

NINETIETH DAY

St. Paul, Minnesota, Thursday, April 24, 2014

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Edwin DuBose.

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:

Anderson	Eken	Johnson	Osmek	Sheran
Bakk	Fischbach	Kent	Pappas	Sieben
Benson	Franzen	Kiffmeyer	Pederson, J.	Skoe
Bonoff	Gazelka	Koenen	Petersen, B.	Sparks
Carlson	Goodwin	Latz	Pratt	Stumpf
Chamberlain	Hall	Limmer	Reinert	Thompson
Clausen	Hann	Lourey	Rest	Tomassoni
Cohen	Hawj	Marty	Rosen	Torres Ray
Dahle	Hayden	Metzen	Ruud	Weber
Dahms	Hoffman	Miller	Saxhaug	Westrom
Dibble	Housley	Nelson	Scalze	Wiger
Dziedzic	Ingebrigtsen	Newman	Schmit	Wiklund
Eaton	Jensen	Ortman	Senjem	

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1725.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 23, 2014

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. 685: A bill for an act relating to civil commitment; requiring simultaneous competency and civil commitment examinations for defendants; facilitating civil commitment hearings for defendants; amending Minnesota Statutes 2012, section 253B.07, subdivision 2a.

Senate File No. 685 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 23, 2014

CONCURRENCE AND REPASSAGE

Senator Ortman moved that the Senate concur in the amendments by the House to S.F. No. 685 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 685 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 47 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eaton	Koenen	Petersen, B.	Skoe
Bakk	Fischbach	Lourey	Pratt	Sparks
Benson	Franzen	Marty	Reinert	Thompson
Bonoff	Gazelka	Metzen	Rosen	Tomassoni
Carlson	Hall	Nelson	Ruud	Weber
Clausen	Hann	Newman	Saxhaug	Wiger
Dahle	Hawj	Ortman	Scalze	Wiklund
Dahms	Ingebrigtsen	Osmek	Senjem	
Dibble	Jensen	Pappas	Sheran	
Dziedzic	Kent	Pederson, J.	Sieben	

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

MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 474:

H.F. No. 474: A bill for an act relating to data practices; classifying data related to automated license plate readers; requiring a log of use; requiring data to be destroyed in certain circumstances; providing criminal penalties; amending Minnesota Statutes 2012, sections 13.05, subdivision 5; 13.055; 13.09; 13.82, by adding a subdivision; 299C.40, subdivision 4.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Holberg, Lesch and Hilstrom have been appointed as such committee on the part of the House.

House File No. 474 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 23, 2014

Senator Bakk moved that H.F. No. 474 be laid on the table. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 892, 2668, 2694, 2605 and 2854.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 23, 2014

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 892: A bill for an act relating to families; updating the Uniform Interstate Family Support Act; amending Minnesota Statutes 2012, sections 518C.101; 518C.102; 518C.103; 518C.201; 518C.202; 518C.203; 518C.204; 518C.205; 518C.206; 518C.207; 518C.208; 518C.209; 518C.301; 518C.303; 518C.304; 518C.305; 518C.306; 518C.307; 518C.308; 518C.310; 518C.311; 518C.312; 518C.313; 518C.314; 518C.316; 518C.317; 518C.318; 518C.319; 518C.401; 518C.501; 518C.503; 518C.504; 518C.505; 518C.506; 518C.508; 518C.601; 518C.602; 518C.603; 518C.604; 518C.605; 518C.606; 518C.607; 518C.608; 518C.609; 518C.610; 518C.611; 518C.612; 518C.613; 518C.701; 518C.801; 518C.902; proposing coding for new law in Minnesota Statutes, chapter 518C; repealing Minnesota Statutes 2012, section 518C.502.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 347, now on General Orders.

H.F. No. 2668: A bill for an act relating to courts; providing that petitioners in errors and omissions petitions shall also serve the petition on all candidates for the office in which the error or omission is alleged; eliminating requirements that court seal be a raised seal; removing requirements for notarial act on pleadings and affidavits filed with the court in all cases; providing that court documents are signed under penalty of perjury; permitting alternative service in certain probate matters; requiring applicants in structured settlement transfer action to provide the court with information; providing that a request for a hearing in response to a temporary restraining order must be made within 20 days after the temporary restraining order is served; permitting application of fine payment to restitution before application to court fines; amending Minnesota Statutes 2012, sections 204B.44; 358.03; 359.01, subdivision 5; 524.1-401; 524.5-113; 549.32, subdivision 2; 600.13; 609.48, subdivision 1; 609.748, subdivision 3; 611A.04, subdivision 4; 645.44, subdivisions 10, 14; proposing coding for new law in Minnesota Statutes, chapter 358.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2195, now on General Orders.

H.F. No. 2694: A bill for an act relating to commerce; modifying regulation of real estate brokers and salespersons; amending Minnesota Statutes 2012, sections 82.55, subdivisions 13, 15, 16, by adding subdivisions; 82.57, subdivisions 1, 3, 7; 82.58, subdivisions 2, 4; 82.59, subdivision 7; 82.61; 82.62, subdivisions 1, 3; 82.63, subdivisions 1, 3, 6, 10, 12; 82.64; 82.66, subdivision 2; 82.67, subdivision 3; 82.68, subdivision 3; 82.69; 82.70, subdivisions 1, 5; 82.71, subdivision 5; 82.72, subdivisions 2, 3; 82.735, subdivision 1; 82.75, subdivisions 1, 2, 5; 82.81, subdivision 6; Minnesota Statutes 2013 Supplement, sections 82.62, subdivision 7; 82.63, subdivision 8; repealing Minnesota Statutes 2012, section 82.55, subdivision 17.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2340, now on General Orders.

H.F. No. 2605: A bill for an act relating to commerce; establishing a fee schedule for automated property system transactions; authorizing state auditor to examine fee schedule; delaying effective dates for automated property system; requiring reports; amending Minnesota Statutes 2012, section 325E.21, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 168A.1501, subdivision 5, by adding a subdivision; 325E.21, subdivisions 1a, 1c, 4; Laws 2013, chapter 126, sections 5; 10; 11.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2595, now on General Orders.

H.F. No. 2854: A bill for an act relating to commerce; removing or modifying obsolete, unnecessary, or redundant laws and rules administered by the Department of Commerce or the Public Utilities Commission; making conforming changes; amending Minnesota Statutes 2012, sections 16D.04, subdivisions 1, 4; 45.22; 45.23; 46.046, by adding a subdivision; 47.20, subdivision 7; 47.325; 47.78; 48.93, subdivisions 1, 3; 53A.06; 56.131, subdivision 1; 56.14; 58.115; 59C.10, subdivision 2; 60A.131; 72B.03; 72B.041, subdivision 1; 72B.08, subdivision 1; 72B.135, subdivision 2; 82.63, subdivision 6; 82A.03; 82A.05, subdivision 6; 82A.09, subdivision 2; 82A.10; 82A.111, subdivision 2; 82A.12, subdivision 1; 82A.14; 82A.22, subdivision 2; 82A.25; 82A.26; 82B.195, subdivisions 1, 2; 83.26, subdivision 2; 83.30, subdivision 1; 115C.113; 115C.13; 216C.03; 237.04; 237.14; 237.16, subdivisions 8, 12; 237.164; 237.17; 237.30; 237.46; 237.491; 237.69, subdivisions 1, 15, 16; 237.71; 239.011, subdivision 2; 239.06; 239.081; 239.09; 239.091; 239.44; 239.46; 239.753; 256E.25, subdivision 5a; 270B.14, subdivision 1; 325E.11; 325E.115, subdivision 2; 332.31, subdivision 1; 332.311; 332.33, subdivisions 1, 2, 3, 5, 5a, 7; 332.38; 332.39; 332.40, subdivisions 1, 2, 3; 332.42, subdivisions 1, 2; 332.44; 386.015, subdivision 5; 386.62; 386.65, subdivision 1; 386.705; 386.706; 386.73; 386.74; 386.76; Minnesota Statutes 2013 Supplement, sections 82A.13, subdivision 1; 237.036; 237.16, subdivision 9; 239.101, subdivision 3; 270.41, subdivision 5; repealing Minnesota Statutes 2012, sections 13.713, subdivision 4; 45.0111; 45.42, subdivision 1; 46.045, subdivision 2; 46.047; 48.34; 53A.081; 56.001, subdivisions 5, 6; 60A.18; 62A.319; 72A.53; 72B.02, subdivision 8; 80C.30; 81A.08; 81A.18; 82.63, subdivisions 7, 9, 10; 82A.04; 82A.07; 82A.08; 82A.11, subdivision 2; 82A.111, subdivision 5; 82A.13, subdivision 3; 82A.18, subdivision 3; 82A.22, subdivisions 1, 3; 82A.24, subdivision 5; 115C.111; 216C.14; 216C.262; 216C.263; 216C.373; 216C.38; 216C.44; 237.068; 237.16, subdivisions 10, 11, 13; 237.18; 237.33; 237.34; 237.35; 237.36; 237.37; 237.38; 237.39; 237.40; 237.44; 237.45; 237.47; 237.67; 237.711; 237.80, subdivision 1; 239.002; 239.003; 239.012; 239.101, subdivision 4; 239.28; 239.29; 239.30; 239.31; 239.35; 239.36; 239.51; 239.511; 239.53; 239.54; 332.45; 386.61, subdivisions 1, 2, 4; Minnesota Statutes 2013 Supplement, sections 82.63, subdivision 8; 82A.06, subdivision 2; Minnesota Rules, parts 2782.0200; 2782.0300; 2782.0400;

2782.0500; 2782.0600; 2782.0700; 2782.0800; 2795.2000; 2830.0010; 2830.0020; 2830.0030; 2830.0040; 2830.0050; 2830.0060; 2830.0070; 2830.0080; 2830.0090; 2830.0100; 2870.0100; 2870.1100; 2870.1200; 2870.1400; 2870.1700; 2870.1800; 2870.1900; 2870.2000; 2870.2100; 2870.2200; 2870.2300; 2870.3100; 2870.3200; 2870.3300; 2870.3400; 2870.3500; 2870.3600; 2870.3700; 2870.3800; 2870.3900; 2870.4000; 2870.4100; 2870.5100; 7601.7010; 7601.7090, subpart 3; 7602.0100; 7606.0010; 7606.0020, subparts 1, 2, 3, 4, 5, 5a, 6, 8, 9, 10; 7606.0030; 7606.0040; 7606.0050; 7606.0060; 7606.0070; 7606.0080; 7630.0110; 7630.0120; 7630.0200; 7630.0210; 7630.0220; 7630.0300; 7630.0310; 7630.0320; 7630.0330; 7630.0340; 7630.0350; 7630.0360.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2446, now on General Orders.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

Senator Bakk from the Committee on Rules and Administration, to which was re-referred

S.F. No. 2575: A bill for an act relating to state government; establishing a legislative salary council; modifying a proposed constitutional amendment to stop lawmakers from setting their own pay; amending Laws 2013, chapter 124, sections 1; 2; proposing coding for new law in Minnesota Statutes, chapter 15A.

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

Page 1, line 22, delete "or former spouse of a current or"

Page 1, line 23, delete "former" and insert "of a current"

Page 1, line 24, delete everything after "law"

Page 1, line 25, delete everything before the semicolon

Page 2, line 1, delete the first "or former" and delete everything after "legislature"

Page 2, line 2, delete everything before the period

Page 2, line 4, delete "November 30, 2016" and insert "January 2, 2017"

Page 2, line 8, delete "shall"

Page 2, line 9, delete "will" and delete "that ends" and insert "ending"

Page 2, line 10, after "terms" insert "and for the first term following redistricting" and delete the second comma

Page 2, line 18, delete "the legislature adopts"

Page 2, line 19, after "plan" insert "is adopted" and after the period, insert "Members that reside in an even-numbered district shall be appointed to a term of two years following redistricting. Members that reside in an odd-numbered district shall be appointed to a term of four years following redistricting."

Page 2, line 23, delete the second "consecutive" and insert "consecutively"

Page 2, line 33, delete "of Minnesota"

Page 3, line 23, delete "or former spouse" and delete "or former"

Page 3, line 25, delete the new language

Page 3, line 26, delete "Minnesota law" and delete "or former"

Page 3, line 27, delete everything after "legislature"

Page 3, line 28, delete "legislature"

Page 3, line 31, after the period, insert "Any salary increase for legislators authorized in law by the legislature after January 5, 2015, is repealed."

Page 4, line 3, strike "legislators' ability" and insert "lawmakers' power"

Page 4, line 5, delete "state" and strike "legislators" and insert "lawmakers"

Page 4, line 9, delete "Stop Lawmakers" and insert "Remove Lawmakers' Power to Set"

Page 4, line 10, delete "From Setting"

Amend the title as follows:

Page 1, line 3, delete "stop lawmakers from setting" and insert "remove lawmakers' power to set"

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

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

S.F. No. 2027: A bill for an act relating to health; regulating e-cigarettes; amending Minnesota Statutes 2012, sections 144.413, subdivision 4; 144.4165; 461.12; 461.18; 461.19; 609.685; 609.6855.

Reports the same back with the recommendation that the report from the Committee on Commerce, shown in the Journal for March 26, 2014, be amended to read:

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

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

H.F. No. 1981 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1981	1742				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1981 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1981, the first engrossment; and insert the language after the enacting clause of S.F. No. 1742, the first engrossment; further, delete the title of H.F. No. 1981, the first engrossment; and insert the title of S.F. No. 1742, the first engrossment.

And when so amended H.F. No. 1981 will be identical to S.F. No. 1742, and further recommends that H.F. No. 1981 be given its second reading and substituted for S.F. No. 1742, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2213 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.
2213	2445				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2479 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.
2479	2152				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2660 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.
2660	2244				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 2392 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2392	2353				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2392 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2392, the first engrossment; and insert the language after the enacting clause of S.F. No. 2353; further, delete the title of H.F. No. 2392, the first engrossment; and insert the title of S.F. No. 2353.

And when so amended H.F. No. 2392 will be identical to S.F. No. 2353, and further recommends that H.F. No. 2392 be given its second reading and substituted for S.F. No. 2353, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 2834 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2834	2448				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2834 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2834, the third engrossment; and insert the language after the enacting clause of S.F. No. 2448, the first engrossment; further, delete the title of H.F. No. 2834, the third engrossment; and insert the title of S.F. No. 2448, the first engrossment.

And when so amended H.F. No. 2834 will be identical to S.F. No. 2448, and further recommends that H.F. No. 2834 be given its second reading and substituted for S.F. No. 2448, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 3084 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3084	2616				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3084 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3084, the first engrossment; and insert the language after the enacting clause of S.F. No. 2616, the first engrossment; further, delete the title of H.F. No. 3084, the first engrossment; and insert the title of S.F. No. 2616, the first engrossment.

And when so amended H.F. No. 3084 will be identical to S.F. No. 2616, and further recommends that H.F. No. 3084 be given its second reading and substituted for S.F. No. 2616, and that the Senate File be indefinitely postponed.

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

Senator Bakk from the Committee on Rules and Administration, to which were referred the following appointments:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD
Edward Oliver
Christian Sande

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

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. No. 2575 was read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1981, 2213, 2479, 2660, 2392, 2834 and 3084 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bill was read the first time.

Senator Housley introduced—

S.F. No. 2971: A bill for an act relating to health care; modifying health plan contracting requirements; amending Minnesota Statutes 2012, sections 62Q.733, subdivision 3; 62Q.735, subdivisions 2, 5.

Referred to the Committee on Health, Human Services and Housing.

MOTIONS AND RESOLUTIONS

Senator Marty moved that the name of Senator Lourey be added as a co-author to S.F. No. 2895. The motion prevailed.

Senator Ortman introduced –

Senate Resolution No. 229: A Senate resolution honoring Sara Morton for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced –

Senate Resolution No. 230: A Senate resolution honoring Anne Velazquez for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced –

Senate Resolution No. 231: A Senate resolution honoring Savannah Riese for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senators Clausen and Carlson introduced –

Senate Resolution No. 232: A Senate resolution honoring Bobbie Harjo for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Hawj introduced –

Senate Resolution No. 233: A Senate resolution congratulating Benjamin Larson of St. Paul, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate proceeded to the Order of Business of the Consent Calendar.

CONSENT CALENDAR

S.F. No. 2103: A bill for an act relating to transportation; motor vehicles; modifying the permitted uses of vehicles used for testing; amending Minnesota Statutes 2012, section 168.25, subdivision 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 50 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dziedzic	Jensen	Osmek	Senjem
Bakk	Eaton	Kent	Pappas	Sheran
Benson	Fischbach	Kiffmeyer	Pederson, J.	Sieben
Bonoff	Franzen	Koenen	Petersen, B.	Skoe
Carlson	Gazelka	Lourey	Pratt	Sparks
Chamberlain	Goodwin	Marty	Reinert	Thompson
Clausen	Hall	Metzen	Rosen	Tomassoni
Dahle	Hann	Nelson	Ruud	Weber
Dahms	Hawj	Newman	Saxhaug	Wiger
Dibble	Ingebrigtsen	Ortman	Scalze	Wiklund

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Wiger moved that H.F. No. 683 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

RECESS

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

SPECIAL ORDERS

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

S.F. Nos. 1926, 2470, H.F. Nos. 2746, 2582, S.F. No. 874, H.F. Nos. 2090, 2276, 3017, 2937, S.F. No. 2271 and H.F. No. 3072.

SPECIAL ORDER

S.F. No. 1926: A bill for an act relating to building codes; regulating inspection authority of local units of government; amending Minnesota Statutes 2012, section 326B.106, subdivision 2, by adding subdivisions.

Senator Senjem moved to amend S.F. No. 1926 as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2012, section 299F.01, is amended by adding a subdivision to read:

Subd. 4d. **Mandatory fire sprinklers prohibited.** (a) The State Building Code, the State Fire Code, or a political subdivision of the state by code or ordinance, must not require the installation of fire sprinklers, any fire sprinkler system components, or automatic fire-extinguishing equipment or devices in any new or existing single-family detached dwelling unit, two-family dwelling unit, townhome, or accessory structure such as a garage, covered patio, deck, porch, storage shed, or similar structure.

(b) This subdivision does not affect or limit a requirement for smoke or fire detectors, alarms, or their components.

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

Senator Latz questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

Senator Senjem 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 32 and nays 31, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Jensen	Pappas	Skoe
Bonoff	Eaton	Johnson	Reinert	Sparks
Carlson	Eken	Kent	Rest	Wiger
Clausen	Goodwin	Koenen	Scalze	Wiklund
Cohen	Hawj	Latz	Schmit	
Dahle	Hayden	Lourey	Sheran	
Dibble	Hoffman	Marty	Sieben	

Those who voted in the negative were:

Anderson	Hall	Miller	Pratt	Tomassoni
Benson	Hann	Nelson	Rosen	Weber
Chamberlain	Housley	Newman	Ruud	Westrom
Dahms	Ingebrigtsen	Ortman	Saxhaug	
Fischbach	Kiffmeyer	Osmek	Senjem	
Franzen	Limmer	Pederson, J.	Stumpf	
Gazelka	Metzen	Petersen, B.	Thompson	

So the decision of the President was sustained.

