

FIFTY-FOURTH DAY

St. Paul, Minnesota, Thursday, May 12, 2011

The Senate met at 10:30 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Richard Buller.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

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

Bakk	Gerlach	Kubly	Nienow	Sheran
Benson	Gimse	Langseth	Olson	Sieben
Berglin	Goodwin	Latz	Ortman	Skoe
Bonoff	Hall	Lillie	Pappas	Sparks
Brown	Hann	Limmer	Parry	Stumpf
Carlson	Harrington	Lourey	Pederson	Thompson
Chamberlain	Higgins	Magnus	Pogemiller	Tomassoni
Cohen	Hoffman	Marty	Reinert	Torres Ray
Dahms	Howe	McGuire	Rest	Vandever
Daley	Ingebrigtsen	Metzen	Robling	Wiger
DeKruif	Jungbauer	Michel	Rosen	Wolf
Dibble	Kelash	Miller	Saxhaug	
Fischbach	Koch	Nelson	Scheid	
Gazelka	Kruse	Newman	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

Madam 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. 86: A bill for an act relating to energy; removing ban on increased carbon dioxide

emissions by utilities; amending Minnesota Statutes 2010, section 216H.02, subdivision 4; repealing Minnesota Statutes 2010, section 216H.03.

Senate File No. 86 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned May 11, 2011

Senator Koch moved that S.F. No. 86 be laid on the table. The motion prevailed.

REPORTS OF COMMITTEES

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

Senator Robling from the Committee on Finance, to which was re-referred

S.F. No. 411: A bill for an act relating to labor and industry; licensing maintenance plumbers in certain cases; modifying fees; amending Minnesota Statutes 2010, sections 326B.42, by adding a subdivision; 326B.435, subdivision 2; 326B.46, subdivisions 1, 1a; 326B.47, by adding a subdivision; 326B.49, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State Government Innovation and Veterans. Report adopted.

Senator Robling from the Committee on Finance, to which was re-referred

S.F. No. 943: A bill for an act relating to game and fish; modifying aquaculture provisions; modifying compensation and assistance provisions for crop damage by elk; modifying requirements for fish and wildlife management plans; modifying provisions for taking, possessing, and transporting wild animals; modifying penalty and license provisions; modifying duties of the Board of Water and Soil Resources; limiting landowner liability for state walk-in access program; requiring rulemaking; providing criminal penalties; amending Minnesota Statutes 2010, sections 3.7371; 16C.055, subdivision 2; 17.4982, subdivisions 8, 12, 13, by adding a subdivision; 17.4991, subdivision 3; 17.4992, subdivision 4; 17.4994; 84.942, subdivision 1; 84.95, subdivision 2; 84D.11, subdivision 2a; 97A.015, subdivisions 24, 45, 49, 52, 55; 97A.028, subdivision 3; 97A.075, subdivision 6; 97A.101, subdivision 3; 97A.311, subdivision 5; 97A.321, subdivision 1; 97A.331, by adding a subdivision; 97A.405, subdivision 2; 97A.415, subdivision 2; 97A.425, subdivision 3; 97A.433, by adding a subdivision; 97A.435, subdivision 1; 97A.445, subdivision 1a; 97A.475, subdivision 7; 97A.505, subdivision 2; 97A.545, subdivision 5; 97B.022, subdivision 2; 97B.041; 97B.055, subdivision 3; 97B.075; 97B.106, subdivision 1; 97B.211, subdivision 1; 97B.425; 97B.515, by adding a subdivision; 97B.645, subdivision 9; 97B.711, by adding a subdivision; 97B.803; 97C.005, subdivision 3; 97C.081, subdivisions 3, 4, by adding a subdivision; 97C.087, subdivision 2; 97C.205; 97C.211, subdivision 5; 97C.341; 103B.101, subdivision 9; 604A.24; proposing coding for new law in Minnesota Statutes, chapters 17; 97B; 348; repealing Minnesota Statutes 2010, sections 84.942, subdivisions 2, 3, 4; 97A.015, subdivisions 26b, 27b, 27c; 97A.435,

subdivision 5; 97C.081, subdivision 2.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Robling from the Committee on Finance, to which was re-referred

S.F. No. 1319: A bill for an act relating to veterans homes; veterans homes special revenue account; amending Minnesota Statutes 2010, section 198.003, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 4, insert:

"Section 1. [196.053] ACCEPTANCE OF FEDERAL FUNDS.

The commissioner is authorized to apply for and accept federal funding for purposes of this chapter."

Page 1, after line 11, insert

"Sec. 3. Minnesota Statutes 2010, section 198.261, is amended to read:

198.261 CANTEEN, COFFEE SHOP, ~~AND~~ WOOD SHOP, AND OTHER WORK THERAPY PROGRAMS.

Any profits derived from the operation of canteens, coffee shops, ~~and~~ wood shops, and other work therapy programs at the Minnesota veterans homes shall be used by the commissioner only for the direct benefit of the residents of the homes."

Re-number the sections in sequence

Delete the title and insert:

"A bill for an act relating to veterans; establishing a veterans homes special revenue account; authorizing the commissioner of veterans affairs to accept federal funds for certain purposes; authorizing the use of profits from work therapy programs for the benefit of veterans homes; proposing coding for new law in Minnesota Statutes, chapter 196; amending Minnesota Statutes 2010, section 198.003, by adding a subdivision; amending Minnesota Statutes, section 198.261"

And when so amended the bill do pass. Amendments adopted. Report adopted.

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

H.F. No. 1425: A bill for an act relating to redistricting; adopting a legislative districting plan for use in 2012 and thereafter; amending Minnesota Statutes 2010, sections 2.031, subdivision 1; 2.91, subdivision 1; repealing Minnesota Statutes 2010, sections 2.031, subdivision 2; 2.444; 2.484.

Reports the same back with the recommendation that the bill do pass. Report adopted.

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the motion

that H.F. No. 1425 be recommended to pass.

There were yeas 7 and nays 3, as follows:

Those who voted in the affirmative were:

Senators Fischbach, Gerlach, Koch, Limmer, Michel, Ortman and Senjem.

Those who voted in the negative were:

Senators Bakk, Berglin and Langseth.

The bill was recommended to pass.

Senator Koch from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 1234: A bill for an act relating to the secretary of state; simplifying certain certificates issued to business entities; modifying provisions governing certain contracts entered into by nonprofit corporations; modifying effective date of resignations of agents; revising notice provided to organizations; allowing use of an alternate name; redefining business entities; eliminating issuance of certificates to business trusts and municipal power agencies; regulating access to, and the treatment of, certain data; amending Minnesota Statutes 2010, sections 5.001, subdivision 2; 13.355, by adding a subdivision; 302A.711, subdivision 4; 302A.734, subdivision 2; 302A.751, subdivision 1; 303.08, subdivision 2; 303.17, subdivisions 2, 3, 4; 317A.255, subdivision 1; 317A.711, subdivision 4; 317A.733, subdivision 4; 317A.751, subdivision 3; 318.02, subdivisions 1, 2; 321.0809; 321.0906; 322B.826, subdivision 2; 322B.935, subdivisions 2, 3; 323A.1102; 453.53, subdivision 2; 453A.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 5; 323A; repealing Minnesota Statutes 2010, sections 302A.801; 302A.805; 308A.151; 317A.022, subdivision 1; 317A.801; 317A.805; 318.02, subdivision 5.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 1234 and that the report from the Committee on Judiciary and Public Safety, shown in the Journal for May 9, 2011, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

Senator Koch from the Committee on Rules and Administration, to which was referred under Rule 21, together with the committee report thereon,

S.F. No. 1357: A bill for an act relating to firearms; directing the commissioner of human services to report mental health commitment information to the National Instant Criminal Background Check System for the purpose of facilitating firearms background checks; creating a reporting requirement; extending time period for renewal of permit to purchase a pistol from a federally licensed dealer; providing for an annual background check; requiring courts to report certain data to the National Instant Criminal Background Check System for the purpose of firearms background checks; clarifying and delimiting the authority of public officials to disarm individuals at any time; clarifying law on use of force in defense of home and person; codifying and extending Minnesota's self-defense and defense of home laws; eliminating the common law

duty to retreat in cases of self defense outside the home; expanding the boundaries of dwelling for purposes of self-defense; creating a presumption in the case of a person entering a dwelling or occupied vehicle by stealth or force; extending the rights available to a person in that person's dwelling to a person defending against entry of that person's occupied vehicle; providing for the recognition by Minnesota of other states' permits to carry a pistol within and under the laws of Minnesota; amending Minnesota Statutes 2010, sections 245.041; 609.065; 624.713, by adding a subdivision; 624.7131, subdivisions 2, 6, 8; 624.714, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 624.

Reports the same back with the recommendation that the report from the Committee on Judiciary and Public Safety, shown in the Journal for May 10, 2011, be amended to read:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Finance". Amendments adopted. Report adopted.

Senator Koch from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 1283: A bill for an act relating to the State Capitol; creating an advisory committee on Capitol Complex Security; authorizing the State Patrol to provide security and protection to certain government officials; amending Minnesota Statutes 2010, section 299D.03, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 299E.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 1283 and that the report from the Committee on State Government Innovation and Veterans, shown in the Journal for May 9, 2011, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety". Amendments adopted. Report adopted.

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

H.F. No. 724 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
724	520				

and that the above 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. Report adopted.

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

H.F. No. 763 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its 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.
763	491				

and that the above 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. Report adopted.

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

H.F. No. 912 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.
912	1169				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 912 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 912, the first engrossment; and insert the language after the enacting clause of S.F. No. 1169; further, delete the title of H.F. No. 912, the first engrossment; and insert the title of S.F. No. 1169.

And when so amended H.F. No. 912 will be identical to S.F. No. 1169, and further recommends that H.F. No. 912 be given its second reading and substituted for S.F. No. 1169, 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 Koch, from the Committee on Rules and Administration, to which was referred

H.F. No. 1138 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.
1138	1170				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1138 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1138, the second engrossment; and insert the language after the enacting clause of S.F. No. 1170, the first engrossment; further, delete the title of H.F. No. 1138, the second engrossment; and insert the title of S.F. No. 1170, the first engrossment.

And when so amended H.F. No. 1138 will be identical to S.F. No. 1170, and further recommends that H.F. No. 1138 be given its second reading and substituted for S.F. No. 1170, 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 Koch, from the Committee on Rules and Administration, to which was referred

H.F. No. 247 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.
247	872				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 247 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 247, the first engrossment; and insert the language after the enacting clause of S.F. No. 872, the first engrossment; further, delete the title of H.F. No. 247, the first engrossment; and insert the title of S.F. No. 872, the first engrossment.

And when so amended H.F. No. 247 will be identical to S.F. No. 872, and further recommends that H.F. No. 247 be given its second reading and substituted for S.F. No. 872, 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 Koch, from the Committee on Rules and Administration, to which was referred

H.F. No. 1326 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.
1326	918				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1326 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1326, the first engrossment; and

insert the language after the enacting clause of S.F. No. 918, the second engrossment; further, delete the title of H.F. No. 1326, the first engrossment; and insert the title of S.F. No. 918, the second engrossment.

And when so amended H.F. No. 1326 will be identical to S.F. No. 918, and further recommends that H.F. No. 1326 be given its second reading and substituted for S.F. No. 918, 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 SENATE BILLS

S.F. Nos. 943, 1319 and 1234 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1425, 724, 763, 912, 1138, 247 and 1326 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Senjem, Rosen, Magnus and Sparks introduced—

S.F. No. 1421: A bill for an act relating to economic development; creating performance rewards on fast investment today program; providing tax benefits; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Jobs and Economic Growth.

Senator Parry introduced—

S.F. No. 1422: A bill for an act relating to traffic regulations; providing that speed in excess of ten miles per hour over speed limit of 60 miles per hour does not go on driver's driving record; amending Minnesota Statutes 2010, section 171.12, subdivision 6.

Referred to the Committee on Transportation.

Senators Berglin and Higgins introduced—

S.F. No. 1423: A bill for an act relating to cosmetology; prohibiting the use and possession of certain products; requiring a study; proposing coding for new law in Minnesota Statutes, chapter 155A.

Referred to the Committee on Jobs and Economic Growth.

MOTIONS AND RESOLUTIONS

Senator Nienow introduced –

Senate Resolution No. 82: A Senate resolution recognizing May 2011 as American Stroke Month.

Referred to the Committee on Rules and Administration.

Senator Latz introduced –

Senate Resolution No. 83: A Senate resolution recognizing Dame Julie Andrews.

Referred to the Committee on Rules and Administration.

Senator Koch moved that H.F. No. 537 be taken from the table, and given a second reading. The motion prevailed.

H.F. No. 537: A bill for an act relating to traffic regulations; providing that speed in excess of ten miles per hour over speed limit of 60 miles per hour does not go on driver's driving record; amending Minnesota Statutes 2010, sections 169.99, subdivision 1b; 171.12, subdivision 6.

H.F. No. 537 was read the second time.

Senator Koch moved that H.F. No. 537 be laid on the table. The motion prevailed.

Senator Koch moved that H.F. No. 873 be taken from the table, and given a second reading. The motion prevailed.

H.F. No. 873: A bill for an act relating to education finance; removing obsolete language; amending Minnesota Statutes 2010, section 126C.10, subdivision 13a.

H.F. No. 873 was read the second time.

Senator Koch moved that H.F. No. 873 be laid on the table. The motion prevailed.

Senator Koch moved that H.F. No. 874 be taken from the table, and given a second reading. The motion prevailed.

H.F. No. 874: A bill for an act relating to education finance; removing obsolete language; amending Minnesota Statutes 2010, section 126C.10, subdivision 2.

H.F. No. 874 was read the second time.

Senator Koch moved that H.F. No. 874 be laid on the table. The motion prevailed.

Senator Koch moved that H.F. No. 922 be taken from the table, and given a second reading. The motion prevailed.

H.F. No. 922: A bill for an act relating to motor vehicles; allowing collector emergency vehicles to display and use nonconforming colored lights; amending Minnesota Statutes 2010, section 169.64, subdivision 2.

H.F. No. 922 was read the second time.

Senator Koch moved that H.F. No. 922 be laid on the table. The motion prevailed.

SPECIAL ORDERS

Pursuant to Rule 26, Senator Koch, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. No. 235, S.F. No. 1363 and H.F. No. 57.

SPECIAL ORDER

H.F. No. 235: A bill for an act relating to human services; enacting Hannah's Law by modifying cardiopulmonary resuscitation requirements for child care center staff; amending Minnesota Statutes 2010, section 245A.40, subdivision 4.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gerlach	Kubly	Olson	Sieben
Benson	Gimse	Langseth	Ortman	Skoe
Berglin	Goodwin	Lillie	Pappas	Sparks
Bonoff	Hall	Limmer	Parry	Stumpf
Brown	Hann	Lourey	Pederson	Thompson
Carlson	Harrington	Magnus	Pogemiller	Tomassoni
Chamberlain	Higgins	Marty	Reinert	Torres Ray
Cohen	Hoffman	McGuire	Rest	Vandever
Dahms	Howe	Metzen	Robling	Wiger
Daley	Ingebrigtsen	Michel	Rosen	Wolf
DeKruif	Jungbauer	Miller	Saxhaug	
Dibble	Kelash	Nelson	Scheid	
Fischbach	Koch	Newman	Senjem	
Gazelka	Kruse	Nienow	Sheran	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1363: A bill for an act relating to state government; appropriating money from the outdoor heritage fund; appropriating money from the clean water fund; appropriating money from the parks and trails fund; appropriating money from the arts and cultural heritage fund; modifying certain outdoor heritage provisions; modifying the Clean Water Legacy Act; revising the Clean Water Council; providing appointments; amending Minnesota Statutes 2010, sections 10A.01, subdivision 35; 85.53, subdivisions 1, 5; 85.535, subdivision 1; 97A.056, subdivisions 2, 3, 5, 6, 9, 10, by adding a subdivision; 114D.10; 114D.20, subdivisions 1, 2, 3, 6, 7; 114D.35; 114D.50, subdivision 6; 116.195; 129D.18, subdivision 4; 129D.19, subdivision 5; Laws 2009, chapter 172, article 1, section 2, subdivisions 3, 15; Laws 2010, chapter 361, article 1, section 2, subdivision 14;

proposing coding for new law in Minnesota Statutes, chapter 114D; repealing Minnesota Statutes 2010, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 114D.30; 114D.45.

Senator Hann moved to amend S.F. No. 1363 as follows:

Page 59, line 20, delete "24,974,000" and insert "24,182,000" and delete "24,278,000" and insert "23,511,000"

Page 59, line 21, delete "\$14,645,000" and insert "\$15,437,000"

Page 59, line 22, delete "\$14,240,000" and insert "\$15,007,000"

Page 60, line 1, delete "\$10,291,000" and insert "\$8,707,000"

Page 60, line 2, delete "\$10,000,000" and insert "\$8,466,000"

Page 60, line 14, delete "14,645,000" and insert "15,437,000" and delete "14,240,000" and insert "15,007,000"

Page 60, line 15, delete "\$14,645,000" and insert "\$15,437,000"

Page 60, line 16, delete "\$14,240,000" and insert "\$15,007,000"

Page 61, lines 5 and 7, delete "37" and insert "39"

Page 61, line 9, delete "26" and insert "22"

Correct the subdivision and section totals and the appropriations by fund accordingly

The motion prevailed. So the amendment was adopted.

Senator Rest moved to amend S.F. No. 1363 as follows:

Page 53, line 20, before "appointed" insert "one" and delete "senate Subcommittee on Committees" and insert "majority leader and one appointed by the minority leader of the senate"

Page 53, line 21, delete everything before the semicolon

Page 53, line 22, after "representatives" insert "one"

Page 53, line 23, after "house" insert "and one appointed by the minority leader of the house"

The motion prevailed. So the amendment was adopted.

Senator Skoe moved to amend S.F. No. 1363 as follows:

Page 60, after line 34, insert:

"Sec. 5. Minnesota Statutes 2010, section 85.013, is amended by adding a subdivision to read:
Subd. 15a. LaSalle Lake State Recreation Area, Hubbard County."

Page 62, after line 7, insert:

"Sec. 9. **LASALLE LAKE STATE RECREATION AREA.**

Subdivision 1. LaSalle Lake State Recreation Area, Hubbard County. The LaSalle Lake

State Recreation Area is established in Hubbard County.

Subd. 2. **Boundaries.** The following described lands are located within the boundaries of the LaSalle Lake State Recreation Area, all in Hubbard County:

(1) the Southwest Quarter of the Southwest Quarter and the Northwest Quarter of the Southwest Quarter, except the East 10 acres thereof, of Section 29; the Northeast Quarter of the Northeast Quarter, the Northwest Quarter of the Northeast Quarter, the Southwest Quarter of the Northeast Quarter, the Northeast Quarter of the Southwest Quarter, the Southeast Quarter of the Northwest Quarter, the Southeast Quarter of the Northeast Quarter, and Government Lots 2, 3, 4, 5, 6, 7, 8, and 9, of Section 30; Government Lots 1, 2, 5, 6, 7, 8, 9, and 10, of Section 31; and Government Lots 1 and 4 of Section 32; all in Township 145 North, Range 35 West; and

(2) Government Lot 12, Section 19, Township 145 North, Range 35.

Subd. 3. **Administration.** The commissioner of natural resources shall administer the area according to Minnesota Statutes, section 86A.05, subdivision 3, subject to existing rules and regulations for state recreation areas. LaSalle Lake State Recreation Area shall be administered as a satellite unit of Itasca State Park."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Kelash moved to amend S.F. No. 1363 as follows:

Page 62, delete section 7

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Pappas imposed a call of the Senate for the balance of the proceedings on S.F. No. 1363. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Kelash amendment.

Senator Tomassoni moved that those not voting be excused from voting. The motion did not prevail.

The roll was called, and there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Berglin	Goodwin	Lillie	Pappas	Torres Ray
Bonoff	Hall	Limmer	Pogemiller	Vandever
Chamberlain	Hann	Marty	Rest	Wiger
Cohen	Harrington	McGuire	Robling	Wolf
Daley	Higgins	Metzen	Scheid	
Dibble	Jungbauer	Olson	Sieben	
Gerlach	Kelash	Ortman	Thompson	

Those who voted in the negative were:

Bakk	Gazelka	Kubly	Newman	Senjem
Benson	Gimse	Langseth	Nienow	Skoe
Brown	Hoffman	Lourey	Parry	Sparks
Carlson	Howe	Magnus	Pederson	Stumpf
Dahms	Ingebrigtsen	Michel	Reinert	Tomassoni
DeKruif	Koch	Miller	Rosen	
Fischbach	Kruse	Nelson	Saxhaug	

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

S.F. No. 1363 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 52 and nays 14, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kruse	Nienow	Skoe
Benson	Gerlach	Kubly	Olson	Sparks
Bonoff	Gimse	Langseth	Ortman	Stumpf
Brown	Goodwin	Lillie	Parry	Thompson
Carlson	Hall	Limmer	Pederson	Tomassoni
Chamberlain	Hann	Lourey	Reinert	Vandever
Cohen	Hoffman	Magnus	Robling	Wiger
Dahms	Howe	Michel	Rosen	Wolf
Daley	Ingebrigtsen	Miller	Saxhaug	
DeKruif	Jungbauer	Nelson	Senjem	
Fischbach	Koch	Newman	Sheran	

Those who voted in the negative were:

Berglin	Higgins	McGuire	Pogemiller	Sieben
Dibble	Kelash	Metzen	Rest	Torres Ray
Harrington	Marty	Pappas	Scheid	

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

SPECIAL ORDER

H.F. No. 57: A bill for an act relating to public safety; establishing the crimes of sale or possession of synthetic cannabinoids; including a person under the influence of a synthetic cannabinoid for a driving while impaired crime; providing for a penalty; amending Minnesota Statutes 2010, sections 152.027, by adding a subdivision; 169A.20, subdivisions 1, 1a, 1b, 1c.

Senator Miller moved to amend H.F. No. 57, the unofficial engrossment, as follows:

Page 4, line 14, before the period, insert "4-methylmethcathinone (mephedrone); 3,4-methylenedioxy-N-methylcathinone (methylone); 4-methoxymethcathinone (methedrone); 3,4-methylenedioxyprovalerone (MDPV)"

The motion prevailed. So the amendment was adopted.

CALL OF THE SENATE

Senator Pappas imposed a call of the Senate for the balance of the proceedings on H.F. No. 57. The Sergeant at Arms was instructed to bring in the absent members.

Senator Hall moved to amend H.F. No. 57, the unofficial engrossment, as follows:

Page 1, line 18, delete "August 1, 2011" and insert "the day following final enactment"

Page 2, line 1, delete "August 1, 2011" and insert "the day following final enactment"

Page 2, line 26, delete "August" and insert "July"

Page 5, line 5, delete "August" and insert "July"

Page 5, line 22, delete "August 1, 2011" and insert "the day following final enactment"

Page 6, line 6, delete "August 1, 2011" and insert "the day following final enactment"

Page 7, line 1, delete "August 1, 2011" and insert "the day following final enactment"

Page 7, line 15, delete "August" and insert "July"

The motion prevailed. So the amendment was adopted.

H.F. No. 57 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kruse	Newman	Scheid
Benson	Gerlach	Kubly	Nienow	Senjem
Berglin	Gimse	Langseth	Olson	Sheran
Bonoff	Hall	Lillie	Ortman	Sieben
Brown	Hann	Limmer	Pappas	Skoe
Carlson	Harrington	Lourey	Parry	Sparks
Chamberlain	Higgins	Magnus	Pederson	Stumpf
Cohen	Hoffman	Marty	Pogemiller	Thompson
Dahms	Howe	McGuire	Reinert	Tomassoni
Daley	Ingebrigtsen	Metzen	Rest	Torres Ray
DeKruif	Jungbauer	Michel	Robling	Vandever
Dibble	Kelash	Miller	Rosen	Wiger
Fischbach	Koch	Nelson	Saxhaug	Wolf

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

CALENDAR

S.F. No. 225: A bill for an act relating to manufactured homes; providing for inspections; modifying alternative design plans and reinstallation requirements; amending Minnesota Statutes 2010, sections 327.32, subdivisions 1a, 1b, 1e, 1f, 7; 327.33, subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kruse	Nienow	Senjem
Benson	Gerlach	Kubly	Olson	Sheran
Berglin	Gimse	Langseth	Ortman	Sieben
Bonoff	Hall	Lillie	Pappas	Skoe
Brown	Hann	Limmer	Parry	Sparks
Carlson	Harrington	Lourey	Pederson	Stumpf
Chamberlain	Higgins	Magnus	Pogemiller	Thompson
Cohen	Hoffman	Marty	Reinert	Tomassoni
Dahms	Howe	McGuire	Rest	Torres Ray
Daley	Ingebrigtsen	Metzen	Robling	Vandever
DeKruif	Jungbauer	Michel	Rosen	Wiger
Dibble	Kelash	Miller	Saxhaug	Wolf
Fischbach	Koch	Newman	Scheid	

So the bill passed and its title was agreed to.

H.F. No. 299: A bill for an act relating to state government; establishing a retained savings program for executive branch agencies; amending Minnesota Statutes 2010, section 16A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 15.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kruse	Newman	Scheid
Benson	Gerlach	Kubly	Nienow	Senjem
Berglin	Gimse	Langseth	Olson	Sheran
Bonoff	Hall	Lillie	Ortman	Sieben
Brown	Hann	Limmer	Pappas	Skoe
Carlson	Harrington	Lourey	Parry	Sparks
Chamberlain	Higgins	Magnus	Pederson	Stumpf
Cohen	Hoffman	Marty	Pogemiller	Thompson
Dahms	Howe	McGuire	Reinert	Tomassoni
Daley	Ingebrigtsen	Metzen	Rest	Torres Ray
DeKruif	Jungbauer	Michel	Robling	Vandever
Dibble	Kelash	Miller	Rosen	Wiger
Fischbach	Koch	Nelson	Saxhaug	Wolf

So the bill passed and its title was agreed to.

S.F. No. 249: A bill for an act relating to commerce; regulating the provision of certain goods and services of residential contractors; providing enforcement; amending Minnesota Statutes 2010,

sections 325E.66; 326B.811, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kruse	Newman	Scheid
Benson	Gerlach	Kubly	Nienow	Senjem
Berglin	Gimse	Langseth	Olson	Sheran
Bonoff	Hall	Lillie	Ortman	Sieben
Brown	Hann	Limmer	Pappas	Skoe
Carlson	Harrington	Lourey	Parry	Sparks
Chamberlain	Higgins	Magnus	Pederson	Stumpf
Cohen	Hoffman	Marty	Pogemiller	Thompson
Dahms	Howe	McGuire	Reinert	Tomassoni
Daley	Ingebrigtsen	Metzen	Rest	Torres Ray
DeKruif	Jungbauer	Michel	Robling	Vandever
Dibble	Kelash	Miller	Rosen	Wiger
Fischbach	Koch	Nelson	Saxhaug	Wolf

So the bill passed and its title was agreed to.

S.F. No. 1162: A bill for an act relating to real property; landlord and tenant; clarifying application of foreclosure provisions for residential tenants; amending Minnesota Statutes 2010, section 504B.285, subdivision 1a.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 2, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kruse	Newman	Scheid
Benson	Gerlach	Kubly	Nienow	Senjem
Berglin	Gimse	Langseth	Olson	Sheran
Bonoff	Hall	Lillie	Ortman	Sieben
Brown	Hann	Limmer	Pappas	Skoe
Carlson	Harrington	Lourey	Parry	Sparks
Chamberlain	Higgins	Magnus	Pederson	Stumpf
Cohen	Hoffman	Marty	Pogemiller	Tomassoni
Dahms	Howe	McGuire	Reinert	Torres Ray
Daley	Ingebrigtsen	Metzen	Rest	Wiger
DeKruif	Jungbauer	Michel	Robling	Wolf
Dibble	Kelash	Miller	Rosen	
Fischbach	Koch	Nelson	Saxhaug	

Those who voted in the negative were:

Thompson Vandever

So the bill passed and its title was agreed to.

S.F. No. 994: A bill for an act relating to lawful gambling; decreasing certain minimum lawful purpose expenditure requirements; amending Minnesota Statutes 2010, section 349.15, subdivision 1.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kruse	Newman	Scheid
Benson	Gerlach	Kubly	Nienow	Senjem
Berglin	Gimse	Langseth	Olson	Sheran
Bonoff	Hall	Lillie	Ortman	Sieben
Brown	Hann	Limmer	Pappas	Skoe
Carlson	Harrington	Lourey	Parry	Sparks
Chamberlain	Higgins	Magnus	Pederson	Stumpf
Cohen	Hoffman	Marty	Pogemiller	Thompson
Dahms	Howe	McGuire	Reinert	Tomassoni
Daley	Ingebrigtsen	Metzen	Rest	Torres Ray
DeKruif	Jungbauer	Michel	Robling	Vandever
Dibble	Kelash	Miller	Rosen	Wiger
Fischbach	Koch	Nelson	Saxhaug	Wolf

So the bill passed and its title was agreed to.

S.F. No. 1044: A bill for an act relating to state government; modifying provisions relating to state agency responses to natural disasters; amending Minnesota Statutes 2010, sections 12A.05; 12A.06, subdivision 1; 12A.07, subdivisions 1, 2; 12A.09, subdivision 4; 12A.10, by adding a subdivision; 12A.12, subdivisions 2, 3, by adding a subdivision; 12A.15, by adding a subdivision; 12A.16.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gerlach	Langseth	Olson	Sieben
Benson	Gimse	Latz	Ortman	Skoe
Berglin	Hall	Lillie	Pappas	Sparks
Bonoff	Hann	Limmer	Parry	Stumpf
Brown	Harrington	Lourey	Pederson	Thompson
Carlson	Higgins	Magnus	Pogemiller	Tomassoni
Chamberlain	Hoffman	Marty	Reinert	Torres Ray
Cohen	Howe	McGuire	Rest	Vandever
Dahms	Ingebrigtsen	Metzen	Robling	Wiger
Daley	Jungbauer	Michel	Rosen	Wolf
DeKruif	Kelash	Miller	Saxhaug	
Dibble	Koch	Nelson	Scheid	
Fischbach	Kruse	Newman	Senjem	
Gazelka	Kubly	Nienow	Sheran	

So the bill passed and its title was agreed to.

S.F. No. 1243: A bill for an act relating to environment; modifying Waste Management Act; amending Minnesota Statutes 2010, sections 115A.03, subdivision 25a; 115A.95.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 0, as follows:

Those who voted in the affirmative were:

Bakk	Gerlach	Langseth	Olson	Sieben
Benson	Gimse	Latz	Ortman	Skoe
Berglin	Hall	Lillie	Pappas	Sparks
Bonoff	Hann	Limmer	Parry	Stumpf
Brown	Harrington	Lourey	Pederson	Thompson
Carlson	Higgins	Magnus	Pogemiller	Tomassoni
Chamberlain	Hoffman	Marty	Reinert	Torres Ray
Cohen	Howe	McGuire	Rest	Vandever
Dahms	Ingebrigtsen	Metzen	Robling	Wiger
Daley	Jungbauer	Michel	Rosen	Wolf
DeKruif	Kelash	Miller	Saxhaug	
Dibble	Koch	Nelson	Scheid	
Fischbach	Kruse	Newman	Senjem	
Gazelka	Kubly	Nienow	Sheran	

So the bill passed and its title was agreed to.

S.F. No. 1078: A bill for an act relating to transportation; providing for alternative financing and investment in a pilot transportation project; amending Minnesota Statutes 2010, section 174.02, by adding a subdivision.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 58 and nays 8, as follows:

Those who voted in the affirmative were:

Bakk	Gazelka	Kubly	Olson	Senjem
Benson	Gerlach	Langseth	Ortman	Sheran
Bonoff	Gimse	Lillie	Pappas	Sieben
Brown	Hall	Lourey	Parry	Sparks
Carlson	Hann	Magnus	Pederson	Stumpf
Chamberlain	Harrington	McGuire	Pogemiller	Thompson
Cohen	Hoffman	Metzen	Reinert	Tomassoni
Dahms	Ingebrigtsen	Michel	Rest	Torres Ray
Daley	Jungbauer	Miller	Robling	Wiger
DeKruif	Kelash	Nelson	Rosen	Wolf
Dibble	Koch	Newman	Saxhaug	
Fischbach	Kruse	Nienow	Scheid	

Those who voted in the negative were:

Berglin	Howe	Limmer	Skoe
Higgins	Latz	Marty	Vandever

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Remaining on the Order of Business of Motions and Resolutions, Senator Koch 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 Parry in the chair.

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

S.F. Nos. 768, 799, 1045 and H.F. No. 447, which the committee recommends to pass.

S.F. No. 1208, which the committee recommends to pass with the following amendments offered by Senators Bonoff and Gerlach:

Senator Bonoff moved to amend S.F. No. 1208 as follows:

Page 1, after line 11, insert:

"Section 1. [58.162] TRANSACTION AGENTS OR SERVICERS; DISCLOSURE OF NOTE OWNER INFORMATION TO MORTGAGOR.

Upon written request of a mortgagor, a transaction agent or servicer shall provide in writing to the mortgagor the identity, address, and telephone number of the current owner of the note secured by the mortgage, based on the transaction agent's or servicer's actual knowledge. A transaction agent or servicer must provide the information within ten business days of receipt of the request. Upon request of a mortgagor, a transaction agent or servicer must provide this information about the current owner of the note without a fee once per calendar year. In lieu of complying with this section, a transaction agent or servicer may comply with the requirements of section 6(k) of the Real Estate Settlement Procedures Act, as amended by section 1463 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, regardless of whether those acts apply to the mortgage."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Gerlach moved to amend the Bonoff amendment to S.F. No. 1208 as follows:

Page 1, line 13, delete everything after "of"

Page 1, line 14, delete everything before "Public"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Bonoff amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 946, which the committee recommends to pass, subject to the following motion:

The question was taken on the recommendation to pass S.F. No. 946.

The roll was called, and there were yeas 40 and nays 27, as follows:

Those who voted in the affirmative were:

Benson

Bonoff

Brown

Carlson

Chamberlain

Dahms	Hall	Kruse	Newman	Rosen
Daley	Hann	Lillie	Nienow	Scheid
DeKruif	Hoffman	Limmer	Olson	Senjem
Fischbach	Howe	Magnus	Ortman	Thompson
Gazelka	Ingebrigtsen	Michel	Parry	Torres Ray
Gerlach	Jungbauer	Miller	Pederson	Vandever
Gimse	Koch	Nelson	Robling	Wolf

Those who voted in the negative were:

Bakk	Higgins	Marty	Rest	Stumpf
Berglin	Kelash	McGuire	Saxhaug	Tomassoni
Cohen	Kubly	Metzen	Sheran	Wiger
Dibble	Langseth	Pappas	Sieben	
Goodwin	Latz	Pogemiller	Skoe	
Harrington	Lourey	Reinert	Sparks	

The motion prevailed. So S.F. No. 946 was recommended to pass.

H.F. No. 1092, which the committee recommends to pass, subject to the following motion:

Senator Gerlach moved that the amendment made to H.F. No. 1092 by the Committee on Rules and Administration in the report adopted May 3, 2011, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

S.F. No. 1280, which the committee recommends to pass, subject to the following motions:

Senator Kruse moved to amend S.F. No. 1280 as follows:

Page 1, line 14, after "employer" insert "discussion or"

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend S.F. No. 1280 as follows:

Page 1, line 24, after the period, insert "An employer covered under this subdivision must maintain records under this section for one calendar year."

Senator Bakk moved to amend the Dibble amendment to S.F. No. 1280 as follows:

Page 1, after line 1, insert:

"Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2008, section 177.24, subdivision 2, is amended to read:

Subd. 2. ~~**Gratuities not applied Tipped employees.** No employer may directly or indirectly credit, apply, or utilize gratuities towards payment of the minimum wage set by this section or federal law.~~

(a) "Tip or gratuity" means a sum presented by a customer in recognition of a service performed. It does not include:

(1) payment of a charge made for a service;

(2) any amount turned over to or credited to the employer to be treated by the employer as part of the employer's gross receipts; or

(3) a compulsory charge for service, including a fixed percentage of the total amount of the bill, imposed on a customer unless the total amount of the compulsory charge is distributed by the employer to the employee.

(b) When tips or gratuities are received by the employee, the employer may pay an amount less than the applicable minimum wage under subdivision 1, only if the employer can establish by its payroll records that for each payroll period during which the employer pays an employee an amount less than the minimum wage, that after adding the tips received to the wages paid, no less than the minimum wage under subdivision 1 was received by the employee. However, in no case can an employer pay less than 50 percent of the applicable minimum wage under subdivision 1.

(c) When an employer pays an amount under paragraph (b) that is less than the minimum wage, the employer must:

(1) have a tip declaration signed by the employee each pay period; and

(2) show on the payroll records that required Social Security or other taxes have been withheld each pay period which demonstrate that when adding tips received to the wages paid by the employer, an amount no less than the minimum wage under subdivision 1 was received by the employee.

If the employer's payroll records do not contain the required information, the employer shall not pay an amount less than the minimum wage.

(d) Under a pooling arrangement whereby the employer redistributes tips to employees based upon a system developed by and to which the employees have mutually agreed among themselves, only the amounts received and retained by each individual employee are counted as the employee's tips.

(e) This subdivision applies only when an employee receives tips or gratuities in excess of \$50 per month."

Senator Thompson questioned whether the Bakk amendment was germane.

The chair ruled that the amendment was not germane.

Senator Dibble appealed the decision of the chair.

The question was taken on "Shall the decision of the Chair be the judgment of the Committee?"

The roll was called, and there were yeas 36 and nays 29, as follows:

Those who voted in the affirmative were:

Benson	Gazelka	Koch	Newman	Senjem
Brown	Gerlach	Kruse	Nienow	Thompson
Carlson	Hall	Lillie	Olson	Vandever
Chamberlain	Hann	Limmer	Ortman	Wolf
Dahms	Hoffman	Magnus	Parry	
Daley	Howe	Michel	Pederson	
DeKruif	Ingebriksen	Miller	Robling	
Fischbach	Jungbauer	Nelson	Rosen	

Those who voted in the negative were:

Bakk	Berglin	Bonoff	Cohen	Dibble
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Goodwin
Higgins
Kelash
Kubly
Langseth

Latz
Lourey
Marty
McGuire
Metzen

Pappas
Pogemiller
Reinert
Rest
Saxhaug

Scheid
Sheran
Sieben
Skoe
Sparks

Stumpf
Tomassoni
Torres Ray
Wiger

So the decision of the Chair was sustained.

Senator Dibble withdrew his amendment.

S.F. No. 1280 was then recommended to pass.

S.F. No. 508, which the committee recommends to pass with the following amendment offered by Senator Chamberlain:

Page 5, line 2, delete "pressuring" and insert "requiring"

The motion prevailed. So the amendment was adopted.

S.F. No. 247, which the committee recommends to pass, subject to the following motions:

Senator Robling moved to amend S.F. No. 247 as follows:

Page 2, after line 32, insert:

"Sec. 2. Minnesota Statutes 2010, section 123A.21, is amended by adding a subdivision to read:

Subd. 13. **Insurance premium refunds.** A service cooperative may not refund any portion of a health insurance premium paid by a member entity without first providing written notice of the refund to any applicable exclusive representative of employees of the member entity receiving the refund.

EFFECTIVE DATE. This section is effective the day following final enactment."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

The question was taken on the recommendation to pass S.F. No. 247.

The roll was called, and there were yeas 36 and nays 28, as follows:

Those who voted in the affirmative were:

Benson
Brown
Carlson
Chamberlain
Dahms
Daley
DeKruif
Fischbach

Gazelka
Gerlach
Gimse
Hall
Hann
Hoffman
Ingebrigtsen
Jungbauer

Koch
Kruse
Lillie
Limmer
Magnus
Michel
Miller
Newman

Nienow
Olson
Ortman
Parry
Pederson
Robling
Rosen
Senjem

Sheran
Thompson
Vanderveer
Wolf

Those who voted in the negative were:

Bakk
Berglin

Bonoff
Cohen

Dibble
Goodwin

Harrington
Higgins

Howe
Kelash

54TH DAY]

THURSDAY, MAY 12, 2011

2007

Kubly
Langseth
Latz
Lourey

Marty
McGuire
Pappas
Reinert

Rest
Saxhaug
Scheid
Sieben

Skoe
Sparks
Stumpf
Tomassoni

Torres Ray
Wiger

The motion prevailed. So S.F. No. 247 was recommended to pass.

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Rosen moved that S.F. No. 86 be taken from the table. The motion prevailed.

S.F. No. 86: A bill for an act relating to energy; removing ban on increased carbon dioxide emissions by utilities; amending Minnesota Statutes 2010, section 216H.02, subdivision 4; repealing Minnesota Statutes 2010, section 216H.03.

Senator Rosen moved that the Senate do not concur in the amendments by the House to S.F. No. 86, 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.

MEMBERS EXCUSED

Senator Latz was excused from the Session of today from 11:15 a.m. to 1:15 p.m. Senator Sheran was excused from the Session of today from 11:30 a.m. to 12:35 p.m. Senator Ortman was excused from the Session of today from 12:10 to 12:30 p.m. Senator Goodwin was excused from the Session of today from 12:45 to 2:00 p.m. Senator Harrington was excused from the Session of today from 2:00 to 2:30 p.m. Senator Gimse was excused from the Session of today from 2:10 to 2:40 p.m. Senator Pogemiller was excused from the Session of today at 2:45 p.m.

ADJOURNMENT

Senator Koch moved that the Senate do now adjourn until 9:30 a.m., Friday, May 13, 2011. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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