

## SEVENTY-SECOND DAY

St. Paul, Minnesota, Monday, February 13, 2012

The Senate met at 12:00 noon and was called to order by the President.

**CALL OF THE SENATE**

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

Prayer was offered by the Chaplain, Rabbi Sim Glaser.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America, led by military service veteran, Mr. Brad Lindsay.

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

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

The President declared a quorum present.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

February 10, 2012

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Madam President:

With this letter, I am vetoing and returning Chapter 118, Senate File 149, which addresses the unrelated topics of conciliation court claim limits and class action appeals. These provisions are not consistent with the court's recommendations for effectively addressing small claims, represent legislative meddling with court procedures best handled by the judiciary, and do not address legitimate problems in Minnesota.

A recent study by the National Center for State Courts revealed that 72% of the civil case load in Minnesota is consumed by small claims and contract matters, while civil tort claims represent less than 3% of the cases. The Legislature should be addressing the areas of the court that consume the bulk of its workload. Unfortunately, this legislation misses that mark.

The Minnesota Supreme Court Civil Justice Task Force recently rejected the change in conciliation court claim levels contained in Section 1, because it would not have a significant impact on the courts' workloads. Additionally, the Task Force did not recommend the change in consumer credit cases contained in Section 1, and does not recommend making changes to this type of claim without significant changes regarding the evidence required for such matters. The Legislature has completely ignored the findings of the courts.

Furthermore, Section 2 is an attempt by the Legislature to control the internal workings of the court and its processes. Legislatively mandating specific interlocutory appeals in class action cases and staying the discovery process while an appeal is pending blur the separation of powers between the branches of government. The courts are in the best position to determine interim appeal processes, and they are correctly in control of procedures for the discovery of evidence.

The House author of this legislation indicated that there were only eight cases last year where this provision would be applicable - and not a single case without merit. The bill would not create jobs; rather it would set a dangerous precedent. I am certainly willing to consider reforms that will assist our courts with their workload and address real problems within our justice system. Such an endeavor must involve our courts and their expertise in these matters. This legislation does not, and I will not sign it into law.

Sincerely,  
Mark Dayton, Governor

Senator Senjem moved that S.F. No. 149 and the veto message thereon be laid on the table. The motion prevailed.

February 10, 2012

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Madam President:

I have vetoed and am returning Chapter 119, Senate File 373, which drastically lowers the statute of limitations for many important civil claims. This legislation does not represent justice for Minnesotans. It would eliminate important protections for citizens and businesses, when they are harmed by the wrongful actions of others.

I am perplexed by the charge that Minnesota is an excessively litigious state or has a negative civil justice system for business. According to the Minnesota Supreme Court, civil case filings for injury claims are down over 40% since 1997, despite our expanding population. The U.S. Chamber of Commerce ranks Minnesota among the very top states for our treatment of businesses in the courtroom. Those and other comparisons affirm that our court system is working well to protect our Constitutional rights and is not being overburdened by frivolous matters.

Despite those facts, this legislation would lower by one-third the statute of limitation for Minnesota citizens and businesses to assert their rights in court. The current statute of six years was established in 1841 and has remained largely unchanged since that time. Minnesota's current statute of limitations is not out of line with other states, that have a "discovery rule" to allow an individual or company to learn of the harm sustained before the limitations period begins. In fact, we now have a shorter limitation period for many types of cases.

I am particularly concerned about lowering the limitation period for contract cases for businesses and consumers. Many companies may not learn of their claims within this shorter period. The Legislature has enacted laws to help businesses assert their rights at the behest of very important Minnesota companies, like Marvin Windows in Warroad. I see no justifiable reason to harm our businesses by taking away this important right of redress. A four-year limitation period would be a disadvantage to good Minnesota businesses. This legislation would end the exposure of large, mostly out-of-state insurance companies to pay legitimate claims two years earlier than the current law.

I will not support that change.

Sincerely,  
Mark Dayton, Governor

Senator Senjem moved that S.F. No. 373 and the veto message thereon be laid on the table. The motion prevailed.

February 10, 2012

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Madam President:

With this letter, I am vetoing and returning Chapter 120, Senate File 429, a measure that has been rejected several times by the legislature and the courts.

I am deeply concerned that this legislation would make it more difficult for average citizens to defend themselves against powerful interests. The suggestion that passage of this measure will somehow create jobs in Minnesota lacks merit and substantiation. Not a single job would be created - but important protections would be greatly impaired.

Over 300 Minnesota statutes require the shifting of attorney fees to the wrongdoer - all of which would be negatively impacted by this legislation. Deployed military personnel, farmers, vulnerable adults, and victims of workplace harassment, wrongful termination, and discrimination are just a few of the classes of individuals that would be harmed by this legislation.

This legislation would require that attorneys' fee awards must be in proportion to the damages awarded in a civil case. This requirement would seriously undermine the legislative purpose for enacting statutes that allow Minnesota businesses, consumers, and employees to collect their damages - plus reasonable attorney fees - for certain wrongful conduct. A rule of proportionality would make it difficult, if not impossible, for individuals to bring important and meritorious claims of relatively small value. To ensure that those claims are brought forward, the legislature has shifted the costs of bringing the claim to the negligent party, and rightly so. This legislation removes that protection.

Further, the courts already review fee awards to ascertain that they are in relation to the recovery. However, the court will also consider other relevant factors like the time involved in the case and the nature of the controversy. No evidence has been presented that the current system is unfair to those found in violation of Minnesota laws.

Additionally, the legislation would change the process for settlements under Rule 68 of the Minnesota Rules of Civil Procedure. The Minnesota Supreme Court Rules Committee thoroughly reviewed, and rejected, the changes proposed in this bill in 2008. The Supreme Court Task Force on Civil Justice again rejected this change in its December 2011 report.

The experts on these Supreme Court committees, including judges and lawyers who represent plaintiffs and defendants, are in the best position to understand the impact of this change on Minnesotans. They have soundly and repeatedly rejected this concept, and I will rely upon their wisdom.

Eliminating Minnesotans' rights to redress and trial by jury is not a jobs program. This bill would benefit those who commit fraud, negligently injure our citizens and businesses, or allow an unfair work environment. I will not agree to it.

Sincerely,  
Mark Dayton, Governor

Senator Senjem moved that S.F. No. 429 and the veto message thereon be laid on the table. The motion prevailed.

February 10, 2012

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Madam President:

With this letter, I am vetoing and returning Chapter 121, Senate File 530, which would lower the interest rate on judgements for negligent parties and their insurance companies. This bill is a step backwards for justice. Minnesota citizens and business deserve fair compensation, when they are harmed by the wrongful actions of others. This bill does the opposite.

Current low investment rates should not be the measure of damages in large cases over \$50,000. Consumers or businesses, who have to borrow funds during a case, must often pay interest in excess of the 4% rate allowed in this legislation, and sometimes even greater than the 10% allowed under current law.

The requirement to pay prejudgment interest has three important policy goals: fairly compensate for the losses from the time of the injury; promote prompt payment of legitimate claims; and prevent frivolous delays by insurance companies. Minnesota's current law accomplishes those objectives on large damage cases. It is important to remember that a defendant required to pay prejudgment interest has been found responsible for causing the harm. They should appropriately compensate those they have damaged - with no incentive to delay payment.

Minnesota's prejudgment interest rate is also reasonable and balanced when compared to other states. Approval of this legislation would give Minnesota one of the lowest prejudgment rates in the country.

Lastly, I find it objectionable that the Legislature allowed prejudgment interest for businesses with commercial insurance policy claims at 10%, but lowered similar claims for average citizens to 4%. It is yet another example of the Republican majorities favoring their business friends over other Minnesotans.

I am willing to consider changes to our civil laws that help Minnesota businesses and citizens obtain justice in our courts and recover promptly from insurance companies. I can see no measurable benefit to policyholders or average Minnesotans from this bill, and, therefore, I am vetoing it.

Sincerely,  
Mark Dayton, Governor

Senator Senjem moved that S.F. No. 530 and the veto message thereon be laid on the table. The motion prevailed.

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the adoption by the House of the following House Concurrent Resolution, herewith transmitted:

**House Concurrent Resolution No. 5:** A House concurrent resolution adopting deadlines for the 2012 regular session.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 9, 2012

Senator Senjem moved that House Concurrent Resolution No. 5 be laid on the table. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1766.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted February 9, 2012

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 1766:** A bill for an act relating to human services; modifying child care assistance payment of funds; amending Minnesota Statutes 2010, section 119B.09, subdivision 10, as amended.

Referred to the Committee on Health and Human Services.

**REPORTS OF COMMITTEES**

Senator Senjem moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment. The motion prevailed.

**Senator Parry from the Committee on State Government Innovation and Veterans, to which was referred**

**S.F. No. 1689:** A bill for an act relating to military affairs; extending reemployment rights protections to certain nonpublic employees; amending Minnesota Statutes 2010, section 192.261, subdivision 6.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2010, section 1.05, is amended by adding a subdivision to read:

Subd. 5. **Uniformed Services Employment and Reemployment Rights Act (USERRA).** An employee, former employee, or prospective employee of the state who is aggrieved by the state's violation of the Uniformed Services Employment and Reemployment Rights Act, United States Code, title 38, sections 4301 to 4333, as amended, may bring a civil action against the state in federal court or another court of competent jurisdiction for legal or equitable relief that will effectuate the purposes of that act.

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

Sec. 2. Minnesota Statutes 2010, section 43A.09, is amended to read:

**43A.09 RECRUITMENT.**

The commissioner in cooperation with appointing authorities of all state agencies shall maintain an active recruiting program publicly conducted and designed to attract sufficient numbers of well-qualified people to meet the needs of the civil service, and to enhance the image and public esteem of state service employment. Special emphasis shall be given to recruitment of veterans and protected group members to assist state agencies in meeting affirmative action goals to achieve a balanced work force."

Page 1, delete lines 19 and 20 and insert:

"Sec. 4. Minnesota Statutes 2010, section 197.455, subdivision 4, is amended to read:

Subd. 4. **Nondisabled veteran's credit.** There shall be added to the competitive open examination rating of a nondisabled veteran, who so elects, a credit of ~~five~~ ten points provided that the veteran obtained a passing rating on the examination without the addition of the credit points.

Sec. 5. Minnesota Statutes 2010, section 197.455, subdivision 5, is amended to read:

Subd. 5. **Disabled veteran's credit.** There shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of ~~ten~~ 15 points provided that the veteran obtained a passing rating on the examination without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that (1) the veteran obtained a passing rating on the examination without the addition of the credit points; and (2) the veteran is applying for a first promotion after securing public employment."

Renumber the sections in sequence

Delete the title and insert:

"A bill for an act relating to veterans affairs; providing a waiver of immunity for veterans to sue the state of Minnesota as an employer in federal or other courts for violation of the Uniformed Services Employment and Reemployment Rights Act; giving special emphasis to recruitment of veterans for state employment; extending reemployment rights protections to certain nonpublic employees; increasing credits for veterans in open examination ratings for public employment; amending Minnesota Statutes 2010, sections 1.05, by adding a subdivision; 43A.09; 192.261, subdivision 6; 197.455, subdivisions 4, 5."

And when so amended the bill do pass and be re-referred to the Committee on Jobs and Economic Growth. Amendments adopted. Report adopted.

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

**S.F. No. 1600:** A bill for an act relating to state government; requiring state budget documents to include federal insolvency contingency planning; amending Minnesota Statutes 2010, section 16A.10, by adding a subdivision.

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

Page 1, line 8, delete "insolvency"

Page 1, line 10, delete everything after "if" and insert "federal funds for the agency are dramatically reduced or eliminated"

Page 1, line 11, delete everything before the period

Amend the title as follows:

Page 1, line 3, delete "insolvency"

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

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

**H.F. No. 1467:** A bill for an act relating to firearms; 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 609.065; 624.7131, subdivisions 2, 8; 624.714, subdivision 16; proposing coding for new law in Minnesota Statutes, chapter 624.

(Amended pursuant to Rule 45, adopted by the Senate May 17, 2011; the text of H.F. No. 1467 is identical to S.F. No. 1357.)

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

Page 1, line 26, delete "2011" and insert "2012"

Page 1, line 27, delete "2010" and insert "2011"

Page 2, line 9, delete "2011" and insert "2012"

Page 3, line 26, delete "2011" and insert "2012"

Page 6, line 17, delete "2011" and insert "2012"

Page 6, line 18, delete "2011" and insert "2012"

Page 7, line 24, delete "2011" and insert "2012"

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

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

**S.F. No. 1527:** A bill for an act relating to agriculture; providing for voluntary certification of good manufacturing practices for commercial feed and feed ingredients; authorizing fees for voluntary certification; modifying rule provisions relating to animal feed; appropriating money; amending Minnesota Statutes 2010, section 25.40, subdivisions 1, 2, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 25; repealing Minnesota Rules, parts 1510.2220; 1510.2230.

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

**Senator Parry from the Committee on State Government Innovation and Veterans, to which was referred**

**H.F. No. 56:** A bill for an act relating to veterans; providing a waiver of immunity for veterans to sue the state of Minnesota as an employer in federal or other courts for violation of the Uniformed Services Employment and Reemployment Rights Act; amending Minnesota Statutes 2010, section 1.05, by adding a subdivision.



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

Page 1, line 16, delete "July 1, 2012" and insert "the day following final enactment"

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 Parry from the Committee on State Government Innovation and Veterans, to which was referred**

**S.F. No. 1492:** A bill for an act relating to state government; changing the date designated for Fallen Firefighters Memorial Day; amending Minnesota Statutes 2010, section 10.585.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 10.585, is amended to read:

**10.585 FALLEN FIREFIGHTERS MEMORIAL DAY.**

The first Sunday in October is designated as Fallen Firefighters Memorial Day in honor of firefighters who have lost their lives in the line of duty. Each American flag and Minnesota flag flown on the grounds of the Capitol area, as described in section 15B.02, must be flown at half-staff on Minnesota's observance of Fallen Firefighters Memorial Day in honor of firefighters who have lost their lives in the line of duty. Minnesota's observance of Fallen Firefighters Memorial Day shall occur on the last Sunday in September each year."

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

**Senator Parry from the Committee on State Government Innovation and Veterans, to which was referred**

**S.F. No. 1597:** A bill for an act relating to veterans; changing the small business set-aside program for veteran-owned small businesses; authorizing county set-aside programs for veteran-owned small businesses; changing reporting requirements; amending Minnesota Statutes 2010, section 161.321, subdivisions 2, 5, 8, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 375.

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

Delete everything after the enacting clause and insert:

**"ARTICLE 1**

**INCREASED CREDITS FOR VETERANS IN CIVIL SERVICE EMPLOYMENT AND EMPHASIS ON RECRUITMENT FOR STATE AGENCY EMPLOYMENT**

Section 1. Minnesota Statutes 2010, section 1.05, is amended by adding a subdivision to read:

Subd. 5. **Uniformed Services Employment and Reemployment Rights Act (USERRA).** An employee, former employee, or prospective employee of the state who is aggrieved by the state's

violation of the Uniformed Services Employment and Reemployment Rights Act, United States Code, title 38, sections 4301 to 4333, as amended, may bring a civil action against the state in federal court or another court of competent jurisdiction for legal or equitable relief that will effectuate the purposes of that act.

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

Sec. 2. Minnesota Statutes 2010, section 43A.09, is amended to read:

**43A.09 RECRUITMENT.**

The commissioner in cooperation with appointing authorities of all state agencies shall maintain an active recruiting program publicly conducted and designed to attract sufficient numbers of well-qualified people to meet the needs of the civil service, and to enhance the image and public esteem of state service employment. Special emphasis shall be given to recruitment of veterans and protected group members to assist state agencies in meeting affirmative action goals to achieve a balanced work force.

Sec. 3. Minnesota Statutes 2010, section 197.455, subdivision 4, is amended to read:

Subd. 4. **Nondisabled veteran's credit.** There shall be added to the competitive open examination rating of a nondisabled veteran, who so elects, a credit of ~~five~~ ten points provided that the veteran obtained a passing rating on the examination without the addition of the credit points.

Sec. 4. Minnesota Statutes 2010, section 197.455, subdivision 5, is amended to read:

Subd. 5. **Disabled veteran's credit.** There shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of ~~ten~~ 15 points provided that the veteran obtained a passing rating on the examination without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that (1) the veteran obtained a passing rating on the examination without the addition of the credit points; and (2) the veteran is applying for a first promotion after securing public employment.

**ARTICLE 2**

**PREFERENCE FOR VETERAN-OWNED SMALL BUSINESSES IN STATE  
PROCUREMENT**

Section 1. Minnesota Statutes 2010, section 16C.16, subdivision 6a, is amended to read:

Subd. 6a. **Veteran-owned small businesses.** (a) Except when mandated by the federal government as a condition of receiving federal funds, the commissioner shall award up to a ~~six~~ eight percent preference, but no less than the percentage awarded to any other group under this section, in the amount bid on state procurement to certified small businesses that are majority-owned and operated by:

(1) recently separated veterans who have served in active military service, at any time on or after September 11, 2001, and who have been discharged under honorable conditions from active service, as indicated by the person's United States Department of Defense form DD-214 or by the commissioner of veterans affairs;

(2) veterans with service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs; or

(3) any other veteran-owned small businesses certified under section 16C.19, paragraph (d).

(b) The purpose of this designation is to facilitate the transition of veterans from military to civilian life, and to help compensate veterans for their sacrifices, including but not limited to their sacrifice of health and time, to the state and nation during their military service, as well as to enhance economic development within Minnesota.

### ARTICLE 3

#### PREFERENCE FOR VETERAN-OWNED SMALL BUSINESSES IN STATE TRANSPORTATION CONSTRUCTION CONTRACTS

Section 1. Minnesota Statutes 2010, section 161.321, subdivision 2, is amended to read:

Subd. 2. **Small targeted group business set-asides.** (a) The commissioner may award up to a six percent preference in the amount bid for specified construction work to small targeted group businesses ~~and veteran-owned small businesses.~~

(b) The commissioner may designate a contract for construction work for award only to small targeted group businesses if the commissioner determines that at least three small targeted group businesses are likely to bid. ~~The commissioner may designate a contract for construction work for award only to veteran-owned small businesses if the commissioner determines that at least three veteran-owned small businesses are likely to bid.~~

(c) The commissioner, as a condition of awarding a construction contract, may set goals that require the prime contractor to subcontract a portion of the contract to small targeted group businesses ~~and veteran-owned small businesses.~~ The commissioner must establish a procedure for granting waivers from the subcontracting requirement when qualified small targeted group businesses ~~and veteran-owned small businesses~~ are not reasonably available. The commissioner may establish financial incentives for prime contractors who exceed the goals for use of subcontractors and financial penalties for prime contractors who fail to meet goals under this paragraph. The subcontracting requirements of this paragraph do not apply to prime contractors who are small targeted group businesses ~~or veteran-owned small businesses.~~

(d) The commissioner may award up to a four percent preference in the amount bid on procurement to small businesses located in an economically disadvantaged area as defined in section 16C.16, subdivision 7.

**EFFECTIVE DATE.** This section is effective for contracts let on or after July 1, 2012.

Sec. 2. Minnesota Statutes 2010, section 161.321, is amended by adding a subdivision to read:

Subd. 2a. **Veteran-owned small business set-asides.** (a) The commissioner must award up to a six percent preference in the amount bid for specified construction work to veteran-owned small businesses, except when prohibited by the federal government as a condition of receiving federal funds. The percentage of preference in bid amount provided under this subdivision may not be less than the percentage of bid preference provided to any small targeted group business under subdivision 2.

(b) The commissioner must be as inclusive as possible in specifying contracts for construction work, as well as for construction-related goods and services, available under this bid preference program for veteran-owned small businesses. The term "construction" must be given broad meaning for purposes of specifying and letting contracts for veteran-owned small businesses and must include, but is not limited to, preplanning, planning, and all other construction-related professional support services and other work involving any and all of the stages of the construction process.

(c) The commissioner, as a condition of awarding a construction contract, must set goals that require the prime contractor to subcontract a portion of the contract to veteran-owned small businesses. The commissioner must establish a procedure for granting waivers from the subcontracting requirement when qualified veteran-owned small businesses are not reasonably available. The commissioner may establish financial incentives for prime contractors who exceed the goals for use of veteran-owned small business subcontractors and financial penalties for prime contractors who fail to meet goals under this paragraph. The subcontracting requirements of this paragraph do not apply to prime contractors who are veteran-owned small businesses.

(d) The commissioner may designate a contract for construction work for award to veteran-owned small businesses only if the commissioner determines that at least three veteran-owned small businesses are likely to bid.

**EFFECTIVE DATE.** This section is effective for contracts let on or after July 1, 2012.

Sec. 3. Minnesota Statutes 2010, section 161.321, subdivision 5, is amended to read:

Subd. 5. **Recourse to other businesses.** If the commissioner is unable to award a contract pursuant to the provisions of subdivisions 2, 2a, and 3, the award may be placed pursuant to the normal solicitation and award provisions set forth in this chapter and chapter 16C.

**EFFECTIVE DATE.** This section is effective for contracts let on or after July 1, 2012.

Sec. 4. Minnesota Statutes 2010, section 161.321, is amended by adding a subdivision to read:

Subd. 9. **Purpose.** The state of Minnesota recognizes that veterans bring education, training, values, leadership, and teamwork to the workplace. The purpose of this section is to facilitate the healthy transition of veterans from military to civilian life, and to help compensate veterans for their sacrifices including, but not limited to, their sacrifice of health and time to the state and nation during their military service, as well as to enhance economic development within Minnesota.

**EFFECTIVE DATE.** This section is effective for contracts let on or after July 1, 2012.

Sec. 5. **CERTIFICATION OF QUALIFIED BUSINESSES.**

For purposes of expediting the implementation of this article, the commissioner of transportation is exempted for a period of one year following the effective date of this section from the requirements of Minnesota Statutes, section 161.321, subdivision 6, as they would otherwise apply to this article. During this one-year exemption period, the commissioner of transportation shall establish an expedited procedure for determining that a business is eligible for a set-aside under this article.

**EFFECTIVE DATE.** This section is effective July 1, 2012.

## ARTICLE 4

AUTHORIZING COUNTIES FOR BID PREFERENCE FOR VETERAN-OWNED  
SMALL BUSINESSESSection 1. [375.771] VETERAN-OWNED SMALL BUSINESS CONTRACTS.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Award" means the granting of a contract in accordance with all applicable laws and rules governing competitive bidding, except as otherwise provided in this section.

(c) "Contract" means an agreement entered into between a business entity and the county for procurement of goods and services including both technical and nontechnical goods and services, printing, and construction.

(d) "County board" or "board" has the meaning given in section 375.01.

(e) "County purchasing department" has the meaning given in section 375.72.

(f) "Director of purchasing" has the meaning given in section 375.74.

(g) "Subcontractor" means a business entity that enters into a legally binding agreement with another business entity that is a party to a contract as defined in paragraph (c).

(h) "Veteran" has the meaning given in section 197.447.

(i) "Veteran-owned small business" means a business designated under section 16C.16, subdivision 6a.

Subd. 2. **Policy; purpose; director.** (a) A county board may establish a program within the county in accordance with this section to provide a bid preference for awarding contracts to designated veteran-owned small businesses for the procurement of technical and nontechnical goods and services including, but not limited to, printing and construction, broadly defined to include all phases of the construction process.

(b) The purpose of this program is to facilitate the transition of veterans from military to civilian life, and to help compensate veterans for their sacrifices including, but not limited to, their sacrifice of health and time to the community, state, and nation during their military service, as well as to enhance economic development throughout Minnesota.

(c) The county board may direct the county director of purchasing, or other designated official within the county purchasing department, to administer this program in accordance with county policy established by the board.

Subd. 3. **Small business set-asides.** (a) The county director of purchasing may award up to a six percent preference in the amount bid for procurement of goods and services including, but not limited to, technical and nontechnical goods and services, printing, and construction to veteran-owned small businesses having their principal place of business in Minnesota.

(b) The board, as a condition of awarding a construction contract, may set goals that require the prime contractor to subcontract a portion of the contract to veteran-owned small businesses. The board must establish a procedure for granting waivers from the subcontracting requirement when

qualified veteran-owned small businesses are not reasonably available. The board may establish financial incentives for prime contractors who exceed the goals for use of veteran-owned small business subcontractors and financial penalties for prime contractors who fail to meet goals under this paragraph. The subcontracting requirements of this paragraph do not apply to prime contractors who are veteran-owned small businesses.

Subd. 4. **Awards to small businesses.** At least 75 percent of subcontracts awarded to veteran-owned small businesses must be performed by the business to which the subcontract is awarded or another veteran-owned small business.

Subd. 5. **Awards, limitations.** Contracts awarded under this section are subject to all limitations adopted by the board.

Subd. 6. **Recourse to other businesses.** If the director is unable to award a contract under subdivisions 3 and 4, the award may be placed under normal solicitation and award statutes and rules.

Subd. 7. **Noncompetitive bids.** The board is encouraged to purchase from veteran-owned small businesses designated under section 16C.16, subdivision 6a, when making purchases that are not subject to competitive bidding procedures.

Subd. 8. **Report to board.** The county treasurer shall report to the board on compliance with this section. The information must be reported at the time and in the manner requested by the board.

**EFFECTIVE DATE.** This section is effective July 1, 2012, for contracts awarded by counties on or after that date."

Delete the title and insert:

"A bill for an act relating to veterans; changing the small business set-aside program for veteran-owned small businesses; authorizing county set-aside programs for veteran-owned small businesses; changing the award to veteran-owned businesses in state procurement biddings; adding veterans to special emphasis in state job recruitment; increasing credits for veterans in examination ratings in hiring; providing civil actions; amending Minnesota Statutes 2010, sections 1.05, by adding a subdivision; 16C.16, subdivision 6a; 43A.09; 161.321, subdivisions 2, 5, by adding subdivisions; 197.455, subdivisions 4, 5; proposing coding for new law in Minnesota Statutes, chapter 375."

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

**Senator Michel from the Committee on Jobs and Economic Growth, to which was referred**

**S.F. No. 1631:** A bill for an act relating to job creation; imposing a temporary moratorium on state agency rulemaking.

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

Delete everything after the enacting clause and insert:

"Section 1. **RULEMAKING MORATORIUM.**

(a) It is the intent of the legislature in enacting this section to provide for a stable and predictable regulatory environment for businesses in this state by instituting a temporary rulemaking moratorium.

(b) For purposes of this section, "agency" has the meaning given in Minnesota Statutes, section 14.02, subdivision 2.

(c) No agency shall conduct rulemaking or adopt rules for the two-year period beginning July 1, 2012, and ending June 30, 2014, except under:

(1) the good cause exemption in Minnesota Statutes, section 14.388, subdivision 1, including clause (1) relating to a serious and immediate threat to the public health, safety, or welfare; clause (2) relating to compliance with a court order or a requirement in federal law; clause (3) relating to incorporation of specific changes set forth in statute; and clause (4) relating to changes that do not alter the sense, meaning, or effect of a rule; or

(2) the process for repealing obsolete rules in Minnesota Statutes, section 14.3895.

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

And when so amended the bill do pass and be re-referred to the Committee on State Government Innovation and Veterans. Amendments adopted. Report adopted.

**Senator Olson from the Committee on Education, to which was referred**

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

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

Page 1, line 14, delete "but must"

Page 1, delete line 15

Page 1, line 16, delete everything before the period and insert "but may only proceed to finally adopt revised and realigned academic standards and graduation requirements in rule after legislation is enacted directing the commissioner to adopt the academic standards or graduation requirements in rule"

And when so amended the bill do pass and be re-referred to the Committee on State Government Innovation and Veterans. Amendments adopted. Report adopted.

**Senator Olson from the Committee on Education, to which was re-referred**

**S.F. No. 1073:** A bill for an act relating to education; proposing a transitions plan for high school students to successfully pursue postsecondary education and employment; appropriating money; amending Minnesota Statutes 2010, section 120B.125.

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

**Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1620:** A bill for an act relating to eminent domain; providing for a hearing before an administrative law judge on the amount or denial of eligibility for relocation assistance; amending Minnesota Statutes 2010, section 117.52, subdivision 4.

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

**Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1371:** A bill for an act relating to public safety; authorizing law enforcement agencies to sell forfeited firearms at auction to federally licensed firearms dealers; amending Minnesota Statutes 2010, section 609.5316, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2010, section 609.5316, subdivision 1, is amended to read:

Subdivision 1. **Contraband.** Except as otherwise provided in this subdivision, if the property is contraband, the property must be summarily forfeited and either destroyed or used by the appropriate agency for law enforcement purposes. Upon summary forfeiture, weapons used must be destroyed by the appropriate agency unless the agency decides to use the weapons for law enforcement purposes or sell the weapons in a commercially reasonable manner to federally licensed firearms dealers, as defined in section 624.7161, subdivision 1. If a weapon is sold under this subdivision, the proceeds must be distributed under section 609.5315, subdivision 5 or 5b."

Amend the title as follows:

Page 1, line 3, delete "at auction"

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

**Senator Limmer from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1123:** A bill for an act relating to public safety; including unlawful possession of a firearm by a minor for purposes of orders to enjoin gang activity; amending Minnesota Statutes 2010, section 617.91, subdivision 4.

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

**Senator Gimse from the Committee on Transportation, to which was referred**

**S.F. No. 1687:** A bill for an act relating to transportation; motor carriers; prohibiting indemnity provisions in motor carrier contracts; proposing coding for new law in Minnesota Statutes, chapter 221.



Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Commerce and Consumer Protection. Report adopted.

**Senator Fischbach from the Committee on Higher Education, to which was referred the following appointment:**

MINNESOTA OFFICE OF HIGHER EDUCATION  
DIRECTOR  
Lawrence J. Pogemiller

Reports the same back with the recommendation that the appointment be confirmed.

Senator Senjem moved that the forgoing committee report be laid on the table. The motion prevailed.

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 1600, 1527, 1492, 1073, 1620, 1371 and 1123 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. No. 1467 was read the second time.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

#### **Senators Rest, Latz and Pappas introduced—**

**S.F. No. 1781:** A bill for an act relating to higher education; graduate family medicine education programs; appropriating money; amending Laws 2011, First Special Session chapter 5, article 1, section 5, subdivision 5.

Referred to the Committee on Higher Education.

#### **Senators Reinert, Bakk and Lourey introduced—**

**S.F. No. 1782:** A bill for an act relating to capital investment; appropriating money for construction of water facilities; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

#### **Senators Thompson, Newman, Latz, Ingebrigtsen and Hall introduced—**

**S.F. No. 1783:** A bill for an act relating to public safety; providing enhanced penalties for causing the death of or assaulting a prosecuting attorney; amending Minnesota Statutes 2010, sections 609.185; 609.221, subdivision 2; 609.2231, subdivision 3.

Referred to the Committee on Judiciary and Public Safety.

**Senator Langseth introduced—**

**S.F. No. 1784:** A bill for an act relating to liquor; allowing an on-sale license for the Bluestem Center for the Arts.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Eaton, Rest and Dibble introduced—**

**S.F. No. 1785:** A bill for an act relating to capital investment; appropriating money for the Bottineau Boulevard Transit Way corridor; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Hoffman introduced—**

**S.F. No. 1786:** A bill for an act relating to capital investment; appropriating money for agriculture reconfiguration and main building renovation at Central Lakes College, Staples; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Kelash, Skoe, Saxhaug and Higgins introduced—**

**S.F. No. 1787:** A bill for an act relating to natural resources; appropriating money for an Aquatic Invasive Species Cooperative Research Center; proposing coding for new law in Minnesota Statutes, chapter 84D.

Referred to the Committee on Environment and Natural Resources.

**Senators Howe, Rosen and Magnus introduced—**

**S.F. No. 1788:** A bill for an act relating to utilities; requiring a study for the purpose of reducing regulatory burdens.

Referred to the Committee on Energy, Utilities and Telecommunications.

**Senators Hann, Hoffman, Newman, Fischbach and Hall introduced—**

**S.F. No. 1789:** A bill for an act relating to finance; repealing statutory appropriations of federal funds; appropriating certain federal funds received for emergency management purposes; amending Minnesota Statutes 2010, sections 4.07, subdivision 3; 12.22, subdivision 1; 116.03, subdivision 3; 116J.035, subdivisions 1, 6; 136A.06; repealing Minnesota Statutes 2010, section 3.3005.

Referred to the Committee on Finance.

**Senator Hoffman introduced—**

**S.F. No. 1790:** A bill for an act relating to taxation; property; rotation of assessors; amending Minnesota Statutes 2010, section 273.08.

Referred to the Committee on Taxes.

**Senators DeKruif, Rest and Gazelka introduced—**

**S.F. No. 1791:** A bill for an act relating to public safety; vehicle titles; clarifying requirements pertaining to bonds and issuance of title; amending Minnesota Statutes 2010, sections 168A.07, by adding a subdivision; 168A.20, subdivision 5.

Referred to the Committee on Transportation.

**Senators Hoffman and Dahms introduced—**

**S.F. No. 1792:** A bill for an act relating to highways; removing certain legislative routes from the trunk highway system.

Referred to the Committee on Transportation.

**Senators Dahms, Sparks, Rest and Gerlach introduced—**

**S.F. No. 1793:** A bill for an act relating to insurance; modifying the definition of a health plan company; proposing coding for new law in Minnesota Statutes, chapter 645.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Miller, Parry, Carlson, Reinert and Howe introduced—**

**S.F. No. 1794:** A bill for an act relating to taxation; income; military service credit; eliminating income-based reduction; amending Minnesota Statutes 2010, section 290.0677, subdivision 1a.

Referred to the Committee on Taxes.

**Senators Dahms, Ingebrigtsen, Miller, Kelash and Langseth introduced—**

**S.F. No. 1795:** A bill for an act relating to capital investment; appropriating money for RIM reserve; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Pappas, Bonoff and Goodwin introduced—**

**S.F. No. 1796:** A bill for an act relating to government operations; requiring a study of the feasibility of consolidating counties and rationalizing other internal boundaries; appropriating money.

Referred to the Committee on Local Government and Elections.

**Senator Hoffman introduced—**

**S.F. No. 1797:** A bill for an act relating to human services; modifying dental coverage for certain medical assistance enrollees; amending Minnesota Statutes 2010, section 256B.0625, subdivision 9.

Referred to the Committee on Health and Human Services.

**Senator Hoffman introduced—**

**S.F. No. 1798:** A bill for an act relating to public safety; firearms; authorizing federally licensed firearms manufacturers to possess federally registered firearm silencers for the purpose of testing firearms manufactured for police and military agencies; amending Minnesota Statutes 2010, section 609.66, subdivision 2.

Referred to the Committee on Judiciary and Public Safety.

**Senators Tomassoni, Saxhaug and Fischbach introduced—**

**S.F. No. 1799:** A bill for an act relating to higher education; directing a portion of the permanent university fund for a mining engineering program and forestry research; amending Minnesota Statutes 2010, section 137.022, subdivision 4, by adding a subdivision.

Referred to the Committee on Higher Education.

**Senators Pappas, McGuire and Dibble introduced—**

**S.F. No. 1800:** A bill for an act relating to energy; requiring an expenditure from the renewable development account to the University of Minnesota; amending Minnesota Statutes 2011 Supplement, section 116C.779, subdivision 3.

Referred to the Committee on Energy, Utilities and Telecommunications.

**Senators Benson, Brown and Hoffman introduced—**

**S.F. No. 1801:** A bill for an act relating to human services; requiring testing for controlled substances in the Minnesota family investment program; proposing coding for new law in Minnesota Statutes, chapter 256J.

Referred to the Committee on Health and Human Services.

**Senators Metzen and Sieben introduced—**

**S.F. No. 1802:** A bill for an act relating to capital investment; appropriating money for the extension of the floodwall in the city of South St. Paul; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Tomassoni, Saxhaug and Langseth introduced–**

**S.F. No. 1803:** A bill for an act relating to capital investment; appropriating money for capital improvements at the Range Regional Airport terminal; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Hann introduced–**

**S.F. No. 1804:** A bill for an act relating to state government; making changes to health and human services policy provisions; modifying provisions related to continuing care, the telephone equipment program, chemical and mental health, and health care; reforming comprehensive assessment and case management services; amending Minnesota Statutes 2010, sections 237.50; 237.51; 237.52; 237.53; 237.54; 237.55; 237.56; 245.461, by adding a subdivision; 245.462, subdivision 20; 245.487, by adding a subdivision; 245.4871, subdivision 15; 245.4932, subdivision 1; 245A.11, subdivision 2a; 246.53, by adding a subdivision; 256.9657, subdivision 1; 256B.04, subdivision 14; 256B.056, subdivision 3c; 256B.0595, subdivision 2; 256B.0625, subdivisions 13, 13d, 42; 256B.0659, subdivisions 1, 2, 3a, 4; 256B.0911, subdivisions 1, 2b, 2c, 3, 3b, 4c, 6; 256B.0913, subdivisions 7, 8; 256B.0915, subdivisions 1a, 1b, 3c, 6; 256B.092, subdivisions 1, 1a, 1b, 1e, 1g, 2, 3, 5, 7, 8, 8a, 9, 11; 256B.19, subdivision 1c; 256B.441, subdivisions 13, 31, 53; 256B.49, subdivision 13; 256B.69, subdivision 5; 256F.13, subdivision 1; 256G.02, subdivision 6; 256L.05, subdivision 3; 514.982, subdivision 1; Minnesota Statutes 2011 Supplement, sections 125A.21, subdivision 7; 144A.071, subdivisions 3, 4a; 254B.04, subdivision 2a; 256B.056, subdivision 3; 256B.057, subdivision 9; 256B.0625, subdivisions 13e, 13h, 14; 256B.0631, subdivisions 1, 2; 256B.0911, subdivisions 1a, 3a, 4a; 256B.0915, subdivision 10; 256B.49, subdivisions 14, 15; 256B.69, subdivisions 5a, 28; 256L.15, subdivision 1; 626.557, subdivision 9; repealing Minnesota Statutes 2010, sections 256.01, subdivision 18b; 256B.431, subdivisions 2c, 2g, 2i, 2j, 2k, 2l, 2o, 3c, 11, 14, 17b, 17f, 19, 20, 25, 27, 29; 256B.434, subdivisions 4a, 4b, 4c, 4d, 4e, 4g, 4h, 7, 8; 256B.435; 256B.436; Minnesota Statutes 2011 Supplement, section 256B.431, subdivision 26; Minnesota Rules, part 9555.7700.

Referred to the Committee on Health and Human Services.

**Senators Kubly, Langseth, Stumpf, Lourey and Skoe introduced–**

**S.F. No. 1805:** A bill for an act relating to capital investment; appropriating money for economic development; establishing the transportation economic development program; authorizing the sale and issuance of state bonds; proposing coding for new law in Minnesota Statutes, chapter 116J.

Referred to the Committee on Capital Investment.

**Senators Chamberlain and Rest introduced–**

**S.F. No. 1806:** A bill for an act relating to debt management and debt settlement; clarifying exemption for attorneys at law; amending Minnesota Statutes 2010, sections 332A.02, subdivision 8; 332B.02, subdivision 13.

Referred to the Committee on Judiciary and Public Safety.

**Senators Miller, DeKruif, Sparks, Magnus and Nelson introduced–**

**S.F. No. 1807:** A bill for an act relating to transportation; changing requirements for USDOT number on farm trucks; amending Minnesota Statutes 2010, section 168.185.

Referred to the Committee on Transportation.

**Senator Rosen introduced–**

**S.F. No. 1808:** A bill for an act relating to retirement; correctional state employees retirement plan of the Minnesota State Retirement System; implementation of coverage changes recommended by the commissioner of human services; amending Minnesota Statutes 2010, section 352.91, subdivisions 3c, 3d, 3f.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Hann, Sheran, Hayden, Benson and Higgins introduced–**

**S.F. No. 1809:** A bill for an act relating to health; removing requirements for implementation of evidence-based strategies as part of hospital community benefit programs and health maintenance organizations collaboration plans; amending Laws 2011, First Special Session chapter 9, article 10, section 4, subdivision 2.

Referred to the Committee on Health and Human Services.

**Senators Marty, Goodwin, Kubly and Latz introduced–**

**S.F. No. 1810:** A bill for an act relating to solid waste; amending process for cities to implement organized collection of solid waste; amending Minnesota Statutes 2010, section 115A.94, subdivisions 2, 5, by adding subdivisions; repealing Minnesota Statutes 2010, section 115A.94, subdivision 4.

Referred to the Committee on Environment and Natural Resources.

**Senators Nienow, Hall, Rosen and Sheran introduced–**

**S.F. No. 1811:** A bill for an act relating to health; requiring accreditation of advanced diagnostic imaging services operating in the state; proposing coding for new law in Minnesota Statutes, chapter 144.

Referred to the Committee on Health and Human Services.

**Senator Parry introduced–**

**S.F. No. 1812:** A bill for an act relating to the military; providing an exemption of the motor vehicle sales tax on a portion of the value of a motor vehicle purchased abroad during military service outside the United States; amending Minnesota Statutes 2011 Supplement, section 297B.03.

Referred to the Committee on State Government Innovation and Veterans.

**Senator Parry introduced—**

**S.F. No. 1813:** A bill for an act relating to capital investment; appropriating money for the Steele County Highway Operations Complex; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Parry introduced—**

**S.F. No. 1814:** A bill for an act relating to veterans; honor guard stipends; amending Minnesota Statutes 2010, section 197.231.

Referred to the Committee on State Government Innovation and Veterans.

**Senators Brown, Benson, Sparks and Rosen introduced—**

**S.F. No. 1815:** A bill for an act relating to energy; utilities; establishing rights for incumbent electric transmission owners; establishing commission procedures; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Energy, Utilities and Telecommunications.

**Senators Tomassoni, McGuire, Dzedzic, Dibble and Marty introduced—**

**S.F. No. 1816:** A bill for an act relating to elections; right to be absent from work to vote; expanding eligible elections; amending Minnesota Statutes 2010, section 204C.04, subdivision 2.

Referred to the Committee on Local Government and Elections.

**Senators Tomassoni, Bakk and Langseth introduced—**

**S.F. No. 1817:** A bill for an act relating to capital improvements; authorizing the use of state appropriations for renewable solar energy; proposing coding for new law in Minnesota Statutes, chapter 16B.

Referred to the Committee on Capital Investment.

**Senators Tomassoni, Bakk, Sparks and Langseth introduced—**

**S.F. No. 1818:** A bill for an act relating to capital improvements; appropriating money for renewable solar energy systems; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Tomassoni, Bakk and Ingebrigtsen introduced—**

**S.F. No. 1819:** A bill for an act relating to game and fish; modifying trespass provisions; amending Minnesota Statutes 2010, section 97B.001, subdivision 7.

Referred to the Committee on Environment and Natural Resources.

**Senators Tomassoni, Bakk and Saxhaug introduced—**

**S.F. No. 1820:** A bill for an act relating to game and fish; modifying requirements to tend snares; amending Minnesota Statutes 2010, section 97B.931, subdivision 2.

Referred to the Committee on Environment and Natural Resources.

**Senator Kruse introduced—**

**S.F. No. 1821:** A bill for an act relating to education; creating innovation schools and zones; amending certain employment provisions; amending Minnesota Statutes 2010, sections 126C.10, by adding a subdivision; 179A.03, by adding a subdivision; 179A.13, subdivision 1; Minnesota Statutes 2011 Supplement, section 126C.10, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 123B; 179A.

Referred to the Committee on Education.

**Senators Saxhaug and Tomassoni introduced—**

**S.F. No. 1822:** A bill for an act relating to capital investment; appropriating money for capital improvements at Itasca Community College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Higgins introduced—**

**S.F. No. 1823:** A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and for other improvements of a capital nature with certain conditions; establishing programs; authorizing the sale and issuance of state bonds; modifying previous appropriations; authorizing Cook County to form a district for the construction of water facilities and provision of water service; authorizing the commissioner of natural resources to make certain acquisitions of land or interests in land; appropriating money; amending Minnesota Statutes 2010, section 462A.21, by adding a subdivision; Laws 2006, chapter 258, section 7, subdivision 23, as amended; Laws 2008, chapter 179, sections 7, subdivision 27, as amended; 17, subdivision 4; 19, subdivision 4, as amended; 21, subdivision 15; Laws 2009, chapter 93, article 1, section 12, subdivision 2; Laws 2010, chapter 189, sections 7, subdivision 12; 18, subdivision 5; 24, subdivision 3; Laws 2011, First Special Session chapter 12, sections 3, subdivisions 7, 8; 14, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 116J; 462A; repealing Minnesota Rules, part 8895.0700, subpart 1.

Referred to the Committee on Capital Investment.

**Senators Nienow, Marty, Eaton and Hall introduced—**

**S.F. No. 1824:** A bill for an act relating to health; requiring certain changes in managed care plan financial reporting; requiring an annual independent third-party audit; amending Minnesota Statutes 2011 Supplement, section 256B.69, subdivision 9c.

Referred to the Committee on Health and Human Services.



**Senator Nienow introduced—**

**S.F. No. 1825:** A bill for an act relating to public safety; allowing convictions under the original criminal vehicular operation law to enhance certain DWI offenses; correcting a legislative oversight; amending Minnesota Statutes 2010, sections 169A.03, subdivisions 20, 21; 169A.24, subdivision 1.

Referred to the Committee on Judiciary and Public Safety.

**Senators McGuire, Torres Ray, Saxhaug, Sparks and Dzedzic introduced—**

**S.F. No. 1826:** A bill for an act relating to human services; establishing the Child Care Affordability Act; modifying child care assistance programs; appropriating money; amending Minnesota Statutes 2010, sections 119B.02, subdivisions 1, 2; 119B.03, subdivision 9; 119B.035, subdivision 1; 119B.05, subdivisions 1, 5; 119B.08, subdivision 3; 119B.09, subdivisions 1, 4a; 119B.11, subdivision 1; 119B.231, subdivision 5; 256.017, subdivision 9; Minnesota Statutes 2011 Supplement, section 119B.13, subdivision 1; repealing Minnesota Statutes 2010, sections 119B.011, subdivision 20a; 119B.03, subdivisions 1, 2, 4, 5, 6, 6a, 6b, 8; 119B.09, subdivision 3.

Referred to the Committee on Health and Human Services.

**Senators Latz and Rest introduced—**

**S.F. No. 1827:** A bill for an act relating to capital investment; appropriating money for the Perpich Center for Arts Education; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Higgins introduced—**

**S.F. No. 1828:** A bill for an act relating to game and fish; prohibiting use of lead shot to take wolves; amending Minnesota Statutes 2010, section 97B.031, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources.

**Senators Robling and Hoffman introduced—**

**S.F. No. 1829:** A bill for an act relating to taxation; modifying property tax statements and notices; amending Minnesota Statutes 2010, section 275.065, subdivision 3; Minnesota Statutes 2011 Supplement, section 276.04, subdivision 2.

Referred to the Committee on Taxes.

**MOTIONS AND RESOLUTIONS**

Senator Pappas moved that the name of Senator Marty be added as a co-author to S.F. No. 665. The motion prevailed.

Senator Sheran moved that the name of Senator Marty be added as a co-author to S.F. No. 726. The motion prevailed.

Senator Harrington moved that his name be stricken as a co-author to S.F. No. 1371. The motion prevailed.

Senator Bakk moved that the name of Senator McGuire be added as a co-author to S.F. No. 1477. The motion prevailed.

Senator Goodwin moved that the name of Senator McGuire be added as a co-author to S.F. No. 1617. The motion prevailed.

Senator Jungbauer moved that the name of Senator Miller be added as a co-author to S.F. No. 1700. The motion prevailed.

Senator Goodwin moved that the name of Senator McGuire be added as a co-author to S.F. No. 1728. The motion prevailed.

Senator Marty moved that the name of Senator McGuire be added as a co-author to S.F. No. 1746. The motion prevailed.

Senator Michel moved that the name of Senator Wiger be added as a co-author to S.F. No. 1774. The motion prevailed.

**Senator Reinert introduced –**

**Senate Resolution No. 127:** A Senate resolution recognizing students during National Student Employment Week.

Referred to the Committee on Rules and Administration.

**Senator Gimse introduced –**

**Senate Resolution No. 128:** A Senate resolution recognizing the Willmar Lakes Area Chamber of Commerce on being named Outstanding Chamber of Commerce.

Referred to the Committee on Rules and Administration.

Senator Senjem moved that House Concurrent Resolution No. 5 be taken from the table. The motion prevailed.

**House Concurrent Resolution No. 5:** A House concurrent resolution adopting deadlines for the 2012 regular session.

BE IT RESOLVED, by the House of Representatives of the State of Minnesota, the Senate concurring:

In accordance with Joint Rule 2.03, as modified by this resolution, the deadlines in this resolution apply to the 2012 regular session.

(1) The first deadline, Friday, March 16, 2012, at 11:59 p.m., is for committees to act favorably on bills in the house of origin.

(2) The second deadline, Friday, March 23, 2012, at 11:59 p.m., is for committees to act favorably on bills, or companions of bills, that met the first deadline in the other house.

(3) The third deadline, Friday, March 30, 2012, at 5:00 p.m., is for committees with jurisdiction over omnibus appropriation bills to act favorably on the bills in the house of origin and refer them to the Committee on Ways and Means for house bills and the Committee on Finance for senate bills.

When a committee in either house acts favorably on a bill after a deadline established in this resolution, the bill must be referred in the House of Representatives to the Committee on Rules and Legislative Administration or in the Senate to the Committee on Rules and Administration for disposition. Either rules committee, when reporting a bill referred to the committee in accordance with Joint Rule 2.03 and this resolution, may waive the application of the rule and resolution to subsequent actions on that bill by other committees.

Senator Senjem moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

Senator Skoe moved that S.F. No. 1768 be withdrawn from the Committee on Taxes and re-referred to the Committee on Jobs and Economic Growth. The motion prevailed.

Remaining on the Order of Business of Motions and Resolutions, Senator Senjem 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 Fischbach in the chair.

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

S.F. No. 576 and H.F. No. 392, which the committee recommends to pass.

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

### **MEMBERS EXCUSED**

Senators Benson, Cohen, Gazelka, Pappas and Tomassoni were excused from the Session of today.

### **ADJOURNMENT**

Senator Senjem moved that the Senate do now adjourn until 6:30 p.m., Wednesday, February 15, 2012. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