Senator Cohen moved to amend S.F. No. 1926 as follows:

Page 4, after line 17, insert:

"Sec. 9. Minnesota Statutes 2012, section 326B.188, is amended to read:

326B.188 TIMELINE FOR COMPLIANCE WITH ELEVATOR CODE CHANGES AFFECTING EXISTING ELEVATORS AND RELATED DEVICES.

(a) This section applies to code requirements for existing elevators and related devices under Minnesota Rules, chapter 1307, where the deadline set by law for meeting the code requirements is January 29, 2012, or later.

(b) If the department or municipality conducting elevator inspections within its jurisdiction notified the owner of an existing elevator or related device of the code requirements before August 1, 2011, the owner may submit a compliance plan by December 30, 2011. If the department or municipality did not notify the owner of an existing elevator or related device of the code requirements before August 1, 2011, the department or municipality shall notify the owner of the code requirements and permit the owner to submit a compliance plan by December 30, 2011, or within 60 days after the date of notification, whichever is later.

(c) Any compliance plan submitted under this section shall result in compliance with the code requirements by the later of January 29, 2012, or three years after submission of the compliance plan. Elevators and related devices that are not in compliance with the code requirements by the later of January 29, 2012, or three years after the submission of the compliance plan may be taken out of service as provided in section 326B.175.

(d) Notwithstanding any other provision of this section, the deadline for compliance with code requirements is December 31, 2017, for an elevator installed prior to January 27, 2007, in a residential common interest ownership property having five or fewer floors not including the basement.

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

Amend the title accordingly

Senator Limmer questioned whether the amendment was germane.

CALL OF THE SENATE

Senator Cohen imposed a call of the Senate for the balance of the proceedings on S.F. No. 1926. The Sergeant at Arms was instructed to bring in the absent members.

The President ruled that the Cohen amendment was germane.

Senator Pederson, J. 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 38 and nays 26, as follows:

Those who voted in the affirmative were:

Bakk
Bonoff

Carlson
Clausen

Cohen
Dahle

Dibble
Dziedzic

Eaton
Eken

Franzen	Johnson	Pappas	Sheran	Torres Ray
Goodwin	Kent	Reinert	Sieben	Westrom
Hawj	Latz	Rest	Skoe	Wiger
Hayden	Lourey	Saxhaug	Sparks	Wiklund
Hoffman	Marty	Scalze	Stumpf	
Jensen	Metzen	Schmit	Tomassoni	

Those who voted in the negative were:

Anderson	Hall	Limmer	Pederson, J.	Thompson
Benson	Hann	Miller	Petersen, B.	Weber
Chamberlain	Housley	Nelson	Pratt	
Dahms	Ingebrigtsen	Newman	Rosen	
Fischbach	Kiffmeyer	Ortman	Ruud	
Gazelka	Koenen	Osmek	Senjem	

So the decision of the President was sustained.

Senator Senjem moved to amend the Cohen amendment to S.F. No. 1926 as follows:

Page 1, line 6, before "(a)" insert "Subdivision 1. Existing elevators and related devices."

Page 1, lines 6 and 17, strike "section" and insert "subdivision"

Page 1, line 22, delete "section" and insert "subdivision"

Page 1, after line 25, insert:

"Subd. 2. **Mandatory fire sprinklers prohibited.** (a) The State Building Code, the State Fire Code, or a political subdivision of the state by code or ordinance, must not require the installation of fire sprinklers, any fire sprinkler system components or automatic fire-extinguishing equipment or devices in any new or existing single-family detached dwelling unit, two-family dwelling unit, townhome, or accessory structure such as a garage, covered patio, deck, porch, storage shed, or similar structure.

(b) This subdivision does not affect or limit a requirement for smoke or fire detectors, alarms, or their components."

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

The roll was called, and there were yeas 44 and nays 20, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Koenen	Pederson, J.	Sheran
Bakk	Hall	Limmer	Petersen, B.	Skoe
Benson	Hann	Lourey	Pratt	Sparks
Bonoff	Housley	Metzen	Reinert	Stumpf
Chamberlain	Ingebrigtsen	Miller	Rosen	Thompson
Dahms	Jensen	Nelson	Ruud	Tomassoni
Eken	Johnson	Newman	Saxhaug	Weber
Fischbach	Kent	Ortman	Schmit	Westrom
Franzen	Kiffmeyer	Osmek	Senjem	

Those who voted in the negative were:

Carlson	Dibble	Hawj	Marty	Sieben
Clausen	Dziedzic	Hayden	Pappas	Torres Ray
Cohen	Eaton	Hoffman	Rest	Wiger
Dahle	Goodwin	Latz	Scalze	Wiklund

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

The question recurred on the Cohen amendment, as amended.

The roll was called, and there were yeas 45 and nays 19, as follows:

Those who voted in the affirmative were:

Anderson	Franzen	Kent	Osmek	Senjem
Bakk	Gazelka	Kiffmeyer	Pederson, J.	Sheran
Benson	Hall	Koenen	Petersen, B.	Skoe
Bonoff	Hann	Lourey	Pratt	Sparks
Chamberlain	Hayden	Metzen	Reinert	Stumpf
Cohen	Housley	Miller	Rosen	Thompson
Dahms	Ingebrigtsen	Nelson	Ruud	Tomassoni
Eken	Jensen	Newman	Saxhaug	Weber
Fischbach	Johnson	Ortman	Schmit	Westrom

Those who voted in the negative were:

Carlson	Dziedzic	Hoffman	Pappas	Torres Ray
Clausen	Eaton	Latz	Rest	Wiger
Dahle	Goodwin	Limmer	Scalze	Wiklund
Dibble	Hawj	Marty	Sieben	

The motion prevailed. So the Cohen amendment, as amended, was adopted.

S.F. No. 1926 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 45 and nays 18, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kent	Osmek	Senjem
Bakk	Franzen	Kiffmeyer	Pederson, J.	Sheran
Benson	Gazelka	Koenen	Petersen, B.	Skoe
Bonoff	Hall	Lourey	Pratt	Sparks
Chamberlain	Hann	Metzen	Reinert	Stumpf
Cohen	Housley	Miller	Rosen	Thompson
Dahle	Ingebrigtsen	Nelson	Ruud	Tomassoni
Dahms	Jensen	Newman	Saxhaug	Weber
Eken	Johnson	Ortman	Schmit	Westrom

Those who voted in the negative were:

Carlson	Eaton	Hoffman	Pappas	Wiger
Clausen	Goodwin	Latz	Rest	Wiklund
Dibble	Hawj	Limmer	Scalze	
Dziedzic	Hayden	Marty	Sieben	

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

SPECIAL ORDER

S.F. No. 2470: A bill for an act relating to education; authorizing an innovative partnership to deliver certain technology and educational services; proposing coding for new law in Minnesota Statutes, chapter 123A.

Senator Tomassoni moved to amend S.F. No. 2470 as follows:

Page 1, line 18, delete everything after "as" and insert "the Education Innovation Partners"

Page 1, line 19, delete everything before "Cooperative" and delete "....." and insert "1"

The motion prevailed. So the amendment was adopted.

S.F. No. 2470 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 59 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kent	Osmek	Sieben
Bakk	Franzen	Kiffmeyer	Pappas	Skoe
Bonoff	Gazelka	Koenen	Pederson, J.	Sparks
Carlson	Goodwin	Latz	Petersen, B.	Stumpf
Chamberlain	Hall	Limmer	Pratt	Thompson
Clausen	Hann	Lourey	Reinert	Tomassoni
Dahle	Hawj	Marty	Rosen	Torres Ray
Dahms	Hayden	Metzen	Ruud	Weber
Dibble	Housley	Miller	Scalze	Westrom
Dziedzic	Ingebrigtsen	Nelson	Schmit	Wiger
Eaton	Jensen	Newman	Senjem	Wiklund
Eken	Johnson	Ortman	Sheran	

Those who voted in the negative were:

Rest

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

SPECIAL ORDER

H.F. No. 2746: A bill for an act relating to agriculture; removing obsolete, redundant, and unnecessary laws administered by the Department of Agriculture; amending Minnesota Statutes 2012, sections 17.03, subdivision 1; 17.101, subdivision 5; 28A.05; 28A.08, subdivision 3; 32.645, subdivision 1; 609B.105; Minnesota Statutes 2013 Supplement, section 28A.0752, subdivision 1; repealing Minnesota Statutes 2012, sections 17.03, subdivision 2; 17.038; 17.045; 17.1161; 17.138; 17.14, subdivisions 1, 3, 4; 17.15; 17.16; 17.17; 17.18; 17.181; 17.19; 17.42; 17.43; 17.44; 17.452, subdivisions 1, 2; 18.011; 18.62; 18.63; 18.64; 18.65; 18.66; 18.67; 18.68; 18.69; 18.70; 18.71; 30.003; 30.01, subdivisions 1, 6; 30.099; 30.10; 30.102; 30.103; 30.104; 30.15; 30.151; 30.152; 30.16; 30.161; 30.17; 30.19; 30.20; 30.201; 30.55; 30.56; 30.57; 30.58; 30.59; 32.104; 32.411, subdivisions 1, 2, 3, 4, 5; 32.417; 32.57; 32.59.

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 61 and nays 1, as follows:

Those who voted in the affirmative were:

Anderson	Eaton	Housley	Metzen	Rosen
Bakk	Eken	Ingebrigtsen	Miller	Ruud
Benson	Fischbach	Jensen	Nelson	Scalze
Bonoff	Franzen	Johnson	Newman	Schmit
Carlson	Gazelka	Kent	Ortman	Senjem
Chamberlain	Goodwin	Kiffmeyer	Osmek	Sheran
Clausen	Hall	Koenen	Pappas	Sieben
Dahle	Hann	Latz	Pederson, J.	Skoe
Dahms	Hawj	Limmer	Petersen, B.	Sparks
Dibble	Hayden	Lourey	Pratt	Stumpf
Dziedzic	Hoffman	Marty	Reinert	Thompson

Tomassoni
Torres Ray

Weber
Westrom

Wiger
Wiklund

Those who voted in the negative were:

Rest

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2582: A bill for an act relating to corporations; providing for the organization and operation of public benefit corporations; proposing coding for new law as Minnesota Statutes, chapter 304A.

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 48 and nays 16, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Housley	Nelson	Sieben
Benson	Eken	Jensen	Pappas	Skoe
Bonoff	Fischbach	Johnson	Pederson, J.	Sparks
Carlson	Franzen	Kent	Reinert	Stumpf
Chamberlain	Gazelka	Koenen	Rest	Tomassoni
Clausen	Goodwin	Latz	Rosen	Torres Ray
Cohen	Hall	Lourey	Saxhaug	Wiger
Dahle	Hawj	Marty	Scalze	Wiklund
Dibble	Hayden	Metzen	Schmit	
Dziedzic	Hoffman	Miller	Sheran	

Those who voted in the negative were:

Anderson	Kiffmeyer	Osmek	Senjem
Dahms	Limmer	Petersen, B.	Thompson
Hann	Newman	Pratt	Weber
Ingebrigtsen	Ortman	Ruud	Westrom

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 874: A bill for an act relating to criminal justice; modifying judicial forfeiture provisions; amending Minnesota Statutes 2012, sections 609.531, subdivision 6a; 609.5314, subdivision 3; 609.5316, subdivision 3; 609.5318, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 55 and nays 5, as follows:

Those who voted in the affirmative were:

Anderson	Clausen	Eaton	Gazelka	Hawj
Benson	Dahle	Eken	Goodwin	Hoffman
Carlson	Dibble	Fischbach	Hall	Housley
Chamberlain	Dziedzic	Franzen	Hann	Jensen

Johnson	Marty	Pappas	Scalze	Thompson
Kent	Metzen	Pederson, J.	Schmit	Tomassoni
Kiffmeyer	Miller	Petersen, B.	Senjem	Torres Ray
Koenen	Nelson	Pratt	Sheran	Weber
Latz	Newman	Reinert	Sieben	Westrom
Limmer	Ortman	Rest	Skoe	Wiger
Lourey	Osmek	Ruud	Sparks	Wiklund

Those who voted in the negative were:

Bonoff	Dahms	Ingebrigtsen	Rosen	Saxhaug
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So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2090: A bill for an act relating to civil actions; prohibiting certain indemnification agreements; proposing coding for new law in Minnesota Statutes, chapter 604.

Senator Jensen moved to amend H.F. No. 2090 as follows:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2012, section 337.01, subdivision 3, is amended to read:

Subd. 3. **Indemnification agreement.** "Indemnification agreement" means an agreement by the promisor to indemnify, defend, or hold harmless the promisee against liability or claims of liability for damages arising out of bodily injury to persons or out of physical damage to tangible or real property.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to agreements in force on, or entered into on or after, that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2090 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kent	Pappas	Sheran
Benson	Franzen	Kiffmeyer	Pederson, J.	Sieben
Bonoff	Gazelka	Koenen	Petersen, B.	Skoe
Carlson	Goodwin	Latz	Pratt	Sparks
Chamberlain	Hall	Limmer	Reinert	Thompson
Clausen	Hawj	Lourey	Rest	Tomassoni
Dahle	Hayden	Marty	Rosen	Torres Ray
Dahms	Hoffman	Metzen	Ruud	Weber
Dibble	Housley	Miller	Saxhaug	Westrom
Dziedzic	Ingebrigtsen	Nelson	Scalze	Wiger
Eaton	Jensen	Newman	Schmit	Wiklund
Eken	Johnson	Ortman	Senjem	

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

SPECIAL ORDER

H.F. No. 2276: A bill for an act relating to the safe at home program; regulating participant data and real property records; amending Minnesota Statutes 2013 Supplement, sections 5B.05; 13.045.

Senator Goodwin moved that the amendment made to H.F. No. 2276 by the Committee on Rules and Administration in the report adopted April 9, 2014, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2276 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Franzen	Kiffmeyer	Pederson, J.	Skoe
Benson	Gazelka	Koenen	Petersen, B.	Sparks
Bonoff	Goodwin	Latz	Pratt	Thompson
Carlson	Hall	Limmer	Reinert	Tomassoni
Chamberlain	Hann	Lourey	Rest	Torres Ray
Clausen	Hawj	Marty	Rosen	Weber
Dahle	Hayden	Metzen	Ruud	Westrom
Dahms	Hoffman	Miller	Saxhaug	Wiger
Dibble	Housley	Nelson	Scalze	Wiklund
Dziedzic	Ingebrigtsen	Newman	Schmit	
Eaton	Jensen	Ortman	Senjem	
Eken	Johnson	Osmek	Sheran	
Fischbach	Kent	Pappas	Sieben	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3017: A bill for an act relating to public safety; amending and repealing outdated and redundant statutes; modifying provisions related to the Violent Crime Coordinating Council; providing grants for support services to victims of sexual assault and victims of crime; requiring a report on collection of data on victims of domestic abuse; amending Minnesota Statutes 2012, sections 13.823; 15.0591, subdivision 2; 299A.642, subdivisions 1, 3; 299C.05; 299C.111; 403.025, subdivision 7; 403.05, subdivision 1; 403.08, subdivision 10; 518B.01, subdivision 21; 611A.0311, subdivision 2; 611A.37, subdivision 5; 611A.76; 629.342, subdivision 2; Minnesota Statutes 2013 Supplement, sections 13.82, subdivision 5; 403.11, subdivision 1; 611A.02, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapter 611A; repealing Minnesota Statutes 2012, sections 237.83, subdivision 4; 299A.63; 299C.01, subdivision 1; 299C.04; 299C.145, subdivision 4; 299C.19; 299C.20; 299C.215; 299C.30; 299C.31; 299C.32; 299C.33; 299C.34; 299C.49; 299F.01, subdivision 1; 299F.04, subdivision 3a; 299F.37; 403.02, subdivision 15; 611A.02, subdivision 1; 611A.0311, subdivision 3; 611A.21; 611A.22; 611A.221; 611A.36; 611A.41; 611A.43; 611A.78.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Johnson	Osmek	Senjem
Benson	Franzen	Kent	Pappas	Sheran
Bonoff	Gazelka	Kiffmeyer	Pederson, J.	Sieben
Carlson	Goodwin	Koenen	Petersen, B.	Skoe
Chamberlain	Hall	Latz	Pratt	Sparks
Clausen	Hann	Limmer	Reinert	Thompson
Dahle	Hawj	Lourey	Rest	Tomassoni
Dahms	Hayden	Metzen	Rosen	Torres Ray
Dibble	Hoffman	Miller	Ruud	Weber
Dziedzic	Housley	Nelson	Saxhaug	Westrom
Eaton	Ingebrigtsen	Newman	Scalze	Wiger
Eken	Jensen	Ortman	Schmit	Wiklund

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2937: A bill for an act relating to state government; making technical changes affecting the Minnesota Historical Society; amending Minnesota Statutes 2012, sections 3.732, subdivision 1; 43A.24, subdivision 2; 138.081, subdivision 2; 138.662, subdivision 21, by adding subdivisions; 138.94; repealing Minnesota Statutes 2012, section 138.662, subdivisions 4, 34.

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Johnson	Osmek	Senjem
Benson	Franzen	Kent	Pappas	Sheran
Bonoff	Gazelka	Kiffmeyer	Pederson, J.	Sieben
Carlson	Goodwin	Koenen	Petersen, B.	Skoe
Chamberlain	Hall	Latz	Pratt	Sparks
Clausen	Hann	Limmer	Reinert	Thompson
Dahle	Hawj	Lourey	Rest	Tomassoni
Dahms	Hayden	Metzen	Rosen	Torres Ray
Dibble	Hoffman	Miller	Ruud	Weber
Dziedzic	Housley	Nelson	Saxhaug	Westrom
Eaton	Ingebrigtsen	Newman	Scalze	Wiger
Eken	Jensen	Ortman	Schmit	Wiklund

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2271: A bill for an act relating to metropolitan government; repealing obsolete provisions governing the Metropolitan Council; making certain conforming technical changes; amending Minnesota Statutes 2012, sections 473.123, subdivision 4; 473.125; 473.129, subdivisions 6, 12; 473.173, subdivision 2; 473.181, subdivision 2; 473.254, subdivisions 3a, 4, 5; 473.315, subdivision 1; 473.375, subdivision 11; 473.39, subdivision 1e; 473.391, subdivision 1; 473.405, subdivision 5; 473.42; 473.504, subdivisions 5, 11; 473.858, subdivision 1; 473.859, subdivision 6; 473.861, subdivision 2; 473.862, subdivision 2; repealing Minnesota Statutes 2012, sections 473.123, subdivision 7; 473.13, subdivision 1c; 473.23; 473.241; 473.243; 473.244; 473.254, subdivision 3; 473.315, subdivision 2; 473.326; 473.333; 473.375, subdivision 9; 473.382; 473.388, subdivision 8; 473.392; 473.516, subdivision 5; 473.523, subdivision 2; 473.535; 473.852, subdivision 11; Minnesota Statutes 2013 Supplement, section 473.517, subdivision 9.

Senator Osmek moved to amend S.F. No. 2271 as follows:

Page 1, after line 15, insert:

"Section 1. Minnesota Statutes 2012, section 473.123, subdivision 3, is amended to read:

Subd. 3. **Membership; appointment; qualifications.** (a) Sixteen members must be appointed by the governor from districts defined by this section. Each council member must reside in the council district represented. Each council district must be represented by one member of the council.

(b) In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms must be published in newspapers of general circulation in the metropolitan area and the appropriate districts. The governing bodies of the statutory and home rule charter cities, counties, and towns having territory in the district for which a member is to be appointed must be notified in writing. The notices must describe the appointments process and invite participation and recommendations on the appointment.

(c) The governor shall create a nominating committee, composed of seven metropolitan citizens appointed by the governor, to nominate persons for appointment to the council from districts. Three of the committee members must be local elected officials. Following the submission of applications as provided under section 15.0597, subdivision 5, the nominating committee shall conduct public meetings, after appropriate notice, to accept statements from or on behalf of persons who have applied or been nominated for appointment and to allow consultation with and secure the advice of the public and local elected officials. The committee shall hold the meeting on each appointment in the district or in a reasonably convenient and accessible location in the part of the metropolitan area in which the district is located. The committee may consolidate meetings. Following the meetings, the committee shall submit to the governor a list of nominees for each appointment. The governor ~~is not required to appoint~~ shall select a nominee for each appointment from the list.

(d) ~~Before making an appointment~~ selecting a nominee for each district, the governor shall consult with all members of the legislature from the council district for which the member is to be appointed.

~~(e) Appointments to the council are subject to the advice and consent of the senate as provided in section 15.066~~ After the governor selects a nominee for each district, and before the nominee is considered by the senate, the governor shall submit the name of the nominee to the governing body of each city and town located wholly or partially within the district that the nominee would represent. Each city and town has 60 days from the date of receipt of the notice of the nominee to pass a resolution in support of or in opposition to the nominee. A city or town that does not pass a resolution shall be deemed to not support the nominee. At the end of the 60-day period, if a majority of cities and towns in the district have passed resolutions in support of the nominee, the governor shall submit the nominee for advice and consent of the senate as provided in section 15.066. At the end of the 60-day period, if a majority of cities and towns in the district have not passed resolutions in support of the nominee, the governor shall select another nominee from the list required in paragraph (c) or shall request the nominating committee to submit a new list of nominees. After each redistricting, the Geographical Information Systems Office of the Legislative Coordinating Commission shall create a list of all cities and towns wholly or partially located in each district. This shall be the official list in determining the number of cities and towns located wholly or partially in each district. For purposes of this paragraph, "cities" means home rule charter and statutory cities.

(f) Members of the council must be appointed to reflect fairly the various demographic, political, and other interests in the metropolitan area and the districts.

(g) Members of the council must be persons knowledgeable about urban and metropolitan affairs.

(h) Any vacancy in the office of a council member shall immediately be filled for the unexpired term. In filling a vacancy, the governor may forgo the requirements of paragraph (c) if the governor has made appointments in full compliance with the requirements of this subdivision within the preceding 12 months."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Latz imposed a call of the Senate for the balance of the proceedings on the Osmek amendment. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 26 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Hall	Miller	Petersen, B.	Weber
Benson	Hann	Nelson	Pratt	Westrom
Chamberlain	Housley	Newman	Rosen	
Dahms	Ingebrigtsen	Ortman	Ruud	
Fischbach	Kiffmeyer	Osmek	Senjem	
Gazelka	Limmer	Pederson, J.	Thompson	

Those who voted in the negative were:

Bakk	Eaton	Johnson	Rest	Stumpf
Bonoff	Eken	Kent	Saxhaug	Tomassoni
Carlson	Franzen	Koenen	Scalze	Torres Ray
Clausen	Goodwin	Latz	Schmit	Wiger
Cohen	Hawj	Lourey	Sheran	Wiklund
Dahle	Hayden	Marty	Sieben	
Dibble	Hoffman	Metzen	Skoe	
Dziedzic	Jensen	Pappas	Sparks	

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

Senator Limmer moved to amend S.F. No. 2271 as follows:

Page 3, after line 24, insert:

"Sec. 5. Minnesota Statutes 2012, section 473.13, subdivision 1, is amended to read:

Subdivision 1. **Budget.** (a) On or before December 20 of each year, the council shall adopt a final budget covering its anticipated receipts and disbursements for the ensuing year and shall decide upon the total amount necessary to be raised from ad valorem tax levies to meet its budget. The budget shall state in detail the expenditures for each program to be undertaken, including the expenses for salaries, consultant services, overhead, travel, printing, and other items. The budget shall state in detail the capital expenditures of the council for the budget year, based on a five-year capital program adopted by the council and transmitted to the legislature. After adoption of the

budget and no later than five working days after December 20, the council shall certify to the auditor of each metropolitan county the share of the tax to be levied within that county, which must be an amount bearing the same proportion to the total levy agreed on by the council as the net tax capacity of the county bears to the net tax capacity of the metropolitan area. The maximum amount of any levy made for the purpose of this chapter may not exceed the limits set by the statute authorizing the levy.

(b) Each even-numbered year the council shall prepare for its transit programs a financial plan for the succeeding three calendar years, in half-year segments. The financial plan must contain schedules of user charges and any changes in user charges planned or anticipated by the council during the period of the plan. The financial plan must contain a proposed request for state financial assistance for the succeeding biennium.

(c) In addition, the budget must show for each year:

(1) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service;

(2) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year, all in such detail and form as the council may prescribe; and

(3) the estimated source and use of pass-through funds.

(d) The council shall not impose, or require or request a local government unit to levy, any tax unless or until the legislature has enacted a law to approve of the specific levy. The council shall not rely on any general levy authority in this chapter or any other chapter to impose a levy."

CALL OF THE SENATE

Senator Limmer imposed a call of the Senate for the balance of the proceedings on the Limmer amendment. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 25 and nays 37, as follows:

Those who voted in the affirmative were:

Anderson	Hall	Limmer	Osmek	Ruud
Benson	Hann	Miller	Pederson, J.	Senjem
Chamberlain	Housley	Nelson	Petersen, B.	Thompson
Fischbach	Ingebriksen	Newman	Pratt	Weber
Gazelka	Kiffmeyer	Ortman	Rosen	Westrom

Those who voted in the negative were:

Bakk	Eaton	Johnson	Rest	Stumpf
Bonoff	Eken	Kent	Saxhaug	Tomassoni
Carlson	Franzen	Koenen	Scalze	Torres Ray
Clausen	Goodwin	Latz	Schmit	Wiger
Dahle	Hawj	Lourey	Sheran	Wiklund
Dahms	Hayden	Marty	Sieben	
Dibble	Hoffman	Metzen	Skoe	
Dziedzic	Jensen	Pappas	Sparks	

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

S.F. No. 2271 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eken	Johnson	Osmek	Sieben
Bakk	Fischbach	Kent	Pappas	Skoe
Benson	Franzen	Kiffmeyer	Pederson, J.	Sparks
Bonoff	Gazelka	Koenen	Petersen, B.	Stumpf
Carlson	Goodwin	Latz	Pratt	Thompson
Chamberlain	Hall	Limmer	Rest	Tomassoni
Clausen	Hann	Lourey	Rosen	Torres Ray
Cohen	Hawj	Marty	Ruud	Weber
Dahle	Hayden	Metzen	Saxhaug	Westrom
Dahms	Hoffman	Miller	Scalze	Wiger
Dibble	Housley	Nelson	Schmit	Wiklund
Dziedzic	Ingebrigtsen	Newman	Senjem	
Eaton	Jensen	Ortman	Sheran	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3072: A bill for an act relating to transportation; modernizing provisions relating to traffic regulations; eliminating certain reporting requirements; distribution of motor vehicle sales tax revenues; eliminating antiquated, unnecessary, and obsolete provisions; making conforming changes; eliminating and extending sunsets; amending Minnesota Statutes 2012, sections 168.021, subdivision 1; 168.056; 168.10, subdivision 1b; 168.12, subdivisions 1, 2, 2b, 2c, 2d, 2e; 168.123, subdivision 1; 168.1235, subdivision 1; 168.124, subdivision 1; 168.125, subdivision 1; 168.1253, subdivision 1; 168.129, subdivision 1; 168.1296, subdivision 1; 168.1298, subdivision 1; 169.685, subdivision 7; 169.751; 171.12, subdivision 6; Laws 2009, chapter 158, section 10, as amended; repealing Minnesota Statutes 2012, sections 168.0422; 168.055; 168A.20, subdivision 1a; 169.11; 169.36; 169.39; 169.725; 169.743; 169.754; 169.78; 169.7961; 169.983; 169A.60, subdivision 18; 171.28; 299D.02; 299D.04; 299D.05; 609B.202; Minnesota Rules, part 7409.4700, subpart 2.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 62 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kent	Pappas	Skoe
Bakk	Franzen	Kiffmeyer	Pederson, J.	Sparks
Benson	Gazelka	Koenen	Petersen, B.	Stumpf
Bonoff	Goodwin	Latz	Pratt	Thompson
Carlson	Hall	Limmer	Rest	Tomassoni
Chamberlain	Hann	Lourey	Rosen	Torres Ray
Clausen	Hawj	Marty	Ruud	Weber
Dahle	Hayden	Metzen	Saxhaug	Westrom
Dahms	Hoffman	Miller	Scalze	Wiger
Dibble	Housley	Nelson	Schmit	Wiklund
Dziedzic	Ingebrigtsen	Newman	Senjem	
Eaton	Jensen	Ortman	Sheran	
Eken	Johnson	Osmek	Sieben	

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

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

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2536:

H.F. No. 2536: A bill for an act relating to state government; providing for the Women's Economic Security Act; requiring equal pay certificates of compliance; modifying workforce development provisions; creating women and high-wage, high-demand, nontraditional jobs grant program; modifying eligibility for unemployment insurance benefits; offering women entrepreneurs business development competitive grants; requiring a report on a potential state-administered retirement savings plan; modifying parenting leave, sick leave, and pregnancy accommodations; providing employment protections for women and family caregivers; providing wage disclosure protection; modifying the award of early childhood scholarships; appropriating money; amending Minnesota Statutes 2012, sections 13.552, by adding a subdivision; 181.939; 181.940, subdivision 2; 181.941; 181.943; 268.095, subdivisions 1, 6; 363A.03, by adding a subdivision; 363A.08, subdivisions 1, 2, 3, 4, by adding subdivisions; Minnesota Statutes 2013 Supplement, sections 116L.665, subdivision 2; 124D.165, subdivision 3; 181.9413; proposing coding for new law in Minnesota Statutes, chapters 116L; 181; 363A.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Melin, Moran and Kresha have been appointed as such committee on the part of the House.

House File No. 2536 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 24, 2014

Senator Sieben, for Senator Pappas, moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2536, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

RECESS

Senator Bakk 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.

APPOINTMENTS

Senator Bakk from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 2536: Senators Pappas, Sieben and Rosen.

Senator Bakk moved that the foregoing appointments be approved. The motion prevailed.

MEMBERS EXCUSED

Senators Brown, Champion and Nienow were excused from the Session of today. Senators Chamberlain, Goodwin and Kiffmeyer were excused from the Session of today from 9:00 to 9:25 a.m. Senators Eken, Hoffman, Housley, Johnson, Latz, Limmer, Miller, Rest, Schmit and Westrom were excused from the Session of today from 9:00 to 9:30 a.m. Senator Cohen was excused from the Session of today from 9:00 to 9:30 a.m., from 12:15 to 1:00 p.m. and from 1:10 to 2:00 p.m. Senator Hayden was excused from the Session of today from 9:00 to 9:30 a.m. and from 1:00 to 1:30 p.m. Senator Stumpf was excused from the Session of today from 9:00 to 9:30 a.m. and from 1:10 to 2:00 p.m. Senator Torres Ray was excused from the Session of today from 9:00 to 11:55 a.m. Senator Benson was excused from the Session of today from 12:15 to 12:25 p.m. Senator Saxhaug was excused from the Session of today from 12:15 to 12:30 p.m. Senator Bakk was excused from the Session of today from 1:10 to 2:00 p.m. Senator Osmek was excused from the Session of today from 1:25 to 1:30 p.m. Senator Reinert was excused from the Session of today at 2:00 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Friday, April 25, 2014. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate