, Huntley, Moran and Scott were excused.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Sundin and Simonson introduced:

H. F. No. 55, A bill for an act relating to local government; authorizing Carlton County to levy a tax for certain cemetery purposes; amending Laws 1999, chapter 243, article 6, section 11.

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

Dill introduced:

H. F. No. 56, A bill for an act relating to state lands; authorizing private sale of certain tax-forfeited land.

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

Dill and Schoen introduced:

H. F. No. 57, A bill for an act relating to taxation; modifying the levy authority of the Cook-Orr Hospital District; amending Laws 1988, chapter 645, section 3, as amended.

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

Dill introduced:

H. F. No. 58, A bill for an act relating to taxation; modifying the levy authority of the Cook-Orr Hospital District; amending Laws 1988, chapter 645, section 3, as amended.

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

Dettmer; Lohmer; Gunther; Urdahl; Drazkowski; Torkelson; Benson, M.; Gruenhagen and Howe introduced:

H. F. No. 59, A bill for an act relating to taxation; income; providing a military retirement pay subtraction; amending Minnesota Statutes 2012, sections 290.01, subdivision 19b; 290.091, subdivision 2.

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

Dettmer; Lohmer; Urdahl; Gunther; Drazkowski; Torkelson; Uglem; Erickson, S.; Albright; Woodard; Newton; Benson, M., and Howe introduced:

H. F. No. 60, A bill for an act relating to taxation; individual income; providing a phased-in subtraction for military retirement pay; amending Minnesota Statutes 2012, sections 290.01, subdivision 19b; 290.091, subdivision 2.

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

Dettmer, Lohmer, Gruenhagen and Howe introduced:

H. F. No. 61, A bill for an act relating to taxation; income; military service credit; modifying income-based reduction; amending Minnesota Statutes 2012, section 290.0677, subdivision 1a.

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

Dettmer; Lohmer; Benson, M.; Gruenhagen; Howe and Kresha introduced:

H. F. No. 62, A bill for an act relating to veterans; modifying eligibility for a tax credit for past military service; amending Minnesota Statutes 2012, section 290.0677, subdivision 2.

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

Davids; Anderson, S., and Zellers introduced:

H. F. No. 63, A bill for an act relating to taxation; conforming certain income, franchise, and property tax refund provisions for tax year 2012 to the provisions of the Federal Aviation Administration Modernization and Reform Act of 2012 and the American Taxpayer Relief Act of 2012; amending Minnesota Statutes 2012, sections 290.01, subdivisions 19, 31; 290A.03, subdivision 15.

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

Hansen, Schoen and Atkins introduced:

H. F. No. 64, A bill for an act relating to education finance; permitting Special School District No. 6, South St. Paul, to participate in the alternative facilities revenue program; amending Laws 1999, chapter 241, article 4, section 25, by adding a subdivision.

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

Bernardy, Laine, Abeler, Newton, Hausman and Hortman introduced:

H. F. No. 65, A bill for an act relating to capital investment; appropriating money for the Springbrook Nature Center; authorizing the sale and issuance of state bonds.

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

Hansen, Torkelson, Poppe, Hamilton, Gunther, Falk and Bly introduced:

H. F. No. 66, A bill for an act relating to waters; modifying drainage system provisions; amending Minnesota Statutes 2012, sections 103E.005, subdivisions 4, 6, by adding a subdivision; 103E.101, subdivisions 2, 3, 4, 5, by adding subdivisions; 103E.227, subdivision 1; 103E.525, subdivision 1; 103E.701, subdivisions 1, 6; 103E.715, subdivision 6.

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

Dettmer introduced:

H. F. No. 67, A bill for an act relating to sales and use tax; changing thresholds for filing requirements; providing a vendor allowance; requiring revenue to develop an address-based sales tax calculator; amending Minnesota Statutes 2012, sections 289A.18, subdivision 4; 289A.20, subdivision 4; 297A.77, subdivision 3; 297A.99, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 297A.

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

Dettmer; Drazkowski; Uglem; Benson, M.; Erickson, S.; Gruenhagen and Howe introduced:

H. F. No. 68, A bill for an act relating to veterans; designating the Honor and Remember Flag as an official symbol of the state's commitment to military service members who have lost their lives in service to our country; encouraging display of the flag on certain days in certain public locations; proposing coding for new law in Minnesota Statutes, chapter 197.

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

Dettmer and Torkelson introduced:

H. F. No. 69, A bill for an act relating to taxation; property; extending limited market value; amending Minnesota Statutes 2012, section 273.11, subdivision 1a.

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

Dettmer, Lohmer, Woodard, Howe and Kresha introduced:

H. F. No. 70, A bill for an act relating to veterans; expanding eligibility for burial in the Minnesota State Veterans Cemetery to include deceased allied Hmong-American or Lao-American veterans of the American Secret War in Laos; amending Minnesota Statutes 2012, section 197.236, subdivision 8.

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

Dettmer; Drazkowski; Gunther; Lohmer; Torkelson; Erickson, S.; Kresha; Gruenhagen and Howe introduced:

H. F. No. 71, A bill for an act relating to taxation; estate; conforming to federal exemption amount; amending Minnesota Statutes 2012, sections 291.005, subdivision 1; 291.03, subdivision 1; repealing Minnesota Statutes 2012, section 291.03, subdivisions 8, 9, 10, 11.

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

Dettmer; Woodard; Newton; Erickson, S.; Benson, M., and Howe introduced:

H. F. No. 72, A resolution memorializing Congress and the President of the United States to amend federal veterans cemetery law to expand eligibility for burial in state veterans cemeteries developed with federal funding to include allied Hmong-American and Lao-American veterans of America's Secret War in Laos.

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

Dettmer, Newton, Gunther, Torkelson and Erickson, S., introduced:

H. F. No. 73, A bill for an act relating to lawful gambling; adjusting audit amounts for organizations; making clarifying and technical changes; amending Minnesota Statutes 2012, sections 297E.06, subdivision 4; 349.19, subdivision 2.

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

Schoen and McNamar introduced:

H. F. No. 74, A bill for an act relating to human services; modifying ambulance services payment rates; amending Minnesota Statutes 2012, section 256B.0625, subdivision 17a.

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

Schoen, McNamar and Mack introduced:

H. F. No. 75, A bill for an act relating to health; requiring continuing education hours for certification as a community paramedic; amending Minnesota Statutes 2012, section 144E.28, subdivision 9.

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

Laine; Hausman; Clark; Bly; Mariani; Masin; Ward, J.E.; Newton; Dehn, R.; Anzelc; Kahn; Murphy, M.; Johnson, S.; Davnie; Hornstein; Paymar; Carlson; Slocum; Sundin; Dorholt; Allen; Freiberg; Moran; Yarusso and Persell introduced:

H. F. No. 76, A bill for an act relating to health; guaranteeing that all necessary health care is available and affordable for every Minnesotan; establishing the Minnesota Health Plan, Minnesota Health Board, Minnesota Health Fund, Office of Health Quality and Planning, ombudsman for patient advocacy, and inspector general for the Minnesota Health Plan; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2012, sections 13.3806, by adding a subdivision; 14.03, subdivisions 2, 3; 15A.0815, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 62V.

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

Quam and Benson, M., introduced:

H. F. No. 77, A bill for an act relating to taxation; gross revenues; exempting certain payments; amending Minnesota Statutes 2012, section 295.53, subdivision 1.

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

Quam, Drazkowski and Benson, M., introduced:

H. F. No. 78, A bill for an act relating to local government; limiting a city's power of eminent domain outside of the city; amending Minnesota Statutes 2012, sections 412.211; 465.01.

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

Benson, M., and Quam introduced:

H. F. No. 79, A bill for an act relating to workforce development; creating a pilot program for individuals with autism spectrum disorders; appropriating money.

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

Hilstrom introduced:

H. F. No. 80, A bill for an act relating to judgments; regulating assigned consumer debt default judgments; proposing coding for new law in Minnesota Statutes, chapter 548.

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

Nornes introduced:

H. F. No. 81, A bill for an act relating to taxation; minerals; authorizing the city of Vergas in Otter Tail County to impose an aggregate tax under certain circumstances; amending Minnesota Statutes 2012, section 298.75, by adding a subdivision.

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

Erhardt and Rosenthal introduced:

H. F. No. 82, A bill for an act relating to capital investment; appropriating money for an All-Veterans Memorial in the city of Edina; 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 and Veterans Affairs.

Freiberg; Dehn, R., and Clark introduced:

H. F. No. 83, A bill for an act relating to mortgage foreclosure; requiring notice of rights of military service members; requiring the lender to provide a single point of contact; prohibiting a mortgage lender from beginning or continuing a foreclosure proceeding while considering a request by a borrower for a mortgage modification; requiring that the mortgage lender participate in and pay for mediation if the borrower requests mediation; amending Minnesota Statutes 2012, sections 580.03; 580.041, subdivisions 1b, 2; proposing coding for new law in Minnesota Statutes, chapter 580.

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

Lesch, Paymar, Hornstein, Clark, Davnie and Erhardt introduced:

H. F. No. 84, A bill for an act relating to dogs and cats; providing for licensing and inspection of certain dog and cat breeders; authorizing rulemaking; providing penalties; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 347.

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

Clark and Metsa introduced:

H. F. No. 85, A bill for an act relating to housing; allowing a stay of mortgage foreclosure proceedings under certain conditions; landlord and tenant; providing rights to tenants of foreclosed property; amending Minnesota Statutes 2012, section 504B.151, subdivisions 1, 2, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 582.

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

Schoen and McNamar introduced:

H. F. No. 86, A bill for an act relating to education; postsecondary; transferring money to Minnesota state colleges and universities for scholarships for the community paramedic program.

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

Winkler introduced:

H. F. No. 87, A bill for an act relating to real property; providing for affidavit of survivorship; providing for release or partial release of lien of a mortgage; claiming an interest in registered land after registration; making technical and conforming changes; amending Minnesota Statutes 2012, sections 507.092, subdivision 1; 507.403; 508.70, subdivision 1; 508.82, subdivision 1; 508A.70, subdivision 1; 508A.82, subdivision 1.

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

Dettmer and Howe introduced:

H. F. No. 88, A bill for an act relating to veterans; establishing a presumption of rehabilitation through a person's honorable military service following a prior offense; amending Minnesota Statutes 2012, section 364.03, subdivision 3.

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

Dettmer; Newton; Torkelson; Uglem; Benson, M.; Erickson, S.; Kresha; Gruenhagen and Howe introduced:

H. F. No. 89, A bill for an act relating to the military; providing civil immunity from damages in certain situations; modifying business discrimination provision; amending Minnesota Statutes 2012, section 363A.17; proposing coding for new law in Minnesota Statutes, chapter 192.

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

IN MEMORIAM

The members of the House of Representatives paused for a moment of silence in memory of former Representative Pat DuBois, of Sauk Centre, Minnesota, who served from 1963 through 1968, who passed away on Monday, January 7, 2013.

MOTIONS AND RESOLUTIONS

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

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

Sawatzky moved that the names of Carlson, Schoen and Benson, J., be added as authors on H. F. No. 4. The motion prevailed.

Atkins moved that the names of Liebling; Kahn; Erhardt; Brynaert; Halverson; Dehn, R.; Simonson; Davnie and Isaacson be added as authors on H. F. No. 5. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 8. The motion prevailed.

Huntley moved that the names of Liebling and Kahn be added as authors on H. F. No. 9. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 10. The motion prevailed.

Norton moved that the names of Ward, J.E.; Garofalo; Urdahl; McNamara; Freiberg; Benson, J.; Lillie and Simonson be added as authors on H. F. No. 13. The motion prevailed.

Kieffer moved that the names of McNamara, Garofalo and Urdahl be added as authors on H. F. No. 14. The motion prevailed.

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

Mullery moved that the name of Kahn be added as an author on H. F. No. 16. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 17. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 18. The motion prevailed.

Freiberg moved that the names of Laine, Schoen, Isaacson and Uglem be added as authors on H. F. No. 20. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 21. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 22. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 23. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 24. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 25. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 26. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 27. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 28. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 29. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 30. The motion prevailed.

Newton moved that the name of Kahn be added as an author on H. F. No. 31. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 35. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 36. The motion prevailed.

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

Mullery moved that the name of Kahn be added as an author on H. F. No. 41. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 45. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 47. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 49. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 50. The motion prevailed.

Mullery moved that the name of Kahn be added as an author on H. F. No. 51. The motion prevailed.

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

Woodard moved that the names of Kieffer, Albright and Quam be added as authors on H. F. No. 53. The motion prevailed.

ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 3:00 p.m., Thursday, January 17, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:00 p.m., Thursday, January 17, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives