

NINETY-THIRD DAY

St. Paul, Minnesota, Tuesday, April 27, 2010

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Pogemiller imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by Senator Gary W. Kubly.

The roll was called, and the following Senators answered to their names:

Bakk	Fobbe	Langseth	Ortman	Sieben
Betzold	Foley	Latz	Pappas	Skoe
Bonoff	Frederickson	Limmer	Pariseau	Skogen
Carlson	Gerlach	Lourey	Parry	Sparks
Chaudhary	Gimse	Lynch	Pogemiller	Stumpf
Clark	Hann	Marty	Prettner Solon	Tomassoni
Cohen	Higgins	Metzen	Rest	Torres Ray
Dahle	Ingebrigtsen	Michel	Robling	Vandever
Dibble	Jungbauer	Moua	Rosen	Vickerman
Dille	Kelash	Murphy	Rummel	Wiger
Doll	Koch	Olseen	Saltzman	
Erickson Ropes	Koering	Olson, G.	Saxhaug	
Fischbach	Kubly	Olson, M.	Senjem	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 2844.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 26, 2010

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2427: A bill for an act relating to property held in trust; clarifying status of certain distributions; changing certain relationship and inheritance provisions; providing for emergency and temporary conservators; amending Minnesota Statutes 2008, sections 501B.64, subdivision 3; 524.1-201; 524.2-114; Minnesota Statutes 2009 Supplement, section 524.5-409; proposing coding for new law in Minnesota Statutes, chapter 524.

Senate File No. 2427 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 26, 2010

Senator Betzold moved that the Senate do not concur in the amendments by the House to S.F. No. 2427, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2758: A bill for an act relating to economic development; authorizing the development of a virtual assistance network for Minnesota entrepreneurs.

Senate File No. 2758 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 26, 2010

CONCURRENCE AND REPASSAGE

Senator Bonoff moved that the Senate concur in the amendments by the House to S.F. No. 2758 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 2758: A bill for an act relating to economic development; providing for the development of a virtual assistance network for Minnesota entrepreneurs; proposing coding for new law in Minnesota Statutes, chapter 116J.

Was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Fischbach	Kubly	Ortman	Sieben
Betzold	Fobbe	Langseth	Pariseau	Skoe
Bonoff	Foley	Latz	Parry	Skogen
Carlson	Frederickson	Limmer	Pogemiller	Sparks
Clark	Gimse	Lourey	Prettner Solon	Stumpf
Cohen	Hann	Lynch	Robling	Tomassoni
Dahle	Higgins	Metzen	Rosen	Vandever
Dibble	Ingebrigtsen	Michel	Rummel	Vickerman
Dille	Jungbauer	Murphy	Saltzman	Wiger
Doll	Koch	Olseen	Saxhaug	
Erickson Ropes	Koering	Olson, G.	Senjem	

So the bill, as amended, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 3106.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 26, 2010

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 3106: A bill for an act relating to public safety; amending first-degree driving while impaired crime to include prior felony convictions from other states; modifying implied consent, driving while impaired, and ignition interlock provisions; amending Minnesota Statutes 2008, sections 169A.24, subdivision 1; 169A.52, subdivisions 3, 4; 169A.54, subdivisions 2, 5; 169A.55, by adding a subdivision; 169A.60, subdivision 1; 171.09; 171.30, subdivisions 1, 2a, 4; 171.306, as amended; 609.131, subdivision 2; Minnesota Statutes 2009 Supplement, sections 169A.275, subdivision 7; 169A.54, subdivision 1; repealing Minnesota Statutes 2008, sections 169A.54, subdivision 11; 169A.55, subdivision 1; 171.30, subdivision 2c; 171.305, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2741, now on General Orders.

REPORTS OF COMMITTEES

Senator Pogemiller moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Pogemiller, from the Committee on Rules and Administration, to which was referred

H.F. No. 2801 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2801	2461				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2801 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2801, the first engrossment; and insert the language after the enacting clause of S.F. No. 2461, the second engrossment; further, delete the title of H.F. No. 2801, the first engrossment; and insert the title of S.F. No. 2461, the second engrossment.

And when so amended H.F. No. 2801 will be identical to S.F. No. 2461, and further recommends that H.F. No. 2801 be given its second reading and substituted for S.F. No. 2461, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Pogemiller, from the Committee on Rules and Administration, to which was referred

H.F. No. 3589 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
				3589	3084

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3589 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3589, the second engrossment; and insert the language after the enacting clause of S.F. No. 3084, the second engrossment; further, delete the title of H.F. No. 3589, the second engrossment; and insert the title of S.F. No. 3084, the second engrossment.

And when so amended H.F. No. 3589 will be identical to S.F. No. 3084, and further recommends that H.F. No. 3589 be given its second reading and substituted for S.F. No. 3084, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2801 and 3589 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Lynch introduced—

S.F. No. 3386: A bill for an act relating to property taxation; allowing property used for growing agricultural products used in the production of wine to be eligible for the green acres program; amending Minnesota Statutes 2009 Supplement, sections 273.111, subdivision 3; 273.13, subdivision 23.

Referred to the Committee on Taxes.

Senator Chaudhary introduced—

S.F. No. 3387: A bill for an act relating to taxation; authorizing the cities of Arden Hills, Hilltop, New Brighton, Shoreview, and St. Anthony Village to establish housing replacement tax increment financing districts; amending Laws 1995, chapter 264, article 5, sections 44, subdivision 4, as amended; 45, subdivision 1, as amended.

Referred to the Committee on Taxes.

Senator Michel introduced—

S.F. No. 3388: A bill for an act relating to education finance; waiving the contract deadline aid payment for certain school districts.

Referred to the Committee on Finance.

Senators Fobbe and Sparks introduced—

S.F. No. 3389: A bill for an act relating to taxation; property; due dates; amending Minnesota Statutes 2009 Supplement, section 279.01, subdivision 1.

Referred to the Committee on Taxes.

Senator Parry introduced—

S.F. No. 3390: A bill for an act relating to education; reducing mandates on school districts; creating a moratorium on unfunded mandates; amending Minnesota Statutes 2009 Supplement, section 126C.44; Laws 2009, chapter 96, article 2, section 64; repealing Minnesota Statutes 2008, section 123B.05.

Referred to the Committee on Education.

MOTIONS AND RESOLUTIONS

Senator Olson, M. moved that the name of Senator Kubly be added as a co-author to S.F. No. 842. The motion prevailed.

Senator Clark moved that the names of Senators Bonoff and Michel be added as co-authors to S.F. No. 3131. The motion prevailed.

Senator Latz moved that the names of Senators Bonoff and Clark be added as co-authors to S.F. No. 3325. The motion prevailed.

Senator Hann moved that his name be stricken as a co-author to S.F. No. 3378. The motion prevailed.

Senator Wiger introduced –

Senate Resolution No. 185: A Senate resolution congratulating the Northwestern College men's basketball team on winning the 2010 National Christian College Athletic Association (NCCAA) Division I Men's Basketball National Championship.

Referred to the Committee on Rules and Administration.

Senator Michel introduced –

Senate Resolution No. 186: A Senate resolution honoring the original Minnesota Vikings cheerleading squad on the 50th anniversary of their founding.

Referred to the Committee on Rules and Administration.

Senator Michel introduced –

Senate Resolution No. 187: A Senate resolution congratulating Edina Public Schools.

Referred to the Committee on Rules and Administration.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 3164, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 3164 is herewith transmitted to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 26, 2010

CONFERENCE COMMITTEE REPORT ON H. F. NO. 3164

A bill for an act relating to higher education; regulating the transfer of credits within institutions belonging to the Minnesota State Colleges and Universities system; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 136F.

April 20, 2010

The Honorable Margaret Anderson Kelliher
Speaker of the House of Representatives

The Honorable James P. Metzen
President of the Senate

We, the undersigned conferees for H. F. No. 3164 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment and that H. F. No. 3164 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[136F.302] CREDIT TRANSFER.**

The Board of Trustees must develop and maintain a systemwide effective and efficient mechanism for seamless student transfer between system institutions that has a goal of minimal loss of credits for transferring students. The Degree Audit and Reporting System (DARS) and u.select database (and successor databases) housed within the office of the chancellor shall be the official repository of course equivalencies between system colleges and universities. Each system college and university shall be responsible for ensuring the accuracy and completeness of course equivalencies listed for courses offered by that college or university. The development and maintenance of the system must, at a minimum, address the following:

(1) alignment of institution curriculum and its communication to stakeholders;

(2) transfer between similar programs;

(3) documentation for transfer-related agreements between institutions;

(4) systemwide transfer information on the Internet that is easily accessible and maintained in a current and accurate status. Each system college and university shall post information necessary to determine the transferability of course credits on their institutional Web sites. The office of the chancellor must develop, in consultation with faculty and students, a template to be used by the colleges and universities to ensure consistency in the information available to students. The links to each institution's informational Web site shall be submitted to the office of the chancellor for

publication on the MinnesotaTransfer.org Web site;

(5) training for campus-level staff to provide accurate and consistent advice to students;

(6) institutional rather than student obligation to provide prompt required documentation for course equivalency determinations; and

(7) consistency of transfer policies among institutions in compliance with a system policy.

Sec. 2. REPORT OF CREDIT TRANSFER ACTIVITIES.

The Board of Trustees of the Minnesota State Colleges and Universities shall report on February 15, 2011, and annually thereafter through 2015, on its activities to achieve the credit transfer goals of Minnesota Statutes, section 136F.302, and the results of those activities. The report shall be made to the chairs and ranking minority members of the legislative committees with primary jurisdiction over higher education policy and finance. The goals of Minnesota Statutes, section 136F.302, should be fully achieved as soon as possible, but no later than the start of the 2015-2016 academic year."

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

House Conferees: Larry Haws, Jeanne Poppe, Carol McFarlane

Senate Conferees: Tarryl Clark, Sharon Erickson Ropes, Claire Robling

Senator Clark moved that the foregoing recommendations and Conference Committee Report on H.F. No. 3164 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 3164 was read the third time, as amended by the Conference Committee, and placed on its repassage.

The question was taken on the repassage of the bill, as amended by the Conference Committee.

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Fobbe	Kubly	Olson, G.	Saxhaug
Betzold	Foley	Langseth	Olson, M.	Senjem
Bonoff	Frederickson	Latz	Ortman	Sieben
Carlson	Gerlach	Limmer	Pariseau	Skoe
Clark	Gimse	Lourey	Parry	Skogen
Dahle	Hann	Lynch	Pogemiller	Sparks
Dibble	Higgins	Metzen	Prettner Solon	Stumpf
Dille	Ingebrigtsen	Michel	Robling	Tomassoni
Doll	Jungbauer	Moua	Rosen	Vandever
Erickson Ropes	Koch	Murphy	Rummel	Vickerman
Fischbach	Koering	Olseen	Saltzman	Wiger

So the bill, as amended by the Conference Committee, was repassed and its title was agreed to.

MESSAGES FROM THE HOUSE - CONTINUED

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2790: A bill for an act relating to public safety; modifying provisions related to certain juvenile records; authorizing the expungement of certain juvenile records; authorizing the commissioner of human services to grant set asides or variances for certain individuals disqualified from licensure because of an offense committed as a juvenile; requiring chemical use screen of juvenile offenders; changing penalties and prohibitions related to using or brandishing replica firearms and BB guns on school property; requiring the revisor of statutes to publish a table in Minnesota Statutes containing cross-references to collateral sanctions imposed on juveniles as a result of an adjudication of delinquency; clarifying detention placement options for extended jurisdiction juveniles pending revocation hearings; modifying certain provisions regarding juvenile delinquency to include stays of adjudication of delinquency; extending the duration of the continuance period allowed in a juvenile delinquency matter; amending Minnesota Statutes 2008, sections 121A.23, subdivision 1; 241.31, subdivision 1; 242.32, subdivision 2; 260B.125, subdivision 4; 260B.130, subdivision 5; 260B.157, subdivision 1; 260B.171, subdivision 5; 260B.176, subdivision 2; 260B.198, subdivision 7; 299C.105, subdivision 1; 299C.61, subdivision 8a; 609.117, subdivision 1; 609.344, subdivision 1; 609.66, subdivision 1d; 609A.02, subdivisions 2, 3; 609A.03, subdivisions 1, 2, 4, 5, 5a, 7; 624.713, subdivision 3; Minnesota Statutes 2009 Supplement, sections 245C.24, subdivision 2; 624.713, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609A.

Senate File No. 2790 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 26, 2010

Senator Moua moved that the Senate do not concur in the amendments by the House to S.F. No. 2790, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Pogemiller moved that the Senate take up the General Orders Calendar. The motion prevailed.

GENERAL ORDERS

The Senate resolved itself into a Committee of the Whole, with Senator Metzen in the chair.

After some time spent therein, the committee arose, and Senator Metzen reported that the committee had considered the following:

S.F. Nos. 3055 and 3075, which the committee recommends to pass.

On motion of Senator Pogemiller, the report of the Committee of the Whole, as kept by the Secretary, was adopted.

MEMBERS EXCUSED

Senators Anderson, Berglin, Johnson, Scheid and Sheran were excused from the Session of today. Senator Olson, M. was excused from the Session of today from 9:00 to 9:15 a.m. and at 10:00 a.m. Senators Gerlach and Moua were excused from the Session of today from 9:00 to 9:30 a.m. Senators Rest and Torres Ray were excused from the Session of today from 9:00 to 10:15 a.m. Senator Kelash was excused from the Session of today from 9:00 to 9:40 a.m. Senator Chaudhary was excused from the Session of today from 9:00 to 9:55 a.m.

ADJOURNMENT

Senator Pogemiller moved that the Senate do now adjourn until 10:30 a.m., Wednesday, April 28, 2010. The motion prevailed.

Peter S. Wattson, Secretary of the Senate (Legislative)