

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION — 2013

FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JANUARY 17, 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 Representative Tim Faust, District 11B, Hinckley, 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	Dehn, R.	Hausman	Loeffler	Nornes	Simon
Albright	Dettmer	Hertaus	Lohmer	Norton	Simonson
Allen	Dill	Holberg	Loon	O'Driscoll	Slocum
Anderson, M.	Dorholt	Hoppe	Mack	O'Neill	Sundin
Anderson, P.	Drazkowski	Hornstein	Mahoney	Paymar	Swedzinski
Anderson, S.	Erhardt	Hortman	Mariani	Pelowski	Torkelson
Anzelc	Erickson, S.	Howe	Marquart	Peppin	Uglen
Atkins	Fabian	Huntley	Masin	Persell	Urdahl
Barrett	Falk	Isaacson	McDonald	Petersburg	Wagenius
Beard	Faust	Johnson, B.	McNamar	Poppe	Ward, J.A.
Benson, J.	Fischer	Johnson, S.	McNamara	Pugh	Ward, J.E.
Benson, M.	FitzSimmons	Kelly	Melin	Quam	Wills
Bernardy	Franson	Kieffer	Metsa	Radinovich	Winkler
Bly	Freiberg	Kiel	Moran	Rosenthal	Woodard
Brynaert	Fritz	Kresha	Morgan	Runbeck	Yarusso
Carlson	Garofalo	Laine	Mullery	Sanders	Zellers
Clark	Green	Leidiger	Murphy, E.	Savick	Zerwas
Cornish	Gruenhagen	Lenczewski	Murphy, M.	Sawatzky	Spk. Thissen
Daudt	Gunther	Lesch	Myhra	Schoen	
Davids	Hackbarth	Liebling	Nelson	Schomacker	
Davnie	Halverson	Lien	Newberger	Scott	
Dean, M.	Hansen	Lillie	Newton	Selcer	

A quorum was present.

Erickson, R.; Hamilton; Hilstrom and Kahn were excused.

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

PETITIONS AND COMMUNICATIONS

The following communication was received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

January 8, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Thissen:

I respectfully request the opportunity to address a joint meeting of the Session of the 88th Minnesota State Legislature on Wednesday, February 6, 2013, at 7:00 p.m. for the purpose of presenting my State of the State message.

Thank you.

Sincerely,

MARK DAYTON
Governor

Murphy, E., moved that an invitation be extended to the Governor to address a Joint Convention of the House of Representatives and the Senate to be held in the House Chamber at 7:00 p.m., Wednesday, February 6, 2013; that the Chief Clerk be instructed to invite the Senate by message to meet in Joint Convention to convene at 6:45 p.m.; that the Governor be advised accordingly; and that the Speaker appoint a committee of five members of the House of Representatives to act with a similar committee to be appointed by the Senate to escort the Governor to the Joint Convention. The motion prevailed.

IN MEMORIAM

The members of the House of Representatives paused for a moment of silence in memory of former Representative Kenneth James "K. J." McDonald, of Watertown, Minnesota, who served from 1977 to 1990, who passed away on Thursday, October 4, 2012.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Dill from the Committee on Environment and Natural Resources Policy to which was referred:

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.

Reported the same back with the following amendments:

Page 1, line 10, delete "or" and after "district" insert ", or a metropolitan watershed management organization"

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

The report was adopted.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hilstrom, Paymar, Cornish, Rosenthal and Kelly introduced:

H. F. No. 90, A bill for an act relating to crime; allowing offenses for financial exploitation of a vulnerable adult to be aggregated over a six-month period; expanding venue options for financial exploitation of a vulnerable adult; amending Minnesota Statutes 2012, section 609.2335, by adding subdivisions.

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

Lenczewski introduced:

H. F. No. 91, A bill for an act relating to taxation; tobacco; increasing the excise tax; repealing the health impact fee; appropriating money; amending Minnesota Statutes 2012, sections 270C.56, subdivision 1; 297F.01, subdivisions 3, 19, by adding a subdivision; 297F.05, subdivisions 1, 3, 4, by adding a subdivision; 297F.24, subdivision 1; 297F.25, subdivision 1; 325D.32, subdivision 2; repealing Minnesota Statutes 2012, sections 16A.725; 256.9658.

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

Nelson, Winkler, Metsa, Radinovich, Mahoney, Wagenius, Loeffler, Davnie, Fritz and Hilstrom introduced:

H. F. No. 92, A bill for an act relating to employment; regulating the minimum wage; amending Minnesota Statutes 2012, section 177.24, subdivision 1.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Simon introduced:

H. F. No. 93, A bill for an act proposing an amendment to the Minnesota Constitution, article IX, section 1; requiring a two-thirds vote of each house of the legislature to submit a constitutional amendment to the people.

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

Anderson, S.; Holberg; Woodard; Wills and Uglem introduced:

H. F. No. 94, A bill for an act relating to the state budget; restricting the use of any fiscal year 2013 general fund surplus.

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

Lillie; Murphy, E.; Winkler; Hilstrom; Murphy, M.; Nelson and Johnson, S., introduced:

H. F. No. 95, A bill for an act relating to state government; ratifying labor agreements and compensation plans.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Lillie introduced:

H. F. No. 96, A bill for an act relating to employment; regulating employee invention agreements for veterans; amending Minnesota Statutes 2012, section 181.78, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Beard introduced:

H. F. No. 97, A bill for an act relating to trade practices; amending termination of sales representatives; amending Minnesota Statutes 2012, section 325E.37, subdivision 6.

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

Sundin introduced:

H. F. No. 98, A bill for an act relating to capital investment; appropriating money for public infrastructure for the Big Lake Area Sanitary District; 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.

Ward, J.E., introduced:

H. F. No. 99, A bill for an act relating to transportation; designating the Tim Nielsen Memorial Bridge; amending Minnesota Statutes 2012, section 161.14, by adding a subdivision.

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

Ward, J.E., introduced:

H. F. No. 100, A bill for an act relating to families; modifying distribution of child support federal tax offset; amending Minnesota Statutes 2012, section 256.741, subdivision 2a.

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

Ward, J.E., introduced:

H. F. No. 101, A bill for an act relating to children; imposing a child support obligation on individuals whose parental rights have been terminated; amending Minnesota Statutes 2012, sections 260C.317, subdivision 1; 518A.26, subdivision 20.

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

Moran; Johnson, S.; Hausman and Mariani introduced:

H. F. No. 102, A bill for an act relating to taxation; property; limiting valuation increases for certain properties along the central corridor light rail line; amending Minnesota Statutes 2012, section 273.11, subdivision 1a.

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

Beard introduced:

H. F. No. 103, A bill for an act relating to environment; requiring Pollution Control Agency to refund erroneous assessments, costs, and payments in the matter of the Baytown groundwater contamination Superfund site.

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

Hansen introduced:

H. F. No. 104, A bill for an act relating to taxation; authorizing the Dakota County Community Development Agency to create a tax increment financing district subject to special rules.

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

Ward, J.A.; Bernardy; Lillie; Mahoney; Urdahl; Marquart; Sawatzky and Falk introduced:

H. F. No. 105, A bill for an act relating to education finance; authorizing funding for voluntary, full-day kindergarten; amending Minnesota Statutes 2012, sections 123B.41, subdivision 7; 126C.05, subdivisions 1, 15; 126C.12, subdivision 5.

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

Falk introduced:

H. F. No. 106, A bill for an act relating to education finance; restoring the school district current year aid payment shift percentage to 90; amending Minnesota Statutes 2012, section 127A.45, subdivision 2.

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

Moran, Abeler and Fritz introduced:

H. F. No. 107, A bill for an act relating to human services; modifying child care assistance absent days; amending Minnesota Statutes 2012, section 119B.13, subdivision 7.

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy.

Brynaert, Cornish, Gunther, Norton and Dorholt introduced:

H. F. No. 108, A bill for an act relating to capital investment; appropriating money for the Mankato arena improvements and events center expansion; 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 and Policy.

Ward, J.E., introduced:

H. F. No. 109, A bill for an act relating to capital investment; appropriating money for a new veterans nursing home in Brainerd; 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.

Ward, J.E., introduced:

H. F. No. 110, A bill for an act relating to capital investment; appropriating money for a grant to the city of Brainerd for accessibility improvements to the city civic center; 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 and Policy.

Ward, J.E., introduced:

H. F. No. 111, A bill for an act relating to education; modifying enrollment priorities under the Postsecondary Enrollment Options Act; amending Minnesota Statutes 2012, section 124D.09, subdivision 9.

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

Hansen; Murphy, M.; Lillie; Urdahl and Simonson introduced:

H. F. No. 112, A bill for an act relating to capital investment; appropriating money for Mighty Ducks grants for new or renovated air handling systems of indoor ice facilities; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2012, section 240A.09.

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

McNamar; Anderson, P., and Marquart introduced:

H. F. No. 113, A bill for an act relating to education finance; facilitating the consolidation of the Cyrus and Morris school districts; authorizing the sale of bonds.

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

Lillie and Ward, J.A., introduced:

H. F. No. 114, A bill for an act relating to the city of Oakdale; providing special rules for certain tax increment financing districts; amending Laws 2008, chapter 366, article 5, section 34, as amended; Laws 2010, chapter 216, section 55.

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

Johnson, S.; Mariani and Mahoney introduced:

H. F. No. 115, A bill for an act relating to capital investment; appropriating money for the Metropolitan State University science education center; authorizing the sale and issuance of state bonds.

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

Johnson, S.; Hansen and Mahoney introduced:

H. F. No. 116, A bill for an act relating to capital investment; appropriating money for Pig's Eye Regional Park in St. Paul; 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.

Gunther, Cornish and Brynaert introduced:

H. F. No. 117, A bill for an act relating to capital investment; appropriating money for a grant to the city of Truman for a storm water project; 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.

McNamar; Anderson, P.; Fischer; Murphy, M.; Sawatzky; Bernardy; Huntley; Erickson, R.; Isaacson; Lien; Dehn, R.; Schoen; Falk; Wagenius; Masin; Newton; Yarusso; Hausman; Lillie; Simonson and Nornes introduced:

H. F. No. 118, A bill for an act relating to taxation; sales and use; expanding the exemption for public safety radio communication systems; amending Minnesota Statutes 2012, section 297A.70, subdivision 8.

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

Gruenhagen introduced:

H. F. No. 119, A bill for an act relating to human services; providing a property rate increase for certain nursing facilities; amending Minnesota Statutes 2012, section 256B.431, subdivision 44.

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

Winkler; Isaacson; Metsa; Erickson, R.; Freiberg; Johnson, S.; Dehn, R.; Yarusso; Persell; Dorholt; Simonson; Sawatzky; Newton; Ward, J.E.; Anzelc; Fischer; Allen and Loeffler introduced:

H. F. No. 120, A bill for an act relating to employment; prohibiting discrimination against unemployed individuals; providing for civil penalties; proposing coding for new law in Minnesota Statutes, chapter 181.

The bill was read for the first time and referred to the Committee on Labor, Workplace and Regulated Industries.

Winkler; Isaacson; Metsa; Erickson, R.; Dorholt; Persell; Simonson; Sawatzky; Ward, J.E.; Anzelc and Allen introduced:

H. F. No. 121, A bill for an act relating to campaign finance; adding requirements to lobbyists or principals related to model legislation; adding requirements to principals and public officials related to scholarship funds; amending Minnesota Statutes 2012, sections 10A.01, subdivisions 21, 33, by adding subdivisions; 10A.04, subdivision 6; 10A.09, subdivision 5.

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

Norton, Sanders and Simon introduced:

H. F. No. 122, A bill for an act relating to elections; modifying vacancy in nominations provisions; amending Minnesota Statutes 2012, section 204B.13, subdivision 1, by adding a subdivision.

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

Quam; Kresha; Woodard; Beard; Benson, M.; Runbeck; Erhardt and Fabian introduced:

H. F. No. 123, A bill for an act relating to transportation; highways; requiring periodic review of property owned or controlled by the department for the purpose of determining surplus; requiring a report; amending Minnesota Statutes 2012, section 161.41, subdivision 1, by adding a subdivision.

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

Mahoney; Johnson, S.; Slocum; Clark; Erhardt; Kahn; Schoen; Davnie and Bly introduced:

H. F. No. 124, A bill for an act relating to economic development; modifying the Minnesota Trade Office; appropriating money.

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

Radinovich; Simon; Moran; Johnson, S.; Clark; Slocum; Fischer; Erhardt; Kahn; Schoen; Davnie and Bly introduced:

H. F. No. 125, A bill for an act relating to economic development; appropriating money for the Minnesota investment fund.

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

Faust; Moran; Simon; Lillie; Johnson, S.; Slocum; Clark; Paymar; Erhardt; Kahn; Schoen and Bly introduced:

H. F. No. 126, A bill for an act relating to taxation; property; modifying property tax refunds; decreasing the threshold percentage for the homestead credit refund for homeowners; increasing the percentage of rent constituting property taxes; amending Minnesota Statutes 2012, sections 290A.03, subdivisions 11, 13; 290A.04, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapter 290A.

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

Halverson; Atkins; Simon; Lillie; Carlson; Moran; Johnson, S.; Slocum; Clark; Paymar; Falk; Erhardt; Persell; Kahn; Schoen; Davnie and Bly introduced:

H. F. No. 127, A bill for an act relating to education finance; restoring the school district current year aid payment shift percentage to 90; amending Minnesota Statutes 2012, section 127A.45, subdivision 2.

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

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to the committee to escort the Governor to the Joint Convention on Wednesday, February 6, 2013:

Sawatzky; Erickson, R.; Halverson; Nornes and Howe.

MOTIONS AND RESOLUTIONS

Atkins moved that the names of Lien, Slocum and Loeffler be added as authors on H. F. No. 5. The motion prevailed.

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

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

Huntley moved that the name of Loeffler be added as an author on H. F. No. 9. The motion prevailed.

Norton moved that the name of Slocum be added as an author on H. F. No. 13. The motion prevailed.

Mullery moved that the names of Loeffler and Nelson be added as authors on H. F. No. 15. The motion prevailed.

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

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

Freiberg moved that the name of Nelson be added as an author on H. F. No. 20. The motion prevailed.

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

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

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

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

Hilstrom moved that the name of Loeffler be added as an author on H. F. No. 40. The motion prevailed.

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

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

Woodard moved that the name of Anderson, S., be added as an author on H. F. No. 53. The motion prevailed.

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

Dettmer moved that the names of Kresha and Wills be added as authors on H. F. No. 60. The motion prevailed.

Dettmer moved that the name of Kresha be added as an author on H. F. No. 61. The motion prevailed.

Bernardy moved that the name of Uglem be added as an author on H. F. No. 65. The motion prevailed.

Hansen moved that the name of McNamara be added as an author on H. F. No. 66. The motion prevailed.

Dettmer moved that the names of Newberger, Lillie and Lohmer be added as authors on H. F. No. 68. The motion prevailed.

Dettmer moved that the names of Simon, Lillie and Mullery be added as authors on H. F. No. 70. The motion prevailed.

Dettmer moved that the name of Kieffer be added as an author on H. F. No. 71. The motion prevailed.

Dettmer moved that the name of Lillie be added as an author on H. F. No. 72. The motion prevailed.

Laine moved that the names of Falk; Benson, J., and Mullery be added as authors on H. F. No. 76. The motion prevailed.

Hilstrom moved that the name of Davnie be added as an author on H. F. No. 80. The motion prevailed.

Freiberg moved that the names of Moran; Benson, J., and Nelson be added as authors on H. F. No. 83. The motion prevailed.

Lesch moved that the names of Benson, J.; Slocum and Mullery be added as authors on H. F. No. 84. The motion prevailed.

Clark moved that the names of Fischer and Dehn, R., be added as authors on H. F. No. 85. The motion prevailed.

Pursuant to rule 4.30, Davids moved that H. F. No. 63 be recalled from the Committee on Taxes, be given its second reading and be placed on the General Register. The motion did not prevail.

ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, January 22, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Tuesday, January 22, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

