

STATE OF MINNESOTA

# Journal of the Senate

NINETIETH LEGISLATURE

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THIRTY-SIXTH DAY

St. Paul, Minnesota, Wednesday, March 29, 2017

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

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Pastor Mike Smith.

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:

Abeler	Dziedzic	Ingebrigtsen	Lourey	Schoen
Anderson, B.	Eaton	Isaacson	Marty	Senjem
Anderson, P.	Eichorn	Jasinski	Mathews	Simonson
Bakk	Eken	Jensen	Miller	Sparks
Benson	Fischbach	Johnson	Nelson	Tomassoni
Carlson	Franzen	Kent	Newman	Torres Ray
Chamberlain	Frentz	Kiffmeyer	Newton	Utke
Champion	Gazelka	Klein	Osmek	Weber
Clausen	Goggin	Koran	Pappas	Westrom
Cohen	Hall	Laine	Pratt	Wiger
Cwudzinski	Hawj	Lang	Relph	Wicklund
Dahms	Hayden	Latz	Rest	
Dibble	Hoffman	Limmer	Rosen	
Draheim	Housley	Little	Ruud	

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 adoption by the House of the following Senate Concurrent Resolution, herewith returned:

**Senate Concurrent Resolution No. 7:** A Senate concurrent resolution relating to adjournment for more than three days.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 28, 2017

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 662.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 28, 2017

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. 218:** A bill for an act relating to transportation; prohibiting road authorities from establishing certain requirements and permits that govern mowing.

Senate File No. 218 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 28, 2017

Senator Dahmns moved that S.F. No. 218 be laid on the table. The motion prevailed.

### REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Report at the Desk be now adopted. The motion prevailed.

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

**H.F. No. 837** 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.
837	821				

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.

**SECOND READING OF HOUSE BILLS**

H.F. No. 837 was read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senator Klein introduced--**

**S.F. No. 2267:** A bill for an act relating to taxation; local government aid; providing a onetime adjustment for a city; amending Minnesota Statutes 2016, section 477A.013, subdivision 13.

Referred to the Committee on Taxes.

**Senators Pappas, Abeler, Eaton, Hayden, and Marty introduced--**

**S.F. No. 2268:** A bill for an act relating to commerce; requiring disclosure of cosmetic fragrance ingredients; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**Senator Pappas introduced--**

**S.F. No. 2269:** A bill for an act relating to public safety; appropriating money for the community crime prevention program grants.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

**Senator Pappas introduced--**

**S.F. No. 2270:** A bill for an act relating to workforce development; establishing a grant program to support career development; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 116L; 136A.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

**Senators Tomassoni and Wiger introduced--**

**S.F. No. 2271:** A bill for an act relating to education finance; creating an additional component of general education revenue to mitigate the postsecondary enrollment options program's impact on high schools; amending Minnesota Statutes 2016, sections 124E.20, subdivision 1; 126C.05, by adding a subdivision; 126C.10, subdivision 1, by adding a subdivision.

Referred to the Committee on E-12 Finance.

**Senator Wiger introduced--**

**S.F. No. 2272:** A bill for an act relating to education; appropriating money for the Minnesota math corps program.

Referred to the Committee on E-12 Finance.

**Senators Relph, Eken, Koran, Lang, and Abeler introduced--**

**S.F. No. 2273:** A bill for an act relating to human services; appropriating money for an assessment of advanced in-home activity-monitoring systems.

Referred to the Committee on Health and Human Services Finance and Policy.

**Senators Rest, Abeler, Marty, and Champion introduced--**

**S.F. No. 2274:** A bill for an act relating to commerce; requiring labeling of cleaning product ingredients; proposing coding for new law in Minnesota Statutes, chapter 325E.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

**MOTIONS AND RESOLUTIONS**

Senator Johnson moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Ingebrigtsen be shown as chief author to S.F. No. 844. The motion prevailed.

Senator Pratt moved that the name of Senator Sparks be added as a co-author to S.F. No. 1069. The motion prevailed.

Senator Eaton moved that the name of Senator Marty be added as a co-author to S.F. No. 1850. The motion prevailed.

Senator Ruud moved that the name of Senator Little be added as a co-author to S.F. No. 2032. The motion prevailed.

Senator Hayden moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 2262. The motion prevailed.

Senator Hoffman moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 2264. The motion prevailed.

Senator Senjem moved that the name of Senator Dziejdzic be added as a co-author to S.F. No. 2266. The motion prevailed.

**Senator Johnson introduced --**

**Senate Resolution No. 68:** A Senate resolution congratulating the Roseau High School girls basketball team on winning the 2017 State High School Class 2A girls basketball championship.

Referred to the Committee on Rules and Administration.

### RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

### CALL OF THE SENATE

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

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House, First Reading of House Bills, and Reports of Committees.

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 151.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned March 29, 2017

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 474 and 792.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 29, 2017

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 474:** A bill for an act relating to health occupations; authorizing criminal background checks by the Board of Medical Practice; exempting certain physicians from criminal background checks under the Interstate Medical Licensure Compact; amending Minnesota Statutes 2016, section 147.381.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 300, now on the Consent Calendar.

**H.F. No. 792:** A bill for an act relating to construction codes; requiring the commissioner to amend rules relating to fire sprinklers.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 578, now on General Orders.

### RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

### REPORTS OF COMMITTEES

Senator Gazelka moved that the Committee Report at the Desk be now adopted. The motion prevailed.

#### **Senator Chamberlain from the Committee on Taxes, to which was re-referred**

**S.F. No. 718:** A bill for an act relating to early childhood through grade 12 education; providing for general education; education excellence; teachers; special education; facilities and technology; nutrition; libraries; early childhood and family support; community education and prevention; self-sufficiency and lifelong learning; state agencies and forecast adjustments; appropriating money; rulemaking; amending Minnesota Statutes 2016, sections 120A.41; 120B.021, subdivisions 1, 3; 120B.022, subdivision 1b; 120B.12; 120B.125; 120B.132; 120B.30, subdivisions 1, 1a; 120B.31, subdivision 4, by adding a subdivision; 120B.35, subdivision 3; 120B.363, subdivision 1; 121A.22, subdivision 2; 121A.221; 122A.06, subdivisions 2, 3; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10, by adding a subdivision; 122A.17; 122A.18, subdivisions 1, 2, 2b, 3, 3a, 7a, 7c, 8; 122A.19; 122A.20, subdivisions 1, 2; 122A.21, subdivision 2; 122A.22; 122A.23, subdivision 3; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 122A.414, subdivision 2; 122A.415, subdivision 4; 122A.70, subdivision 1; 123A.73, subdivision 2; 123B.41, subdivisions 2, 5a; 123B.52, subdivision 1, by adding a subdivision; 123B.92, subdivision 1; 124D.09, subdivisions 3, 5, 10, 13, by adding a subdivision; 124D.13, subdivision 11; 124D.151, subdivision 2; 124D.165, subdivisions 1, 2, 3; 124D.19, by adding a subdivision; 124D.20, subdivision 8; 124D.454, subdivision 12; 124D.52, subdivision 7; 124D.549; 124D.55; 124D.68, subdivision 2; 124D.695; 124D.75, subdivisions 1, 6; 124D.98, subdivision 1; 124E.03, subdivision 2; 124E.05, subdivisions 4, 7, by adding a subdivision; 124E.06, subdivision 7; 124E.07, subdivisions 3, 4, 7; 124E.10, by adding a subdivision; 124E.11; 124E.17, subdivision 1; 124E.22; 125A.0941; 125A.11, subdivision 1; 125A.21, subdivision 2; 125A.515; 125A.56, subdivision 1; 125A.67, subdivision 2; 125A.74, subdivision 1; 125A.76, subdivision 2c; 126C.05, subdivision 8; 126C.10, subdivisions 2, 3; 126C.17, subdivision 9; 127A.05, subdivision 6; 127A.45, subdivision 10; 134.31, subdivision 2; 136A.1791, subdivision 1; 214.04, subdivision 1; 214.045; 256B.0625, subdivision 26; 256J.08, subdivisions 38, 39; Laws 2015, First Special Session chapter 3, article 1, section 27, subdivisions 2, as amended, 3, 4, as amended, 6, as amended, 7, as amended, 9, as amended; article 2, section 70, subdivisions

2, as amended, 3, as amended, 4, as amended, 5, as amended, 7, as amended, 11, as amended; article 4, section 9, subdivision 2, as amended; article 5, section 30, subdivisions 2, as amended, 3, as amended, 5, as amended, 6; article 6, section 13, subdivisions 2, as amended, 3, as amended; article 7, section 7, subdivisions 2, as amended, 3, as amended, 4, as amended; article 9, section 8, subdivisions 5, as amended, 6, as amended; article 10, section 3, subdivision 2, as amended; article 11, section 3, subdivision 2, as amended; Laws 2016, chapter 189, article 25, section 62, subdivisions 7, 17; article 30, section 25, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 122A; 123B; 124D; repealing Minnesota Statutes 2016, sections 122A.162; 122A.163; 122A.18, subdivisions 4, 4a, 7; 122A.23, subdivisions 1, 2; 122A.245; 122A.25; 123A.73, subdivision 3; 124D.73, subdivision 2; 124E.10, subdivision 5; 125A.75, subdivision 7; 125A.76, subdivision 2b; 129C.10, subdivision 5a; 129C.30; Minnesota Rules, part 3500.3100, subpart 4.

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

### SPECIAL ORDERS

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

S.F. Nos. 1937, 605, and 723.

### SPECIAL ORDER

**S.F. No. 1937:** A bill for an act relating to state government; appropriating money for commerce, energy, labor and industry, and employment and economic development; making policy and technical changes; modifying fees; requiring reports; amending regulation of municipal electric utilities and rural electric cooperatives; modifying the solar energy standard; amending resource planning requirements; establishing a task force; establishing a youth skills training program; modifying water conditioning installation requirements; modifying job creation fund requirements for certain businesses; providing a onetime exception to restrictions on use of Minnesota investment fund repayments; creating the getting to work grant program; amending Minnesota Statutes 2016, sections 45.0135, subdivision 6; 46.131, subdivision 7, by adding a subdivision; 53B.11, subdivision 1; 58.10, subdivision 1; 65B.84, subdivision 1; 80A.65, subdivision 2; 116J.395, subdivision 7; 116J.8731, subdivision 2, by adding a subdivision; 116J.8748, subdivisions 1, 3, 4, 6; 116L.17, subdivision 1; 116L.665; 116M.14, subdivision 4; 116M.17, subdivision 4; 116M.18, subdivisions 1a, 4, 4a, 8; 175.45; 216B.164, subdivisions 5, 9, by adding a subdivision; 216B.1691, subdivision 2f; 216B.1694, subdivision 3; 216B.2422, subdivisions 2, 4; 216B.62, subdivision 3b; 216C.435, by adding a subdivision; 239.101, subdivision 2; 297I.11, subdivision 2; 326B.092, subdivision 7; 326B.153, subdivision 1; 326B.37, by adding subdivisions; 326B.435, subdivision 2; 326B.50, subdivision 3, by adding subdivisions; 326B.55, subdivisions 2, 4; 326B.89, subdivisions 1, 5; Laws 2015, First Special Session chapter 1, article 1, section 5, subdivision 2; Laws 2016, chapter 189, article 7, section 2, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 175; 326B; repealing Minnesota Statutes 2016, sections 46.131, subdivision 5; 326B.89, subdivision 14; Minnesota Rules, parts 4355.0100; 4355.0200; 4355.0300; 4355.0400; 4355.0500.

Senator Benson moved to amend S.F. No. 1937 as follows:

Page 29, delete section 9

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Tomassoni moved to amend S.F. No. 1937 as follows:

Page 75, after line 12, insert:

"Sec. 16. Laws 2015, First Special Session chapter 1, article 1, section 2, subdivision 6, is amended to read:

**Subd. 6. Vocational Rehabilitation**

	Appropriations by Fund	
General	22,611,000	21,611,000
Workforce Development	7,830,000	7,830,000

(a) \$10,800,000 each year is from the general fund for the state's vocational rehabilitation program under Minnesota Statutes, chapter 268A.

(b) \$2,261,000 each year is from the general fund for grants to centers for independent living under Minnesota Statutes, section 268A.11.

(c) \$5,745,000 each year from the general fund and \$6,830,000 each year from the workforce development fund are for extended employment services for persons with severe disabilities under Minnesota Statutes, section 268A.15.

(d) \$250,000 in fiscal year 2016 and \$250,000 in fiscal year 2017 are for rate increases to providers of extended employment services for persons with severe disabilities under Minnesota Statutes, section 268A.15. This appropriation is added to the agency's base.

(e) \$2,555,000 each year is from the general fund for grants to programs that provide employment support services to persons with



mental illness under Minnesota Statutes, sections 268A.13 and 268A.14.

(f) \$1,000,000 each year is from the workforce development fund for grants under Minnesota Statutes, section 268A.16, for employment services for persons, including transition-aged youth, who are deaf, deafblind, or hard-of-hearing. If the amount in the first year is insufficient, the amount in the second year is available in the first year.

(g) \$1,000,000 in fiscal year 2016 is for a grant to Assistive Technology of Minnesota, a statewide nonprofit organization that is exclusively dedicated to the issues of access to and the acquisition of assistive technology. ~~The purpose of the grant is to acquire assistive technology and to work in tandem with individuals using this technology to create career paths~~ Assistive Technology of Minnesota must use the funds to provide low-interest loans to individuals of all ages and types of disabilities to purchase assistive technology and employment-related equipment. This is a onetime appropriation.

(h) For purposes of this subdivision, Minnesota Diversified Industries, Inc. is an eligible provider of services for persons with severe disabilities under Minnesota Statutes, section 268A.15.

**EFFECTIVE DATE.** This section is effective retroactively from July 1, 2015."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend S.F. No. 1937 as follows:

Page 34, delete sections 8 to 10

Pages 35 to 37, delete sections 11 to 14

Page 38, delete section 16

Page 39, delete section 19

Page 41, delete section 1

Page 48, delete section 4

Pages 51 to 56, delete sections 8 to 15

Page 64, delete section 8

Page 65, delete section 9

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Hayden	Little	Schoen
Carlson	Dziedzic	Isaacson	Lourey	Simonson
Champion	Eaton	Kent	Marty	Torres Ray
Clausen	Franzen	Klein	Newton	Wiger
Cohen	Frentz	Laine	Pappas	Wiklund
Cwodzinski	Hawj	Latz	Rest	

Those who voted in the negative were:

Abeler	Eken	Jasinski	Miller	Senjem
Anderson, B.	Fischbach	Jensen	Nelson	Sparks
Anderson, P.	Gazelka	Johnson	Newman	Tomassoni
Benson	Goggin	Kiffmeyer	Osmek	Utke
Chamberlain	Hall	Koran	Pratt	Weber
Dahms	Hoffman	Lang	Relph	Westrom
Draheim	Housley	Limmer	Rosen	
Eichorn	Ingebrigtsen	Mathews	Ruud	

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

Senator Ruud moved to amend S.F. No. 1937 as follows:

Page 2, line 11, delete "25,471,000" and insert "25,691,000" and delete "25,471,000" and insert "25,691,000"

Page 2, line 14, delete "22,809,000" and insert "23,029,000" and delete "22,809,000" and insert "23,029,000"

Page 2, line 32, delete "1,009,000" and insert "1,229,000" and delete "1,009,000" and insert "1,229,000"

Page 3, line 1, before "\$1,610,000" insert "(a)"

Page 3, after line 19, insert:

"(b) \$220,000 each year from the general fund is for costs related to implementation of Minnesota Statutes, section 237.037, for providers of Voice-over-Internet protocol service. This is a onetime appropriation."

Page 29, line 21, delete "7,465,000" and insert "7,565,000" and delete "7,465,000" and insert "7,565,000"

Page 29, after line 21, insert:

"\$100,000 each year from the general fund is for costs related to implementation of Minnesota Statutes, section 237.037, for providers of Voice-over-Internet protocol service. This is a onetime appropriation."

Page 38, after line 25, insert:

"Sec. 17. Minnesota Statutes 2016, section 237.01, is amended by adding a subdivision to read:

Subd. 10. **Voice-over-Internet protocol service.** "Voice-over-Internet protocol service" or "VoIP service" means any service that (1) enables real-time two-way voice communications that originate from or terminate at the user's location in Internet protocol or any successor protocol, and (2) permits users generally to receive calls that originate on the public switched telephone network and terminate calls to the public switched telephone network.

Sec. 18. Minnesota Statutes 2016, section 237.01, is amended by adding a subdivision to read:

Subd. 11. **Internet protocol-enabled service.** "Internet protocol-enabled service" or "IP-enabled service" means any service, capability, functionality, or application provided using Internet protocol, or any successor protocol, that enables an end user to send or receive a communication in Internet protocol format or any successor format, regardless of whether that communication is voice, data, or video.

Sec. 19. **[237.037] VOICE-OVER-INTERNET PROTOCOL SERVICE AND INTERNET PROTOCOL-ENABLED SERVICE.**

Subdivision 1. **Regulation prohibited.** Except as provided in this section, no state agency, including the commission and the Department of Commerce, or political subdivision of this state shall by rule, order, or other means directly or indirectly regulate the entry, rates, terms, quality of service, availability, classification, or any other aspect of VoIP service or IP-enabled service.

Subd. 2. **VoIP regulation.** (a) To the extent permitted by federal law, VoIP service is subject to the requirements of sections 237.49, 237.52, 237.70, and 403.11 with regard to the collection and remittance of the surcharges governed by those sections.

(b) A provider of VoIP service must comply with the requirements of chapter 403 applicable to the provision of access to 911 service by service providers, except to the extent those requirements

conflict with federal requirements for the provision of 911 service by VoIP providers under Code of Federal Regulations, title 47, part 9. A VoIP provider is entitled to the benefit of the limitation of liability provisions of section 403.07, subdivision 5. Beginning June 1, 2017, and continuing each June 1 thereafter, each VoIP provider shall file a plan with the commission describing how it will comply with the requirements of this paragraph. After its initial filing under this paragraph, a VoIP provider shall file with the commission either an update of the plan or a statement certifying that the plan and personnel contact information previously filed is still current.

Subd. 3. **Relation to other law.** Nothing in this section restricts, creates, expands, or otherwise affects or modifies:

(1) the commission's authority under the Federal Communications Act of 1934, United States Code, title 47, sections 251 and 252;

(2) any applicable wholesale tariff or any commission authority related to wholesale services;

(3) any commission jurisdiction over (i) intrastate switched access rates, terms, and conditions, including the implementation of federal law with respect to intercarrier compensation, or (ii) existing commission authority to address or affect the resolution of disputes regarding intercarrier compensation;

(4) the rights of any entity, or the authority of the commission and local government authorities, with respect to the use and regulation of public rights-of-way under sections 237.162 and 237.163;

(5) the establishment or enforcement of standards, requirements or procedures in procurement policies, internal operational policies, or work rules of any state agency or political subdivision of the state relating to the protection of intellectual property; or

(6) the authority of the attorney general to apply and enforce chapters 325C to 325G and 325K to 325M or other laws of general applicability governing consumer protection and trade practices.

Subd. 4. **Exemption.** The following services delivered by IP-enabled service are not regulated under this chapter:

(1) video services provided by a cable communications system, as defined in section 238.02, subdivision 3;

(2) cable service, as defined in United States Code, title 47, section 522, clause (6); or

(3) any other IP-enabled video service.

Subd. 5. **Preservation of existing landline telephone service.** Nothing in this section restricts, creates, expands, or otherwise affects or modifies the obligations of a telephone company under this chapter to offer landline telephone service that is not Voice-over-Internet protocol service.

Sec. 20. Minnesota Statutes 2016, section 237.295, is amended by adding a subdivision to read:

Subd. 2a. **Assessment of costs related to providers of Voice-over-Internet protocol service.** The department and the commission may assess their actual regulatory costs directly related to implementation of section 237.037 with respect to providers of Voice-over-Internet protocol service.

The total amount that may be assessed to all providers of Voice-over-Internet protocol service under this subdivision shall not exceed the lesser of either the department and commission's actual regulatory costs directly related to implementation of this section in calendar years 2019, 2020, and 2021, or \$625,000 in calendar year 2019, \$925,000 in calendar year 2020, and \$1,200,000 in 2021, respectively."

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Miller	Rosen
Anderson, B.	Fischbach	Jensen	Nelson	Ruud
Anderson, P.	Gazelka	Johnson	Newman	Senjem
Bakk	Goggin	Kiffmeyer	Newton	Sparks
Benson	Hall	Koran	Osmek	Tomassoni
Chamberlain	Hoffman	Lang	Pappas	Utke
Dahms	Housley	Limmer	Pratt	Weber
Draheim	Ingebrigtsen	Mathews	Relph	Westrom

Those who voted in the negative were:

Carlson	Dziedzic	Hayden	Little	Torres Ray
Champion	Eaton	Isaacson	Lourey	Wiger
Clausen	Eken	Kent	Marty	Wicklund
Cohen	Franzen	Klein	Rest	
Cwodzinski	Frentz	Laine	Schoen	
Dibble	Hawj	Latz	Simonson	

The motion prevailed. So the amendment was adopted.

Senator Latz moved to amend S.F. No. 1937 as follows:

Page 38, after line 25, insert:

"Sec. 17. [237.417] PERSONAL INFORMATION; PROHIBITION.

No telecommunications or internet service provider that has entered into a franchise agreement, right-of-way agreement, or other contract with the state of Minnesota or a political subdivision, or that uses facilities that are subject to such agreements, even if it is not a party to the agreement, may collect personal information from a customer resulting from the customer's use of the telecommunications or internet service provider without express written approval from the customer. No such telecommunication or internet service provider shall refuse to provide its services to a customer on the grounds that the customer has not approved collection of the customer's personal information.

**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

Pursuant to Rule 7.4, Senator Osmek questioned whether the Latz amendment was in order. The President ruled the amendment was not in order.

Senator Latz appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Miller	Ruud
Anderson, B.	Fischbach	Jensen	Nelson	Senjem
Anderson, P.	Gazelka	Johnson	Newman	Utke
Benson	Goggin	Kiffmeyer	Osmek	Weber
Chamberlain	Hall	Koran	Pratt	Westrom
Dahms	Housley	Lang	Relph	
Draheim	Ingebrigtsen	Mathews	Rosen	

Those who voted in the negative were:

Bakk	Dziedzic	Hoffman	Little	Simonson
Carlson	Eaton	Isaacson	Lourey	Sparks
Champion	Eken	Kent	Marty	Tomassoni
Clausen	Franzen	Klein	Newton	Torres Ray
Cohen	Frentz	Laine	Pappas	Wiger
Cwodzinski	Hawj	Latz	Rest	Wiklund
Dibble	Hayden	Limmer	Schoen	

So the decision of the President was overruled, and the Latz amendment was in order.

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

The roll was called, and there were yeas 66 and nays 1, as follows:

Those who voted in the affirmative were:

Abeler	Dziedzic	Ingebrigtsen	Lourey	Senjem
Anderson, B.	Eaton	Isaacson	Marty	Simonson
Anderson, P.	Eichorn	Jasinski	Mathews	Sparks
Bakk	Eken	Jensen	Miller	Tomassoni
Benson	Fischbach	Johnson	Nelson	Torres Ray
Carlson	Franzen	Kent	Newman	Utke
Chamberlain	Frentz	Kiffmeyer	Newton	Weber
Champion	Gazelka	Klein	Pappas	Westrom
Clausen	Goggin	Koran	Pratt	Wiger
Cohen	Hall	Laine	Relph	Wiklund
Cwodzinski	Hawj	Lang	Rest	
Dahms	Hayden	Latz	Rosen	
Dibble	Hoffman	Limmer	Ruud	
Draheim	Housley	Little	Schoen	

Those who voted in the negative were:

Osmek

The motion prevailed. So the amendment was adopted.

S.F. No. 1937 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 58 and nays 9, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Isaacson	Lourey	Schoen
Anderson, B.	Eichorn	Jasinski	Mathews	Senjem
Anderson, P.	Eken	Jensen	Miller	Simonson
Bakk	Fischbach	Johnson	Nelson	Sparks
Benson	Franzen	Kent	Newman	Tomassoni
Carlson	Frentz	Kiffmeyer	Newton	Utke
Chamberlain	Gazelka	Klein	Osmeck	Weber
Champion	Goggin	Koran	Pratt	Westrom
Clausen	Hall	Lang	Relph	Wiger
Cohen	Hoffman	Latz	Rest	Wiklund
Cwodzinski	Housley	Limmer	Rosen	
Dahms	Ingebrigtsen	Little	Ruud	

Those who voted in the negative were:

Dibble	Eaton	Hayden	Marty	Torres Ray
Dziedzic	Hawj	Laine	Pappas	

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

### SPECIAL ORDER

**S.F. No. 605:** A bill for an act relating to the operation of state government; appropriating money for the legislature, governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, retirement funds; cancellation of certain appropriations; precluding agencies from transferring money to the governor's office for services; constraining the state auditor's use of funds for litigation expenses; requiring the state auditor to reimburse Wright, Becker, and Ramsey Counties for litigation expenses; limiting the state auditor's rates for 2017; requiring legislative approval for certain rules; making an ALJ decision the final decision in contested cases; creating an affirmative defense to certain rule violations; modifying the employee gainsharing program; requiring the Department of Administration to assess agencies for certain services; requiring the Office of MN.IT Services to report its project portfolio to the legislature; limiting severance pay for highly paid civil service employees; permitting state employees to opt out of insurance coverage under SEGIP; limiting public employer compensation under contracts to appropriated amounts; modifying uses for Support Our Troops account; requiring the Department of Veterans Affairs to develop a policy to grant free or reduced-cost burials in state veterans cemeteries to eligible indigent dependents of veterans; providing statutory appropriations to the Racing Commission in the event of a failure to pass a biennial appropriation; raising caps on Mighty Ducks grants; modifying expense calculation for the State Lottery; creating an advisory task force on fiscal notes; setting a deadline for consolidation of state information technology and for use of cloud-based solutions; creating a legislative commission to review consolidation of the state's information technology; establishing requirements for a grandfathered license for eyelash technicians; creating a working group for a rules status system; creating a grant program for election equipment; repealing the state auditor

enterprise fund; repealing the campaign finance public subsidy program; repealing lottery payouts to people under 18; amending Minnesota Statutes 2016, sections 4.46; 6.481, subdivision 6; 6.56, subdivision 2; 6.581, subdivision 4; 14.18, subdivision 1; 14.27; 14.389, subdivision 3; 14.57; 16A.90; 16B.055, subdivision 1; 16B.371; 16B.4805, subdivisions 2, 4; 16E.0466; 43A.17, subdivision 11; 43A.24, by adding a subdivision; 155A.23, subdivisions 10, 15, 16, by adding a subdivision; 155A.29, subdivisions 1, 2; 155A.30, subdivisions 2, 5; 179A.20, by adding a subdivision; 190.19, subdivisions 2, 2a; 197.236, subdivision 9; 240.15, subdivision 6; 240.155, subdivision 1; 240A.09; 349A.08, subdivision 2; 349A.10, subdivision 6; Laws 2016, chapter 127, section 8; proposing coding for new law in Minnesota Statutes, chapters 6; 14; 16A; 240; repealing Minnesota Statutes 2016, sections 6.581, subdivision 1; 10A.30; 10A.31, subdivisions 1, 3, 3a, 4, 5, 5a, 6, 6a, 7, 7a, 10, 10a, 10b, 11; 10A.315; 10A.321; 10A.322, subdivisions 1, 2, 4; 10A.323; 155A.23, subdivision 8; 349A.08, subdivision 3.

Senator Newton moved to amend S.F. No. 605 as follows:

Page 2, after line 33, insert:

"\$8,330,000 in fiscal year 2017 is canceled to the general fund from the house of representatives carryforward account established under Minnesota Statutes, section 16A.281. This is a onetime transfer."

Page 23, line 24, delete the first "57,281,000" and insert "65,548,000"

Page 23, after line 24, insert:

"**Technology Upgrades.** \$8,330,000 the first year is for technology upgrades for veterans homes."

Correct the subdivision and section totals and the appropriations by fund

Senator Lang moved to amend the Newton amendment to S.F. No. 605 as follows:

Page 1, delete lines 2 to 7

### CALL OF THE SENATE

Senator Benson imposed a call of the Senate for the balance of the proceedings on S.F. No. 605. The Sergeant at Arms was instructed to bring in the absent members.

Senator Newton withdrew his amendment.

Senator Marty moved to amend S.F. No. 605 as follows:

Page 25, delete section 1

Pages 26 to 31, delete sections 5 to 12



Pages 32 to 34, delete sections 14 to 18

Pages 36 to 40, delete sections 20 to 29

Pages 42 to 46, delete sections 33 to 39

Pages 47 to 49, delete sections 41 and 42

Pages 50 to 54, delete sections 44 to 49

Page 55, delete section 50

Page 55, delete section 51 and insert:

"Sec. 11. **REPEALER.**

Minnesota Statutes 2016, sections 6.581, subdivision 1; and 155A.23, subdivision 8, are repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 38, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Hayden	Little	Schoen
Carlson	Dziedzic	Isaacson	Lourey	Simonson
Champion	Eaton	Kent	Marty	Torres Ray
Clausen	Franzen	Klein	Newton	Wiger
Cohen	Frentz	Laine	Pappas	Wiklund
Cwodzinski	Hawj	Latz	Rest	

Those who voted in the negative were:

Abeler	Eken	Jasinski	Miller	Senjem
Anderson, B.	Fischbach	Jensen	Nelson	Sparks
Anderson, P.	Gazelka	Johnson	Newman	Tomassoni
Benson	Goggin	Kiffmeyer	Osmek	Utke
Chamberlain	Hall	Koran	Pratt	Weber
Dahms	Hoffman	Lang	Relph	Westrom
Draheim	Housley	Limmer	Rosen	
Eichorn	Ingebrigtsen	Mathews	Ruud	

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

Senator Hoffman moved to amend S.F. No. 605 as follows:

Page 55, after line 12, insert:

"Section 1. Minnesota Statutes 2016, section 201.014, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) Except as provided in subdivision 2, an individual who meets the following requirements at the time of an election is eligible to vote. The individual must:

- (1) be 18 years of age or older;
- (2) be a citizen of the United States; and
- (3) maintain residence in Minnesota for 20 days immediately preceding the election.

(b) Notwithstanding paragraph (a), clause (1), an individual who has not reached 18 years of age but who meets all other eligibility requirements for voting may cast a ballot at a primary election or presidential nomination primary, for purposes of nominating candidates to be voted on at the subsequent general election, if the individual will be 18 years of age or older at the time the general election is held. The ballot provided to an individual authorized to vote under this paragraph must be prepared so that the individual may vote only for the candidates seeking nomination for office and not for any question or proposition."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 36, as follows:

Those who voted in the affirmative were:

Bakk	Eken	Kent	Newton	Torres Ray
Champion	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	
Dziedzic	Hoffman	Lourey	Sparks	
Eaton	Isaacson	Marty	Tomassoni	

Those who voted in the negative were:

Abeler	Draheim	Jasinski	Miller	Senjem
Anderson, B.	Eichorn	Jensen	Nelson	Utke
Anderson, P.	Fischbach	Johnson	Newman	Weber
Benson	Gazelka	Kiffmeyer	Osmek	Westrom
Carlson	Goggin	Koran	Pratt	
Chamberlain	Hall	Lang	Relph	
Clausen	Housley	Limmer	Rosen	
Dahms	Ingebrigtsen	Mathews	Ruud	

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

Senator Newton moved to amend S.F. No. 605 as follows:

Page 2, after line 33, insert:

"\$8,330,000 in fiscal year 2017 is canceled to the general fund from the house of representatives carryforward account established under Minnesota Statutes, section 16A.281. This is a onetime transfer."

Correct the subdivision and section totals and the appropriations by fund

Senator Newton moved to amend the Newton amendment to S.F. No. 605 as follows:

Page 1, after line 7, insert:

"Page 23, line 24, delete the first "57,281,000" and insert "65,548,000"

Page 23, after line 24, insert:

**"Technology Upgrades. \$8,330,000 the first year is for technology upgrades for veterans homes."**

Pursuant to Mason's Manual of Legislative Procedure, Sec. 402, par. 5, Senator Miller questioned whether the Newton amendment to the amendment was germane.

Pursuant to Rule 35.4, the President put the germaneness question to the body.

The question was taken on the germaneness of the Newton amendment to the amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted that the amendment was germane were:

Bakk	Dziedzic	Hoffman	Lourey	Sparks
Carlson	Eaton	Isaacson	Marty	Tomassoni
Champion	Eken	Kent	Newton	Torres Ray
Clausen	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	

Those who voted that the amendment was not germane were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

By a vote of the body, the amendment to the amendment was ruled not germane.

Senator Newton withdrew his first amendment.

Senator Kent moved to amend S.F. No. 605 as follows:

Page 49, after line 8, insert:

**"Sec. 42. LABOR AGREEMENT RATIFIED; MINNESOTA GOVERNMENT ENGINEERING COUNCIL.**

The arbitration award and labor agreement between the state of Minnesota and the Minnesota Government Engineering Council, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on July 28, 2016, and implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, are ratified.

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

**Sec. 43. MEMORANDUMS OF UNDERSTANDING TO COLLECTIVE BARGAINING AGREEMENTS.**

Subdivision 1. **American Federation of State, County, and Municipal Employees, Council 5.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the American Federation of State, County, and Municipal Employees, Council 5, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 2. **American Federation of State, County, and Municipal Employees, Unit 225.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the American Federation of State, County, and Municipal Employees, Unit 225, Radio Communications Operators, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 3. **American Federation of State, County, and Municipal Employees, Unit 8.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the American Federation of State, County, and Municipal Employees, Unit 8, Corrections Officers, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 4. **Minnesota Association of Professional Employees.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the Minnesota Association of Professional Employees, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 5. **Middle Management Association.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the Middle Management Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 6. **Minnesota Nurses Association.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the Minnesota Nurses Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 7. **State Residential Schools Education Association.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the State Residential Schools Education Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 8. **Minnesota Law Enforcement Association.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the Minnesota Law Enforcement Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 9. **Minnesota Government Engineering Council.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the Minnesota Government Engineering Council, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 10. **Minnesota State University Administrative and Service Faculty.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the Minnesota State University Administrative and Service Faculty, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 28, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Subd. 11. **Minnesota State College Faculty.** The memorandum of understanding that provides paid parental leave, entered into between the state of Minnesota and the Minnesota State College Faculty, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 28, 2016, and that was implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, is ratified.

Sec. 44. **AMENDMENTS TO COMPENSATION PLANS.**

Subdivision 1. **Commissioners' Plan amendment.** The amendment to the Commissioners' Plan that provides paid parental leave, as proposed by the state of Minnesota and submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, is ratified.

Subd. 2. **Managerial Plan amendment.** The amendment to the Managerial Plan that provides paid parental leave, as proposed by the state of Minnesota and submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, is ratified.

Subd. 3. **Medical Specialists' Addendum to the Commissioners' Plan amendment.** The amendment to the Medical Specialists' Addendum to the Commissioners' Plan that provides paid parental leave, as proposed by the state of Minnesota and submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, is ratified.

Subd. 4. **Office of Higher Education Unclassified Personnel Compensation Plan amendment.** The amendment to the Office of Higher Education Unclassified Personnel Compensation Plan that

provides paid parental leave, as proposed by the state of Minnesota and submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, is ratified.

Subd. 5. **State Board of Investment Salary Administration Plan amendment.** The amendment to the State Board of Investment Salary Administration Plan that provides paid parental leave, as proposed by the state of Minnesota and submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, is ratified.

Subd. 6. **MNsure Compensation Plan amendment.** The amendment to the MNsure Compensation Plan that provides paid parental leave, as proposed by the state of Minnesota and submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 14, 2016, is ratified.

Subd. 7. **Minnesota State Personnel Plan for Administrators amendment.** The amendment to the Minnesota State Personnel Plan for Administrators that provides paid parental leave, as proposed by the state of Minnesota and submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on October 31, 2016, is ratified.

**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

Pursuant to Rule 7.4, clause (1), Senator Benson questioned whether the Kent amendment was in order. The President ruled the amendment was not in order.

Senator Cohen moved to amend S.F. No. 605 as follows:

Page 2, line 28, delete "32,383,000" and insert "16,191,000" and delete "32,383,000" and insert "16,191,000"

Senator Newton moved to amend the Cohen amendment to S.F. No. 605 as follows:

Page 1, after line 3, insert:

"Page 23, line 24, delete "57,218,000" and insert "67,218,000" and delete "57,218,000" and insert "67,218,000"

Page 23, after line 24, insert:

"**Technology Upgrades.** \$8,330,000 the first year is for technology upgrades for veterans homes."

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

Pursuant to Rule 7.4, clause (1), Senator Rosen questioned whether the Newton amendment to the amendment was in order. The President ruled the amendment was not in order.

Senator Cohen appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 33, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

Those who voted in the negative were:

Bakk	Dziedzic	Hoffman	Lourey	Sparks
Carlson	Eaton	Isaacson	Marty	Tomassoni
Champion	Eken	Kent	Newton	Torres Ray
Clausen	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	

So the decision of the President was sustained.

Senator Lourey moved to amend the Cohen amendment to S.F. No. 605 as follows:

Page 1, after line 3, insert:

"Page 9, line 17, delete "-0-" and insert "148,000"

Page 9, line 22, delete everything after the period

Page 9, delete lines 23 and 24

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

The question was taken on the adoption of the Lourey amendment to the Cohen amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Lourey	Sparks
Carlson	Eaton	Isaacson	Marty	Tomassoni
Champion	Eken	Kent	Newton	Torres Ray
Clausen	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	

Those who voted in the negative were:

Abeler	Benson	Draheim	Gazelka	Housley
Anderson, B.	Chamberlain	Eichorn	Goggin	Ingebrigtsen
Anderson, P.	Dahms	Fischbach	Hall	Jasinski

Jensen	Lang	Nelson	Relph	Utke
Johnson	Limmer	Newman	Rosen	Weber
Kiffmeyer	Mathews	Osmek	Ruud	Westrom
Koran	Miller	Pratt	Senjem	

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

Senator Hoffman moved to amend the Cohen amendment to S.F. No. 605 as follows:

Page 1, after line 3, insert:

"Page 9, line 33, delete "100,000" and insert "300,000" and delete "100,000" and insert "300,000"

Page 9, lines 34 and 35, delete "\$100,000" and insert "\$300,000"

Page 34, delete section 16

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

The question was taken on the adoption of the Hoffman amendment to the Cohen amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Lourey	Sparks
Carlson	Eaton	Isaacson	Marty	Tomassoni
Champion	Eken	Kent	Newton	Torres Ray
Clausen	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

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

Senator Isaacson moved to amend the Cohen amendment to S.F. No. 605 as follows:

Page 1, after line 3, insert:

"Page 24, delete section 39

Correct the subdivision and section totals and the appropriations by fund



Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

The question was taken on the adoption of the Isaacson amendment to the Cohen amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Lourey	Sparks
Carlson	Eaton	Isaacson	Marty	Tomassoni
Champion	Eken	Kent	Newton	Torres Ray
Clausen	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

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

Senator Cohen withdrew his amendment.

Senator Newton moved to amend S.F. No. 605 as follows:

Page 2, line 28, delete "32,383,000" and insert "16,191,000" and delete "32,383,000" and insert "16,191,000"

Page 23, line 24, delete "57,218,000" and insert "67,218,000" and delete "57,218,000" and insert "67,218,000"

Page 23, after line 24, insert:

**"Technology Upgrades. \$8,330,000 the first year is for technology upgrades for veterans homes."**

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Cwodzinski	Franzen	Isaacson	Little
Carlson	Dibble	Frentz	Kent	Lourey
Champion	Dziedzic	Hawj	Klein	Marty
Clausen	Eaton	Hayden	Laine	Newton
Cohen	Eken	Hoffman	Latz	Pappas

Rest	Simonson	Tomassoni	Wiger
Schoen	Sparks	Torres Ray	Wiklund

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

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

Senator Newton moved to amend S.F. No. 605 as follows:

Page 30, delete section 10

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Lourey	Sparks
Carlson	Eaton	Isaacson	Marty	Tomassoni
Champion	Eken	Kent	Newton	Torres Ray
Clausen	Franzen	Klein	Pappas	Wiger
Cohen	Frentz	Laine	Rest	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Simonson	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

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

Senator Isaacson moved to amend S.F. No. 605 as follows:

Page 40, delete section 29

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Lourey	Tomassoni
Carlson	Eaton	Isaacson	Marty	Torres Ray
Champion	Eken	Kent	Newton	Wiger
Clausen	Franzen	Klein	Pappas	Wiklund
Cohen	Frentz	Laine	Schoen	
Cwodzinski	Hawj	Latz	Simonson	
Dibble	Hayden	Little	Sparks	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

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

S.F. No. 605 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 36 and nays 30, as follows:

Those who voted in the affirmative were:

Abeler	Fischbach	Johnson	Miller	Senjem
Anderson, B.	Gazelka	Kiffmeyer	Nelson	Utke
Anderson, P.	Goggin	Koran	Newman	Weber
Benson	Hall	Laine	Osmek	Westrom
Chamberlain	Housley	Lang	Pratt	
Dahms	Ingebrigtsen	Limmer	Relph	
Draheim	Jasinski	Little	Rosen	
Eichorn	Jensen	Mathews	Ruud	

Those who voted in the negative were:

Bakk	Dibble	Hawj	Latz	Simonson
Carlson	Dziedzic	Hayden	Lourey	Sparks
Champion	Eaton	Hoffman	Marty	Tomassoni
Clausen	Eken	Isaacson	Newton	Torres Ray
Cohen	Franzen	Kent	Pappas	Wiger
Cwodzinski	Frentz	Klein	Schoen	Wiklund

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 723:** A bill for an act relating to state government; appropriating money for environment, natural resources, and tourism purposes; modifying fees; creating accounts; providing for disposition of certain receipts; modifying grant, contract, and lease provisions; modifying land, water, forest, and park management; modifying provisions to take, possess, and transport wildlife; modifying duties and authority; modifying buffer requirements; modifying wetland replacement and evaluation

requirements; modifying permit and license requirements; modifying Petroleum Tank Release Cleanup Act; establishing a water quality improvement goal; extending ban on open air swine basins; modifying certain local authority; requiring agreements; modifying environmental review; modifying appeal provisions; modifying Environmental Quality Board; requiring reports; removing certain mandatory rulemaking requirements; requiring rulemaking; amending Minnesota Statutes 2016, sections 84.01, by adding a subdivision; 84.027, subdivisions 14a, 14b, by adding subdivisions; 84.788, subdivision 2; 84.793, subdivision 1; 84.8031; 84.82, subdivision 2; 84.925, subdivision 1; 84.9256, subdivision 1; 84.946, subdivision 2, by adding a subdivision; 84.992, subdivisions 3, 4, 5, 6; 84D.03, subdivisions 3, 4; 84D.04, subdivision 1; 84D.05, subdivision 1; 84D.108, subdivision 2a, by adding a subdivision; 84D.11, by adding a subdivision; 85.0505, by adding a subdivision; 85.053, subdivisions 8, 10; 85.054, by adding a subdivision; 85.22, subdivision 2a; 85.32, subdivision 1; 86B.301, subdivision 2; 86B.313, subdivision 1; 86B.511; 86B.701, subdivision 3; 88.523; 89.39; 90.01, subdivisions 8, 12, by adding a subdivision; 90.041, subdivision 2; 90.051; 90.101, subdivision 2; 90.14; 90.145, subdivision 2; 90.151, subdivision 1; 90.162; 90.252; 93.25, subdivision 2; 93.47, subdivision 4; 93.50; 94.343, subdivision 9; 94.344, subdivision 9; 97A.015, subdivisions 39, 43, 45, 52, 53, by adding a subdivision; 97A.045, subdivision 10; 97A.075, subdivision 1; 97B.031, subdivision 6; 97B.071; 97B.405; 97B.431; 97B.655, subdivision 1; 97C.315, subdivision 1; 97C.355, subdivision 2a; 97C.401, subdivision 2; 97C.501, subdivision 1; 97C.515, subdivision 2; 97C.701, by adding a subdivision; 103B.101, subdivision 12a; 103F.411, subdivision 1; 103F.48, subdivisions 1, 3, 7; 103G.005, subdivisions 10b, 10h, by adding a subdivision; 103G.222, subdivisions 1, 3; 103G.223; 103G.2242, subdivisions 1, 2; 103G.2372, subdivision 1; 103G.271, subdivisions 1, 6a, 7, by adding a subdivision; 103G.287, subdivisions 1, 4; 103G.289; 103G.411; 114D.25, by adding a subdivision; 115B.39, subdivision 2; 115B.40, subdivision 4; 115C.021, subdivision 1, by adding a subdivision; 116.03, subdivision 2b, by adding a subdivision; 116.07, subdivision 4d, by adding subdivisions; 116.0714; 116C.03, subdivision 2; 116D.04, subdivisions 2a, 10; 116D.045, subdivision 1; 160.06; 282.018, subdivision 1; 282.04, subdivision 1; Laws 2000, chapter 486, section 4, as amended; Laws 2013, chapter 114, article 4, section 105; Laws 2016, chapter 189, article 3, sections 3, subdivision 3; 6; proposing coding for new law in Minnesota Statutes, chapters 85; 97B; 103A; 115; 116; 471; repealing Minnesota Statutes 2016, sections 84.026, subdivision 3; 97B.031, subdivision 5; 97C.701, subdivisions 1a, 6; 97C.705; 97C.711; Minnesota Rules, parts 6258.0100; 6258.0200; 6258.0300; 6258.0400; 6258.0500; 6258.0600; 6258.0700, subparts 1, 4, 5; 6258.0800; 6258.0900.

Senator Marty moved to amend S.F. No. 723 as follows:

Page 33, delete section 1

Page 34, delete section 4

Pages 36 to 45, delete sections 7 to 23

Page 46, delete section 26

Page 47, delete section 28

Pages 48 to 49, delete sections 31 and 32

Pages 51 to 58, delete sections 34 to 56

Pages 60 to 61, delete sections 58 to 63

Pages 62 to 69, delete sections 65 to 75

Pages 70 to 77, delete sections 77 to 83

Pages 79 to 82, delete sections 86 to 93

Page 87, delete sections 96 and 97

Page 88, delete section 99

Pages 89 to 95, delete sections 101 to 105

Pages 97 to 100, delete sections 107 and 108

Pages 99 to 101, delete sections 110 to 115

Page 102, delete section 117

Page 102, delete article 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Isaacson	Lourey	Torres Ray
Carlson	Dziedzic	Kent	Marty	Wiger
Champion	Eaton	Klein	Newton	Wiklund
Clausen	Hawj	Laine	Pappas	
Cohen	Hayden	Latz	Schoen	
Cwodzinski	Hoffman	Little	Simonson	

Those who voted in the negative were:

Abeler	Eken	Jasinski	Nelson	Sparks
Anderson, B.	Fischbach	Jensen	Newman	Tomassoni
Anderson, P.	Frentz	Johnson	Osmek	Utke
Benson	Gazelka	Kiffmeyer	Pratt	Weber
Chamberlain	Goggin	Koran	Relph	Westrom
Dahms	Hall	Lang	Rosen	
Draheim	Housley	Mathews	Ruud	
Eichorn	Ingebrigtsen	Miller	Senjem	

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

Senator Bakk moved to amend S.F. No. 723 as follows:

Page 98, after line 5, insert:

"Sec. 108. Laws 2016, chapter 189, article 3, section 26, the effective date, is amended to read:

**EFFECTIVE DATE.** This section is effective May 1, 2017. Motorboats for rent, lease, or hire that are subject to inspection under Minnesota Statutes, section 86B.105, may use existing functioning carbon monoxide systems that are not marine rated until September 30, 2017."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Eken moved to amend S.F. No. 723 as follows:

Page 101, after line 22, insert:

"Sec. 116. **POINT SOURCE IMPLEMENTATION PROGRAM; DETROIT LAKES.**

Notwithstanding the limitations on grants in Minnesota Statutes, section 446A.073, subdivision 1, the city of Detroit Lakes is eligible to receive a grant for up to 80 percent of eligible project costs of the city's wastewater treatment facility phosphorus removal project."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Frentz moved to amend S.F. No. 723 as follows:

Page 68, line 8, after the period, insert "A landowner, authorized agent, or operator may request the soil and water conservation district to make a determination whether a specific alternative water quality practice would meet the applicable requirements under this section. If a landowner, authorized agent, or operator has requested, at least 90 days before the applicable effective date under paragraph (e), that the soil and water conservation district make a determination, then the landowner must not be found noncompliant until the soil and water conservation district has notified the landowner, agent, or operator in writing whether the practice would meet the applicable requirements."

The motion prevailed. So the amendment was adopted.

Senator Schoen moved to amend S.F. No. 723 as follows:

Page 122, after line 9, insert:

"Sec. 18. Minnesota Statutes 2016, section 116D.045, is amended by adding a subdivision to read:

Subd. 6. **Data classification.** If a proposer of a specific action prepares a draft environmental impact statement for that action according to rules adopted under subdivision 1, clause (2), the proposer is considered a government entity under chapter 13 and all data, including communications, related to the action are public government data subject to disclosure under chapter 13."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Cwodzinski moved to amend S.F. No. 723 as follows:

Page 122, delete section 18

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 35, as follows:

Those who voted in the affirmative were:

Abeler	Cohen	Hawj	Laine	Pappas
Anderson, P.	Cwodzinski	Hayden	Latz	Schoen
Bakk	Dibble	Hoffman	Little	Simonson
Carlson	Dziedzic	Isaacson	Lourey	Torres Ray
Champion	Eaton	Kent	Marty	Wiger
Clausen	Franzen	Klein	Newton	Wiklund

Those who voted in the negative were:

Anderson, B.	Fischbach	Jasinski	Miller	Ruud
Benson	Frentz	Jensen	Nelson	Senjem
Chamberlain	Gazelka	Johnson	Newman	Sparks
Dahms	Goggin	Kiffmeyer	Osmek	Tomassoni
Draheim	Hall	Koran	Pratt	Utke
Eichorn	Housley	Lang	Relph	Weber
Eken	Ingebrigtsen	Mathews	Rosen	Westrom

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

Senator Eaton moved to amend S.F. No. 723 as follows:

Page 62, after line 6, insert:

"Sec. 64. Minnesota Statutes 2016, section 97B.951, is amended to read:

**97B.951 PROHIBITING USE OF SNARES TO TAKE UNPROTECTED MAMMALS  
WILD ANIMALS.**

A snare set ~~for an unprotected mammal~~ may not be ~~left in place after March 31~~ set to take wild animals except as authorized by the commissioner for the predator-control program under section 97B.671."

Page 102, line 2, after "5;" insert "97B.421;"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Abeler	Cwodzinski	Hayden	Laine	Simonson
Anderson, P.	Dibble	Hoffman	Latz	Torres Ray
Carlson	Dziedzic	Housley	Marty	Wiger
Champion	Eaton	Isaacson	Newton	Wiklund
Clausen	Franzen	Kent	Pappas	
Cohen	Hawj	Klein	Schoen	

Those who voted in the negative were:

Anderson, B.	Fischbach	Johnson	Nelson	Sparks
Bakk	Frentz	Kiffmeyer	Newman	Tomassoni
Benson	Gazelka	Koran	Osmek	Utke
Chamberlain	Goggin	Lang	Pratt	Weber
Dahms	Hall	Little	Relph	Westrom
Draheim	Ingebrigtsen	Lourey	Rosen	
Eichorn	Jasinski	Mathews	Ruud	
Eken	Jensen	Miller	Senjem	

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

Senator Simonson moved to amend S.F. No. 723 as follows:

Page 95, delete section 105

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 30 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Dibble	Hayden	Latz	Pratt
Carlson	Dziedzic	Hoffman	Little	Schoen
Champion	Eaton	Isaacson	Lourey	Simonson
Clausen	Franzen	Kent	Marty	Torres Ray
Cohen	Frentz	Klein	Newton	Wiger
Cwodzinski	Hawj	Laine	Pappas	Wiklund

Those who voted in the negative were:

Abeler	Eichorn	Ingebrigtsen	Mathews	Senjem
Anderson, B.	Eken	Jasinski	Miller	Sparks
Anderson, P.	Fischbach	Jensen	Nelson	Tomassoni
Benson	Gazelka	Johnson	Newman	Utke
Chamberlain	Goggin	Kiffmeyer	Relph	Weber
Dahms	Hall	Koran	Rosen	Westrom
Draheim	Housley	Lang	Ruud	

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

Senator Isaacson moved to amend S.F. No. 723 as follows:



Page 59, after line 32, insert:

"Sec. 58. Minnesota Statutes 2016, section 97B.001, is amended by adding a subdivision to read:

**Subd. 9. Placing traps or snares on private land; written permission required.** A person may not set or place a trap or snare on private property that is not subject to a requirement to be open to the public, other than property owned or occupied by the person, unless the person has the written permission of the owner, occupant, or lessee of the private property. This subdivision includes, but is not limited to, written permission to access private property from waters of the state when the trap or snare is placed or staked in the water."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Isaacson moved to amend S.F. No. 723 as follows:

Page 119, delete lines 23 to 27

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Hayden	Little	Torres Ray
Bakk	Dziedzic	Hoffman	Lourey	Wiger
Carlson	Eaton	Isaacson	Marty	Wiklund
Champion	Eken	Kent	Newton	
Clausen	Franzen	Klein	Pappas	
Cohen	Frentz	Laine	Schoen	
Cwodzinski	Hawj	Latz	Simonson	

Those who voted in the negative were:

Anderson, B.	Fischbach	Jensen	Nelson	Senjem
Anderson, P.	Gazelka	Johnson	Newman	Sparks
Benson	Goggin	Kiffmeyer	Osmek	Tomassoni
Chamberlain	Hall	Koran	Pratt	Utke
Dahms	Housley	Lang	Relph	Weber
Draheim	Ingebrigtsen	Mathews	Rosen	Westrom
Eichorn	Jasinski	Miller	Ruud	

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

Senator Eaton moved to amend S.F. No. 723 as follows:

Page 101, after line 22, insert:

"Sec. 116. **LEGISLATIVE AUDITOR'S REPORT.**

(a) The Office of the Legislative Auditor is requested to conduct a special review of expenditure of money by state agencies and the Office of the Governor on legal services related to potential litigation on mining permits. The review should include examination of:

(1) the number of attorneys assigned to potential litigation and each attorney's hourly rate;

(2) the number of paraprofessionals and other support staff whose time is billed hourly and the hourly rate for each;

(3) any other costs, such as facility equipment costs, that are billed hourly;

(4) billing costs for case-related travel, including reimbursement rates and whether the rates vary depending on the title of the individual traveling;

(5) costs reimbursed by the state, including detailed information on any experts hired and the details of expert contracts; and

(6) whether experts reimbursed by the state have produced any work product and, if so, the work product produced.

(b) A review under this section should include money appropriated since July 1, 2015, including the planned and actual use of money appropriated under this act."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Bakk moved to amend S.F. No. 723 as follows:

Page 60, delete section 58

Page 102, line 2, delete "97B.031, subdivision 5;"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Hoffman	Marty	Simonson
Carlson	Eaton	Isaacson	Nelson	Sparks
Champion	Eken	Kent	Newman	Tomassoni
Clausen	Franzen	Klein	Newton	Torres Ray
Cohen	Frentz	Laine	Pappas	Wiger
Cwodzinski	Hawj	Latz	Schoen	Wiklund
Dibble	Hayden	Little	Senjem	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Utke
Anderson, B.	Fischbach	Jensen	Miller	Weber
Anderson, P.	Gazelka	Johnson	Osmek	Westrom
Benson	Goggin	Kiffmeyer	Pratt	
Chamberlain	Hall	Koran	Relph	
Dahms	Housley	Lang	Rosen	
Draheim	Ingebrigtsen	Lourey	Ruud	

The motion prevailed. So the amendment was adopted.

S.F. No. 723 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 36 and nays 30, as follows:

Those who voted in the affirmative were:

Abeler	Eken	Jensen	Nelson	Tomassoni
Anderson, B.	Fischbach	Johnson	Newman	Utke
Anderson, P.	Gazelka	Kiffmeyer	Osmek	Weber
Benson	Goggin	Koran	Pratt	Westrom
Chamberlain	Hall	Lang	Relph	
Dahms	Housley	Limmer	Rosen	
Draheim	Ingebrigtsen	Mathews	Ruud	
Eichorn	Jasinski	Miller	Senjem	

Those who voted in the negative were:

Bakk	Dibble	Hayden	Latz	Schoen
Carlson	Dziedzic	Hoffman	Little	Simonson
Champion	Eaton	Isaacson	Lourey	Sparks
Clausen	Franzen	Kent	Marty	Torres Ray
Cohen	Frentz	Klein	Newton	Wiger
Cwodzinski	Hawj	Laine	Pappas	Wicklund

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

Senator Gazelka moved that S.F. No. 723 be laid on the table. The motion prevailed.

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees and Second Reading of Senate Bills.

### **REPORTS OF COMMITTEES**

Senator Gazelka moved that the Committee Report at the Desk be now adopted. The motion prevailed.

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

**S.F. No. 800:** A bill for an act relating to human services finance and policy; appropriating money for human services and health-related programs; modifying various provisions governing

community supports, housing, continuing care, health care, managed care organizations, health insurance, direct care and treatment, children and families, chemical and mental health services, Department of Human Services operations, Department of Health policy, and health licensing boards; establishing a license for substance abuse disorder treatment; authorizing transfers; providing for supplemental rates; modifying reimbursement rates and premium scales; making forecast adjustments; providing for audits; authorizing pilot projects; requiring reports; establishing a legislative commission; making technical and terminology changes; amending Minnesota Statutes 2016, sections 3.972, by adding a subdivision; 13.32, by adding a subdivision; 13.46, subdivisions 1, 2, 4; 13.69, subdivision 1; 13.84, subdivision 5; 62A.04, subdivision 1; 62A.21, subdivision 2a; 62A.3075; 62A.65, subdivisions 2, 5, by adding a subdivision; 62D.105, subdivisions 1, 2; 62E.04, subdivision 11; 62E.05, subdivision 1; 62E.06, by adding a subdivision; 62Q.18, subdivision 7; 62U.02; 62V.05, subdivision 12; 103I.101, subdivisions 2, 5; 103I.111, subdivisions 6, 7, 8; 103I.205; 103I.301; 103I.501; 103I.505; 103I.515; 103I.535, subdivisions 3, 6, by adding a subdivision; 103I.541; 103I.545, subdivisions 1, 2; 103I.711, subdivision 1; 103I.715, subdivision 2; 119B.011, by adding subdivisions; 119B.02, subdivision 5; 119B.09, subdivision 9a; 119B.125, subdivisions 4, 6; 119B.13, subdivisions 1, 6; 119B.16, subdivisions 1, 1a, 1b, by adding subdivisions; 144.05, subdivision 6; 144.0724, subdivisions 4, 6; 144.122; 144.1501, subdivision 2; 144.551, subdivision 1; 144A.071, subdivision 4d; 144A.351; 144A.472, subdivision 7; 144A.474, subdivision 11; 144A.4799, subdivision 3; 144A.70, subdivision 6, by adding a subdivision; 144D.04, subdivision 2, by adding a subdivision; 144D.06; 145.4716, subdivision 2; 145.986, subdivision 1a; 146B.02, subdivisions 2, 5, 8, by adding subdivisions; 146B.03, subdivisions 6, 7; 146B.07, subdivision 4; 146B.10, subdivision 1; 147.01, subdivision 7; 147.02, subdivision 1; 147.03, subdivision 1; 147B.08, by adding a subdivision; 147C.40, by adding a subdivision; 148.5194, subdivision 7; 148.6402, subdivision 4; 148.6405; 148.6408, subdivision 2; 148.6410, subdivision 2; 148.6412, subdivision 2; 148.6415; 148.6418, subdivisions 1, 2, 4, 5; 148.6420, subdivisions 1, 3, 5; 148.6423; 148.6425, subdivisions 2, 3; 148.6428; 148.6443, subdivisions 5, 6, 7, 8; 148.6445, subdivisions 1, 10; 148.6448; 157.16, subdivision 1; 214.01, subdivision 2; 245.4889, subdivision 1; 245.91, subdivisions 4, 6; 245.94, subdivision 1; 245.97, subdivision 6; 245A.02, subdivision 2b, by adding a subdivision; 245A.03, subdivisions 2, 7; 245A.04, subdivision 14; 245A.06, subdivision 2; 245A.07, subdivision 3; 245A.11, by adding subdivisions; 245A.191; 245A.50, subdivision 5; 245D.03, subdivision 1; 245D.04, subdivision 3; 245D.071, subdivision 3; 245D.11, subdivision 4; 245D.24, subdivision 3; 245E.01, by adding a subdivision; 245E.02, subdivisions 1, 3, 4; 245E.03, subdivisions 2, 4; 245E.04; 245E.05, subdivision 1; 245E.06, subdivisions 1, 2, 3; 245E.07, subdivision 1; 252.27, subdivision 2a; 252.41, subdivision 3; 253B.10, subdivision 1; 253B.22, subdivision 1; 254A.01; 254A.02, subdivisions 2, 3, 5, 6, 8, 10, by adding subdivisions; 254A.03; 254A.035, subdivision 1; 254A.04; 254A.08; 254A.09; 254A.19, subdivision 3; 254B.01, subdivision 3, by adding a subdivision; 254B.03, subdivision 2; 254B.04, subdivisions 1, 2b; 254B.05, subdivisions 1, 1a, 5; 254B.051; 254B.07; 254B.08; 254B.09; 254B.12, subdivision 2; 254B.13, subdivision 2a; 256.01, subdivision 41, by adding a subdivision; 256.045, subdivision 3; 256.969, subdivisions 2b, 4b, by adding a subdivision; 256.975, subdivision 7, by adding a subdivision; 256.98, subdivision 8; 256B.04, subdivisions 21, 22; 256B.055, subdivision 2; 256B.0621, subdivision 10; 256B.0625, subdivisions 7, 20, 45a, 57, 64, by adding subdivisions; 256B.0659, subdivisions 1, 2, 11, 21, by adding a subdivision; 256B.072; 256B.0755, subdivisions 1, 3, 4, by adding a subdivision; 256B.0911, subdivisions 1a, 3a, 4d, by adding subdivisions; 256B.0915, subdivisions 1, 1a, 3a, 3e, 3h, 5, by adding subdivisions; 256B.092, subdivision 4; 256B.0922, subdivision 1; 256B.0924, by adding a subdivision; 256B.0943, subdivision 13; 256B.0945, subdivisions 2, 4; 256B.196, subdivision 2; 256B.431, subdivisions 10, 16, 30; 256B.434, subdivisions 4, 4f; 256B.49, subdivisions 11, 15;

256B.4913, subdivision 4a, by adding a subdivision; 256B.4914, subdivisions 2, 3, 5, 6, 7, 8, 9, 10, 16; 256B.493, subdivisions 1, 2, by adding a subdivision; 256B.50, subdivision 1b; 256B.5012, by adding a subdivision; 256B.69, subdivision 9e; 256B.76, subdivisions 1, 2; 256B.766; 256B.85, subdivisions 3, 5, 6; 256C.23, subdivision 2, by adding subdivisions; 256C.233, subdivisions 1, 2; 256C.24, subdivisions 1, 2, by adding a subdivision; 256C.261; 256D.44, subdivisions 4, 5; 256E.30, subdivision 2; 256I.03, subdivision 8; 256I.04, subdivisions 1, 2d, 2g, 3; 256I.05, subdivisions 1a, 1c, 1e, 1j, 1m, 8, by adding subdivisions; 256I.06, subdivisions 2, 8; 256J.24, subdivision 5; 256J.45, subdivision 2; 256L.03, subdivisions 1, 1a, 5; 256L.15, subdivision 2; 256P.06, subdivision 2; 256R.02, subdivisions 4, 18; 256R.07, by adding a subdivision; 256R.10, by adding a subdivision; 256R.37; 256R.40, subdivision 5; 256R.41; 256R.47; 256R.49, subdivision 1; 260C.451, subdivision 6; 317A.811, subdivision 1, by adding a subdivision; 327.15, subdivision 3; 609.5315, subdivision 5c; 626.556, subdivisions 2, 3, 3c, 10d, 10j; Laws 2009, chapter 101, article 1, section 12; Laws 2012, chapter 247, article 6, section 2, subdivision 2; Laws 2013, chapter 108, article 15, section 2, subdivision 2; Laws 2014, chapter 312, article 23, section 9, subdivision 8, by adding a subdivision; Laws 2015, chapter 71, article 14, section 3, subdivision 2, as amended; Laws 2017, chapter 2, article 1, sections 1, subdivision 3; 2, subdivision 4, by adding a subdivision; 3; 5; 7; article 2, section 13; proposing coding for new law in Minnesota Statutes, chapters 62Q; 119B; 144; 144D; 145; 147A; 148; 245; 245A; 256; 256B; 256I; 256N; 256R; 317A; proposing coding for new law as Minnesota Statutes, chapters 144H; 245G; repealing Minnesota Statutes 2016, sections 13.468; 147A.21; 147B.08, subdivisions 1, 2, 3; 147C.40, subdivisions 1, 2, 3, 4; 148.6402, subdivision 2; 148.6450; 245A.1915; 245A.192; 254A.02, subdivision 4; 256B.0659, subdivision 22; 256B.19, subdivision 1c; 256B.4914, subdivision 16; 256B.64; 256C.23, subdivision 3; 256C.233, subdivision 4; 256C.25, subdivisions 1, 2; 256J.626, subdivision 5; Laws 2014, chapter 312, article 23, section 9, subdivision 5; Minnesota Rules, parts 5600.2500; 9530.6405, subparts 1, 1a, 2, 3, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, 14, 14a, 15, 15a, 16, 17, 17a, 17b, 17c, 18, 20, 21; 9530.6410; 9530.6415; 9530.6420; 9530.6422; 9530.6425; 9530.6430; 9530.6435; 9530.6440; 9530.6445; 9530.6450; 9530.6455; 9530.6460; 9530.6465; 9530.6470; 9530.6475; 9530.6480; 9530.6485; 9530.6490; 9530.6495; 9530.6500; 9530.6505.

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

Page 43, line 20, strike everything after the period

Page 43, strike lines 21 to 23

Page 43, after line 25, insert:

"(f) Beginning January 1, 2018, for foster care and supportive living services provided in a corporate setting with rates calculated under this section, the number of days authorized must not exceed 350 days in an annual service span."

Page 52, after line 3, insert:

"Sec. 28. Minnesota Statutes 2016, section 256B.4914, subdivision 16, is amended to read:

Subd. 16. **Budget neutrality adjustments.** (a) The commissioner shall use the following adjustments to the rate generated by the framework to assure budget neutrality until the rate information is available to implement paragraph (b). The rate generated by the framework shall be multiplied by the appropriate factor, as designated below:

- (1) for residential services: 1.003;
- (2) for day services: 1.000;
- (3) for unit-based services with programming: 0.941; and
- (4) for unit-based services without programming: 0.796.

(b) Within 12 months of January 1, 2014, the commissioner shall compare estimated spending for all home and community-based waiver services under the new payment rates defined in subdivisions 6 to 9 with estimated spending for the same recipients and services under the rates in effect on July 1, 2013. This comparison must distinguish spending under each of subdivisions 6, 7, 8, and 9. The comparison must be based on actual recipients and services for one or more service months after the new rates have gone into effect. The commissioner shall consult with the commissioner of management and budget on this analysis to ensure budget neutrality. If estimated spending under the new rates for services under one or more subdivisions differs in this comparison by 0.3 percent or more, the commissioner shall assure aggregate budget neutrality across all service areas by adjusting the budget neutrality factor in paragraph (a) in each subdivision so that total estimated spending for each subdivision under the new rates matches estimated spending under the rates in effect on July 1, 2013.

(c) A service rate developed using values in subdivision 5, paragraph (a), clause (10), is not subject to budget neutrality adjustments.

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

Page 97, delete section 19

Page 126, delete section 7

Page 133, delete section 13 and insert:

"Sec. 12. Minnesota Statutes 2016, section 256B.0915, is amended by adding a subdivision to read:

Subd. 12. **Payment rates; phase-in.** (a) Effective January 1, 2019, through December 31, 2020, all rates and rate components for services under subdivision 11 shall be the sum of 12 percent of the rates calculated under subdivisions 13 to 16 and 88 percent of the rates calculated using the rate methodology in effect as of June 30, 2017.

(b) Effective January 1, 2021, all rates and rate components for services under subdivision 11 shall be the sum of 20 percent of the rates calculated under subdivisions 13 to 16 and 80 percent of the rates calculated using the rate methodology in effect as of June 30, 2017."

Page 167, line 27, delete everything after "MinnesotaCare" and insert a period

Page 167, delete lines 28 to 30

Page 168, line 19, delete "health" and insert "managed care" and delete "organizations" and insert "plans"

Page 168, after line 24, insert:

"(c) The commissioner shall consult with county-based purchasing plans on the development and review of a request for proposals, and development of metrics to evaluate the performance of a dental administrator. A contract between the commissioner and a dental administrator must ensure that the administrator coordinates and works with county-based purchasing plans to assist enrollees in accessing appropriate dental care within their geographic areas."

Page 185, line 14, delete everything after the period

Page 185, delete lines 15 and 16

Page 195, line 18, delete everything after the first comma

Page 195, delete lines 19 and 20

Page 195, line 24, after the period, insert "The services identified in paragraph (g) are not included in the rate reduction described in this paragraph."

Page 200, line 21, after the period, insert "The services identified in paragraph (g) are not included in the rate reduction described in this paragraph."

Page 269, line 28, reinstate the stricken "(b)"

Page 271, delete section 5

Page 425, line 1, delete everything after the period

Page 425, delete line 2

Page 425, line 3, delete everything before "The"

Page 457, line 5, delete "7,456,445,000" and insert "7,445,538,000" and delete "7,519,648,000" and insert "7,511,844,000"

Page 457, line 8, delete "6,902,997,000" and insert "6,892,112,000" and delete "6,956,473,000" and insert "6,948,691,000"

Page 457, line 10, delete "4,296,000" and insert "4,274,000" and delete "4,296,000" and insert "4,274,000"

Page 460, line 34, delete "110,687,000" and insert "108,512,000" and delete "109,242,000" and insert "107,093,000"

Page 461, line 2, delete "4,171,000" and insert "4,149,000" and delete "4,171,000" and insert "4,149,000"

Page 462, line 30, delete "\$107,551,000" and insert "\$103,017,000"

Page 462, line 31, delete "\$107,411,000" and insert "\$102,877,000"

Page 462, line 34, delete "8,938,000" and insert "8,892,000" and delete "8,694,000" and insert "8,648,000"

Page 463, line 2, before "Financial" insert "(a)"

Page 463, after line 13, insert:

"(b) Base Level Adjustment. The general fund base is \$8,588,000 in fiscal year 2020 and \$8,588,000 in fiscal year 2021."

Page 463, line 16, delete "17,007,000" and insert "16,998,000" and delete "22,360,000" and insert "22,326,000"

Page 464, line 2, delete "\$27,577,000" and insert "\$27,441,000"

Page 464, line 3, delete "\$27,810,000" and insert "\$27,674,000"

Page 464, line 7, delete "14,240,000" and insert "13,618,000" and delete "14,021,000" and insert "14,189,000"

Page 464, lines 11 and 12, delete "\$14,071,000" and insert "\$13,909,000"

Page 464, line 15, delete "25,377,000" and insert "25,251,000" and delete "25,398,000" and insert "25,273,000"

Page 465, line 4, delete "\$24,937,000" and insert "\$24,650,000"

Page 465, line 5, delete "\$24,820,000" and insert "\$24,533,000"

Page 465, line 11, delete "101,675,000" and insert "102,181,000"

Page 466, line 7, delete "5,312,619,000" and insert "5,307,513,000" and delete "5,316,032,000" and insert "5,306,794,000"

Page 467, line 2, delete "44,686,000" and insert "44,587,000" and delete "45,660,000" and insert "45,444,000"

Page 467, line 16, delete "48,034,000" and insert "48,207,000"

Page 467, line 18, delete "\$48,008,000" and insert "\$48,279,000"

Page 467, line 19, delete "\$47,991,000" and insert "\$48,360,000"

Page 471, line 20, before "Dental" insert "(a)"

Page 472, after line 13, insert:

"(b) Base Level Adjustment. The general fund base is \$3,711,000 in fiscal year 2020 and \$3,711,000 in fiscal year 2021."



Page 472, line 15, delete "5,500,000" and insert "3,053,000" and delete "1,925,000" and insert "3,478,000"

Page 472, line 16, before "Home" insert "(a)"

Page 472, line 17, delete "\$4,000,000" and insert "\$1,553,000" and delete "is" and insert "and \$1,533,000 in fiscal year 2019 are"

Page 472, line 20, delete "\$1,000,000 is" and insert "\$500,000 in fiscal year 2020 and \$500,000 in fiscal year 2021 are"

Page 472, line 22, delete everything after the first period and insert "The base for these grants is \$1,059,000 in fiscal year 2020 and \$1,059,000 in fiscal year 2021."

Page 472, after line 22, insert:

**(b) Base Level Adjustment.** The general fund base is \$2,984,000 in fiscal year 2020 and \$2,984,000 in fiscal year 2021.

Page 473, line 24, delete "21,322,000" and insert "21,374,000" and delete "21,322,000" and insert "21,375,000"

Page 473, line 26, delete "\$500,000" and insert "\$552,000"

Page 473, line 27, delete "\$500,000" and insert "\$553,000"

Page 473, line 33, delete everything after the first comma

Page 473, line 34, before "2021" insert "The base for these grants is \$3,219,000 in fiscal year 2020 and \$3,221,000 in fiscal year"

Page 474, line 22, delete "\$25,472,000" and insert "\$24,041,000"

Page 474, line 23, delete "\$25,472,000" and insert "\$24,043,000"

Page 474, line 27, delete "82,402,000" and insert "81,902,000" and delete "82,302,000" and insert "81,802,000"

Page 474, line 30, delete "\$2,500,000" and insert "\$2,000,000" and delete "\$2,500,000" and insert "\$2,000,000"

Page 474, line 33, after the period, insert "The general fund base for these grants is \$2,500,000 in fiscal year 2020 and \$2,500,000 in fiscal year 2021."

Page 476, after line 19, insert:

**(c) Base Level Adjustment.** The general fund base is \$82,302,000 in fiscal year 2020 and \$82,302,000 in fiscal year 2021.

Page 480, line 17, delete "191,192,000" and insert "196,496,000" and delete "187,703,000" and insert "185,774,000"

Page 480, line 20, delete "91,866,000" and insert "97,170,000" and delete "89,238,000" and insert "87,309,000"

Page 480, line 30, delete "70,713,000" and insert "75,043,000" and delete "68,159,000" and insert "65,256,000"

Page 484, after line 20, insert:

**(j) Local Public Health Grants Payment Delay.** The commissioner shall pay \$7,736,000 of local public health grants for fiscal year 2019 on July 1, 2019.

**(k) Opioid Abuse Prevention.** \$2,000,000 in fiscal year 2018 is to establish up to 12 accountable community for health opioid abuse prevention pilot projects. This is a onetime appropriation.

**(l) Opioid Prescriber Education.** \$500,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for opioid prescriber education and public awareness grants under Minnesota Statutes, section 145.9263."

Page 484, line 21, delete "(j)" and insert "(m)"

Page 484, line 22, delete "\$68,112,000" and insert "\$80,678,000"

Page 484, line 23, delete "\$68,159,000" and insert "\$72,992,000"

Page 484, line 28, delete "13,578,000" and insert "14,552,000" and delete "13,504,000" and insert "14,478,000"

Page 485, line 2, delete "\$13,893,000" and insert "\$14,867,000"

Page 485, line 3, delete "\$13,803,000" and insert "\$14,777,000"

Page 486, line 4, delete "\$1,594,000" and insert "\$2,166,000"

Page 486, line 5, delete "\$1,837,000" and insert "\$2,187,000"

Renumber the sections in sequence

Amend the title numbers accordingly

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

**SECOND READING OF SENATE BILLS**

S.F. No. 800 was read the second time.

**MEMBERS EXCUSED**

Senator Rest was excused from the Session of today at 12:10 a.m. Senator Franzen was excused from the Session of today from 1:20 to 2:00 a.m. Senator Limmer was excused from the Session of today from 1:20 to 3:15 a.m.

**ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 12:00 noon., Thursday, March 30, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate



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