

FORTY-EIGHTH DAY

St. Paul, Minnesota, Monday, April 27, 2015

The Senate met at 12:00 noon 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. Ilene Blanche.

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

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

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

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Madam President:

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

S.F. No. 888: 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, military affairs and veterans affairs, and senate building; cancellation of certain appropriations; transferring money to the budget reserve; allowing

prepay for certain software and information technology hosting services; limiting a fee or fine increase to ten percent in a biennium; providing reimbursement for reasonable accommodation; modifying grant agreement provisions; making changes to guaranteed energy-savings program, small business requirements, and targeted group businesses; changing certain requirements for the practice of cosmetology; assessing certain costs for Office of Administrative Hearings; changing a rehabilitation or renovation grant from the Minnesota Amateur Sports Commission; changing or establishing certain fees; limiting fire sprinkler requirement in certain dwellings; modifying certain filing requirements for corporations; modifying provisions for accountants; requiring a licensee of the residential trades to give an option to install fire sprinklers; modifying debt service provision for the legislative parking garage; requiring the same room numbers on signage in the Capitol to identify legacy rooms; providing in-lieu of rent evaluation; prohibiting state funds, tax expenditures, or state indebtedness to fund a major league soccer stadium; making changes to provisions for military and veterans affairs; changing provisions covering pari-mutuel horse racing; modifying provisions for cigarette and tobacco license; providing civil penalties; requiring reports; amending Minnesota Statutes 2014, sections 3.8843, subdivision 5; 16A.065; 16A.1283; 16B.97, subdivision 1; 16B.98, subdivisions 1, 11; 16C.144; 16C.16, subdivision 2, by adding a subdivision; 16C.19; 155A.21; 155A.23, subdivision 8, by adding subdivisions; 155A.24, subdivision 2; 155A.25, subdivisions 1a, 5, by adding subdivisions; 155A.27, subdivisions 1, 2, 5a; 155A.271; 155A.29, subdivisions 1, 2, by adding a subdivision; 155A.30, subdivisions 5, 10; 161.1419, subdivision 8; 190.16, by adding a subdivision; 190.19, subdivisions 2a, 3; 192.26, by adding a subdivision; 192.38, subdivision 1; 192.501, by adding a subdivision; 197.133; 198.03, subdivisions 2, 3; 211B.37; 240.01, subdivision 22, by adding subdivisions; 240.011; 240.03; 240.08, subdivisions 2, 4, 5; 240.10; 240.13, subdivisions 5, 6; 240.135; 240.15, subdivisions 1, 6; 240.16, subdivision 1; 240.22; 240.23; 240A.09; 270C.722, subdivision 1; 270C.728, by adding a subdivision; 272.484; 297F.01, subdivision 14; 297F.03, subdivisions 5, 6; 297F.04, subdivision 1; 297F.13, subdivision 4; 297F.19, by adding a subdivision; 297F.20, by adding subdivisions; 297F.21, subdivision 1; 299F.011, by adding a subdivision; 303.19; 304A.301, subdivisions 1, 5, 6, by adding a subdivision; 326A.01, subdivisions 2, 12, 13a, 15, 16; 326A.02, subdivisions 3, 5; 326A.05, subdivisions 1, 3; 326A.08, subdivision 7; 326A.10; 326B.809; 336A.09, subdivision 1; 364.09; 461.12, subdivision 8; Laws 2013, chapter 142, article 1, section 10; Laws 2014, chapter 287, section 25; proposing coding for new law in Minnesota Statutes, chapters 3; 16B; 297F; repealing Minnesota Statutes 2014, sections 155A.23, subdivision 6; 197.131; 197.132; 240.01, subdivisions 12, 23; 297F.185.

Senate File No. 888 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 24, 2015

Senator Saxhaug moved that the Senate do not concur in the amendments by the House to S.F. No. 888, and that a Conference Committee of 5 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.

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 846.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 24, 2015

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 846: A bill for an act relating to state government; appropriating money for environment and natural resources; modifying public entity purchasing requirements; modifying solid waste provisions; modifying subsurface sewage treatment systems provisions; modifying compensable losses due to harmful substances; modifying invasive species provisions; modifying state parks and trails provisions; modifying requirements for fire training; modifying auxiliary forest provisions; modifying recreational vehicle provisions; providing for all-terrain vehicle safety training indication on drivers' licenses and identification cards; modifying and providing for certain fees; creating and modifying certain accounts; providing for and modifying certain grants; modifying disposition of certain revenue; modifying certain permit provisions; providing for condemnation of certain school trust lands; modifying Water Law; providing for certain enforcement delay; modifying personal flotation device provisions; regulating wake surfing; modifying game and fish laws; modifying Metropolitan Area Water Supply Advisory Committee and specifying duties; providing for Minnesota Pollution Control Agency Citizens' Board; prohibiting sale of certain personal care products containing synthetic plastic microbeads; requiring reports; requiring rulemaking; amending Minnesota Statutes 2014, sections 16A.531, subdivision 1a; 16C.073, subdivision 2; 84.415, subdivision 7; 84.788, subdivision 5, by adding a subdivision; 84.82, subdivision 6; 84.84; 84.92, subdivisions 8, 9, 10; 84.922, subdivision 4; 84.925, subdivision 5; 84.9256, subdivision 1; 84.928, subdivision 1; 84D.01, subdivisions 13, 15, 17, 18, by adding a subdivision; 84D.03, subdivision 3; 84D.06; 84D.10, subdivision 3; 84D.11, subdivision 1; 84D.12, subdivisions 1, 3; 84D.13, subdivision 5; 84D.15, subdivision 3; 85.015, subdivision 28, by adding a subdivision; 85.054, subdivision 12; 85.32, subdivision 1; 86B.313, subdivisions 1, 4; 86B.315; 86B.401, subdivision 3; 88.17, subdivision 3; 88.49, subdivisions 3, 4, 5, 6, 7, 8, 9, 11; 88.491, subdivision 2; 88.50; 88.51, subdivisions 1, 3; 88.52, subdivisions 2, 3, 4, 5, 6; 88.523; 88.53, subdivisions 1, 2; 88.6435, subdivision 4; 90.14; 90.193; 94.10, subdivision 2; 94.16, subdivisions 2, 3; 97A.045, subdivision 11; 97A.057, subdivision 1; 97A.435, subdivision 4; 97A.465, by adding a subdivision; 97B.063; 97B.081, subdivision 3; 97B.085, subdivision 2; 97B.301, by adding a subdivision; 97B.668; 97C.005, subdivision 1, by adding a subdivision; 97C.301, by adding a subdivision; 97C.345, by adding a subdivision; 97C.501, subdivision 2; 103B.101, by adding a subdivision; 103B.3355; 103F.612, subdivision 2; 103G.005, by adding a subdivision; 103G.222, subdivisions 1, 3; 103G.2242, subdivisions 1, 2, 3, 4, 12, 14; 103G.2251; 103G.245, subdivision 2; 103G.271, subdivisions 3, 5, 6a; 103G.287, subdivisions 1, 2; 103G.291, subdivision 3; 103G.301, subdivision 5a; 115.03, by adding a subdivision; 115.073; 115.55, subdivisions 1, 3; 115.56, subdivision 2; 115A.03, subdivision 25a; 115A.551, subdivision 2a; 115A.557, subdivision 2; 115A.93, subdivision 1; 115B.34, subdivision 2; 115C.05; 116.02; 116.03, subdivision 1; 116.07, subdivisions 4d, 4j, 7, by adding a subdivision; 116D.04, by adding a subdivision; 144.12, by adding a subdivision; 171.07, by adding a subdivision; 282.011, subdivision 3; 446A.073,

subdivisions 1, 3, 4; 473.1565; Laws 2010, chapter 215, article 3, section 3, subdivision 6, as amended; Laws 2014, chapter 312, article 12, section 6, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 84; 84D; 85; 92; 97A; 97B; 103B; 103G; 114C; 115; 115A; 325E; repealing Minnesota Statutes 2014, sections 84.68; 86B.13, subdivisions 2, 4; 88.47; 88.48; 88.49, subdivisions 1, 2, 10; 88.491, subdivision 1; 88.51, subdivision 2; 97A.475, subdivision 25; 97B.905, subdivision 3; 116.02, subdivisions 7, 8, 10; 282.013; 477A.19; Minnesota Rules, part 6264.0400, subparts 27, 28.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1764, now on General Orders.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Westrom and Dahms introduced—

S.F. No. 2122: A bill for an act relating to capital investment; appropriating money for the Minnesota Poultry Testing Laboratory in Willmar; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Schmit introduced—

S.F. No. 2123: A bill for an act relating to capital investment; modifying a prior appropriation for the city of Red Wing; amending Laws 2014, chapter 294, article 1, section 21, subdivision 16.

Referred to the Committee on Capital Investment.

MOTIONS AND RESOLUTIONS

Senator Marty moved that the name of Senator Nelson be added as a co-author to S.F. No. 1504. The motion prevailed.

Senator Sheran moved that the name of Senator Latz be added as a co-author to S.F. No. 2109. The motion prevailed.

Senator Clausen introduced –

Senate Resolution No. 142: A Senate resolution congratulating Lucas Monaghan of Lakeville, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Clausen introduced –

Senate Resolution No. 143: A Senate resolution congratulating Alex Sable of Lakeville, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

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

MOTIONS AND RESOLUTIONS - CONTINUED**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:

H.F. No. 4 and S.F. No. 1647.

SPECIAL ORDER

H.F. No. 4: A bill for an act relating to transportation; establishing a budget for transportation; appropriating money for transportation, including Department of Transportation, Metropolitan Council, and Department of Public Safety activities; amending various provisions governing transportation policy and finance; establishing funds and accounts; requiring reports; authorizing sale and issuance of trunk highway bonds; amending Minnesota Statutes 2014, sections 16A.11, subdivision 3a; 16A.86, subdivision 2; 16A.88, subdivisions 1a, 2; 16E.15, subdivision 2; 117.036, subdivisions 2, 4; 160.20, subdivision 4; 160.27, by adding a subdivision; 161.04, by adding a subdivision; 161.231; 161.321, subdivisions 2a, 2c, 4; 162.07, subdivision 1a; 168.053, subdivision 1; 168.1299, subdivision 1; 169.475, subdivision 2; 169.49; 169.782, subdivisions 1, 2, 4; 169.79, subdivision 4; 169.81, by adding a subdivision; 169.865, subdivisions 1, 2, by adding a subdivision; 169.87, subdivision 6; 173.02, by adding a subdivision; 173.15; 174.40, by adding a subdivision; 174.636, by adding a subdivision; 174.92; 174.93, subdivision 1; 221.031, by adding a subdivision; 221.605, by adding a subdivision; 299A.465, subdivision 5, by adding a subdivision; 299D.085, subdivision 2; 299D.09; 360.305, subdivision 4; 398A.04, by adding a subdivision; 473.146, subdivision 4; 473.399, by adding a subdivision; 473.4051, subdivision 2; Laws 2009, chapter 158, section 10, as amended; Laws 2014, chapter 312, article 11, section 3; proposing coding for new law in Minnesota Statutes, chapters 16A; 160; 161; 162; 168; 174; 299F; repealing Minnesota Statutes 2014, section 299E.02.

Senator Dibble moved to amend H.F. No. 4, the unofficial engrossment, as follows:

Page 59, delete lines 6 and 7

CALL OF THE SENATE

Senator Ortman imposed a call of the Senate for the balance of the proceedings on H.F. No. 4. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Dibble amendment. The motion prevailed. So the amendment was adopted.

Senator Petersen, B. moved to amend H.F. No. 4, the unofficial engrossment, as follows:

Page 51, after line 9, insert:

"**EFFECTIVE DATE.** This section is effective July 1, 2015, and applies to license plates issued on and after that date."

The motion prevailed. So the amendment was adopted.

Senator Dahle moved to amend H.F. No. 4, the unofficial engrossment, as follows:

Page 33, line 26, after "paragraph (c)" insert "and the alternative rate provision in paragraph (d)"

Page 34, after line 4, insert:

"(d) The rate at which the metropolitan area transit sales and use tax is imposed in each county will be reduced by the rate of a greater Minnesota transportation sales and use tax imposed by that county under section 297A.993."

The motion prevailed. So the amendment was adopted.

Senator Scalze moved to amend H.F. No. 4, the unofficial engrossment, as follows:

Page 32, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2014, section 297A.992, subdivision 6, is amended to read:

Subd. 6. **Allocation and use of grant awards.** (a) The board must allocate grant awards only for the following transit purposes:

(i) capital improvements to transitways, including, but not limited to, commuter rail rolling stock, light rail vehicles, and transitway buses;

(ii) capital costs for park-and-ride facilities, as defined in section 174.256, subdivision 2;

(iii) feasibility studies, planning, alternatives analyses, environmental studies, engineering, property acquisition for transitway purposes, and construction of transitways; and

(iv) operating assistance for transitways.

(b) The joint powers board must annually award grants to each minimum guarantee county in an amount no less than the amount of sales tax revenue collected within that county.

(c) The joint powers board must, over the duration of the Metropolitan Council's 2030 plan, establish a goal of awarding grants in an amount totaling no less than 40 percent of sales tax revenue collected for the year for projects in Dakota, Ramsey, or Washington County.

(e) (d) No more than 1.25 percent of the total awards may be annually allocated for planning, studies, design, construction, maintenance, and operation of pedestrian programs and bicycle programs and pathways.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to grant awards for calendar year 2016 and after."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 41 and nays 21, as follows:

Those who voted in the affirmative were:

Brown	Hawj	Miller	Ruud	Tomassoni
Carlson	Housley	Nelson	Scalze	Torres Ray
Chamberlain	Ingebrigtsen	Nienow	Schmit	Weber
Clausen	Jensen	Ortman	Senjem	Westrom
Cohen	Johnson	Pappas	Sheran	Wiger
Dibble	Koenen	Pederson, J.	Sieben	
Dziedzic	Lourey	Pratt	Sparks	
Eken	Marty	Reinert	Stumpf	
Fischbach	Metzen	Rosen	Thompson	

Those who voted in the negative were:

Bakk	Eaton	Hoffman	Osmek	Wiklund
Benson	Franzen	Kent	Petersen, B.	
Bonoff	Gazelka	Latz	Rest	
Champion	Hall	Limmer	Saxhaug	
Dahle	Hayden	Newman	Skoe	

The motion prevailed. So the amendment was adopted.

Senator Jensen moved to amend H.F. No. 4, the unofficial engrossment, as follows:

Page 90, after line 24, insert:

"Sec. 22. Laws 2015, chapter 2, section 3, is amended to read:

Sec. 3. DEPARTMENT OF TRANSPORTATION; APPROPRIATION.

\$3,000,000 is appropriated from the general fund to the commissioner of transportation in fiscal year 2015 to provide the 20 percent local match funding required to obtain Federal Highway Administration emergency relief funds to repair local roads and bridges damaged by flooding in June 2014. This is a onetime appropriation and is available until June 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 Jensen moved to amend H.F. No. 4, the unofficial engrossment, as follows:

Page 95, line 26, after "default" insert ", which must include payment and performance bonds, for any construction, that meet the requirements under Minnesota Statutes, sections 574.26 to 574.32"

The motion prevailed. So the amendment was adopted.

Senator Bonoff moved to amend H.F. No. 4, the unofficial engrossment, as follows:

Page 56, line 29, delete "0.25" and insert "0.4"

Senator Latz moved to amend the Bonoff amendment to H.F. No. 4, the unofficial engrossment, as follows:

Page 1, line 3, delete "0.4" and insert "0.5"

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

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

The roll was called, and there were yeas 18 and nays 41, as follows:

Those who voted in the affirmative were:

Bonoff	Hann	Limmer	Rest	Weber
Champion	Hayden	Miller	Skoe	Wiklund
Dziedzic	Hoffman	Newman	Sparks	
Franzen	Latz	Osmek	Stumpf	

Those who voted in the negative were:

Benson	Gazelka	Lourey	Reinert	Thompson
Carlson	Hall	Marty	Rosen	Tomassoni
Chamberlain	Hawj	Metzen	Ruud	Torres Ray
Clausen	Housley	Nienow	Saxhaug	Westrom
Dahle	Ingebrigtsen	Ortman	Scalze	Wiger
Dibble	Jensen	Pappas	Schmit	
Eaton	Johnson	Pederson, J.	Senjem	
Eken	Kent	Petersen, B.	Sheran	
Fischbach	Koenen	Pratt	Sieben	

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

H.F. No. 4 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 27, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

SPECIAL ORDER

S.F. No. 1647: A bill for an act relating to transportation; amending various provisions related to transportation and public safety policies, including data practices and storage; motor carriers; traffic regulation modifications; parking signs; advertising devices; vehicle equipment; mini truck operation; railroad liability, powers, and crossing by utilities; rail event response preparedness; minimum train crew size; drive away in-transit licenses; road design; engine compression regulation by city of St. Paul; turnbacks; bikeways; subcontracting goals; reporting requirements

and alternative damages appraisal for transportation projects; amending Minnesota Statutes 2014, sections 13.69, subdivision 1; 13.72, by adding a subdivision; 160.20, subdivision 4; 160.232; 160.266, subdivisions 2, 3, by adding subdivisions; 161.088, subdivisions 3, 4, 5; 161.321, subdivisions 2a, 2c, 4; 161.368; 168.33, subdivision 2; 169.06, subdivision 4a; 169.18, subdivision 12; 169.475, subdivision 1; 169.49; 169.782, subdivisions 1, 2, 4; 169.791, subdivisions 1, 2; 169.81, by adding a subdivision; 171.061, subdivision 3; 173.02, by adding a subdivision; 173.15; 174.03, subdivisions 10, 11; 174.12, subdivision 5; 174.40, by adding a subdivision; 174.52, subdivisions 4a, 5; 219.76; 219.761; 221.031, by adding a subdivision; 221.605, by adding a subdivision; 299D.085, subdivision 2; 473.146, subdivision 4; Laws 2009, chapter 158, section 10, as amended; Laws 2014, chapter 312, article 10, section 11, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 161; 219; 237; 383B; 473.

Senator Dibble moved to amend S.F. No. 1647 as follows:

Page 29, delete line 17

Page 29, line 18, delete "1, 2019" and insert "shall"

Page 29, delete line 23

The motion prevailed. So the amendment was adopted.

Senator Stumpf moved to amend S.F. No. 1647 as follows:

Page 16, after line 15, insert:

"Sec. 28. Minnesota Statutes 2014, section 171.02, is amended by adding a subdivision to read:

Subd. 4a. **Nondomiciled commercial driver's license.** (a) The commissioner may issue a nondomiciled commercial learner's permit or nondomiciled commercial driver's license as provided under Code of Federal Regulations, title 49, sections 383.23(b)(1) and 383.73, or successor requirements, to a person who:

(1) is domiciled in a foreign jurisdiction; and

(2) otherwise meets the requirements to obtain a commercial permit or license under this chapter.

(b) For purposes of this chapter, a commercial learner's permit includes a nondomiciled commercial learner's permit, and a commercial driver's license includes a nondomiciled commercial driver's license.

EFFECTIVE DATE; NOTIFICATION. This section is effective the day following final enactment and applies to applications submitted on or after the day after the commissioner has entered into a new contract and coordinated production of a new license and card design with modifications required by law.

Sec. 29. Minnesota Statutes 2014, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, the applicant's driving privileges, and the applicant's ability to operate a motor vehicle with safety;

(3) state: ~~(i)~~ the applicant's Social Security number; ~~or, unless:~~

~~(ii) if (i) the applicant does not have a Social Security number and (A) is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant and (B) certifies that the applicant does not have a Social Security number; or~~

(ii) the application is for a nondomiciled commercial driver's permit or nondomiciled commercial driver's license;

(4) in the case of an application for an enhanced driver's license or enhanced identification card, present:

(i) proof satisfactory to the commissioner of the applicant's full legal name, United States citizenship, identity, date of birth, Social Security number, and residence address; and

(ii) a photographic identity document;

(5) contain a space where the applicant may indicate a desire to make an anatomical gift according to paragraph (b);

(6) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7; and

(7) contain a space where the applicant may request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a.

(b) If the applicant does not indicate a desire to make an anatomical gift when the application is made, the applicant must be offered a donor document in accordance with section 171.07, subdivision 5. The application must contain statements sufficient to comply with the requirements of the Darlene Luther Revised Uniform Anatomical Gift Act, chapter 525A, so that execution of the application or donor document will make the anatomical gift as provided in section 171.07, subdivision 5, for those indicating a desire to make an anatomical gift. The application must be accompanied by information describing Minnesota laws regarding anatomical gifts and the need for and benefits of anatomical gifts, and the legal implications of making an anatomical gift, including the law governing revocation of anatomical gifts. The commissioner shall distribute a notice that must accompany all applications for and renewals of a driver's license or Minnesota identification card. The notice must be prepared in conjunction with a Minnesota organ procurement organization that is certified by the federal Department of Health and Human Services and must include:

(1) a statement that provides a fair and reasonable description of the organ donation process, the care of the donor body after death, and the importance of informing family members of the donation decision; and

(2) a telephone number in a certified Minnesota organ procurement organization that may be called with respect to questions regarding anatomical gifts.

(c) The application must be accompanied also by information containing relevant facts relating to:

- (1) the effect of alcohol on driving ability;
- (2) the effect of mixing alcohol with drugs;
- (3) the laws of Minnesota relating to operation of a motor vehicle while under the influence of alcohol or a controlled substance; and
- (4) the levels of alcohol-related fatalities and accidents in Minnesota and of arrests for alcohol-related violations.

EFFECTIVE DATE; NOTIFICATION. This section is effective the day following final enactment and applies to applications submitted on or after the day after the commissioner has entered into a new contract and coordinated production of a new license and card design with modifications required by law."

Page 16, after line 26, insert:

"Sec. 31. Minnesota Statutes 2014, section 171.07, subdivision 1b, is amended to read:

Subd. 1b. **Commercial driver's license.** (a) Each class C, class B, or class A driver's license must be clearly marked "Minnesota Commercial Driver's License."

(b) Each nondomiciled commercial learner's permit and nondomiciled driver's license must be clearly marked as required under Code of Federal Regulations, title 49, section 383.153(c), or successor requirements.

EFFECTIVE DATE; NOTIFICATION. This section is effective the day following final enactment and applies to applications submitted on or after the day after the commissioner has entered into a new contract and coordinated production of a new license and card design with modifications required by law."

Page 29, after line 12, insert:

"Sec. 52. **NONDOMICILED COMMERCIAL LEARNER'S PERMIT AND COMMERCIAL DRIVER'S LICENSE.**

(a) The commissioner may designate and clearly mark a commercial learner's permit or commercial driver's license with the word "nondomiciled" for a permit holder or a license holder who:

- (1) is domiciled in a foreign jurisdiction; and
 - (2) otherwise meets the requirements to obtain a commercial permit or license under this chapter.
- (b) A permit or license must not be deemed invalid because it is marked "nondomiciled."

EFFECTIVE DATE. This section is effective the day following final enactment. Paragraph (a) expires on the day after the commissioner has entered into a new contract and coordinated production of a new license and card design with modifications required by law."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Skoe moved to amend S.F. No. 1647 as follows:

Page 2, after line 28, insert:

"Sec. 3. Minnesota Statutes 2014, section 160.18, is amended by adding a subdivision to read:

Subd. 4. **Appeal.** An aggrieved person may have the denial or revocation of a driveway permit under subdivision 3 reviewed de novo by the district court. The decision to deny or revoke a driveway permit must be supported by the commissioner with clear and convincing evidence that such denial or revocation is necessary to prevent interference with the construction, maintenance, and safe use of the highway and its appurtenances."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Osmek moved to amend S.F. No. 1647 as follows:

Page 20, delete section 37

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

CALL OF THE SENATE

Senator Osmek imposed a call of the Senate for the balance of the proceedings on S.F. No. 1647. 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 15 and nays 44, as follows:

Those who voted in the affirmative were:

Benson	Hann	Newman	Pederson, J.	Thompson
Gazelka	Housley	Nienow	Petersen, B.	Weber
Hall	Ingebrigtsen	Osmek	Ruud	Westrom

Those who voted in the negative were:

Carlson	Eken	Koenen	Pratt	Sieben
Chamberlain	Fischbach	Latz	Reinert	Skoe
Champion	Franzen	Limmer	Rest	Sparks
Clausen	Hawj	Lourey	Rosen	Stumpf
Cohen	Hayden	Marty	Saxhaug	Tomassoni
Dahle	Hoffman	Metzen	Scalze	Torres Ray
Dibble	Jensen	Miller	Schmit	Wiger
Dziedzic	Johnson	Nelson	Senjem	Wiklund
Eaton	Kent	Pappas	Sheran	

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

Senator Osmek moved to amend S.F. No. 1647 as follows:

Page 28, after line 7, insert:

"Sec. 47. Minnesota Statutes 2014, section 473.4051, subdivision 3, is amended to read:

Subd. 3. **Capital costs.** State money may not be used to pay more than ten percent of the total capital cost of a light rail transit project. No state money may be paid toward the capital costs of a light rail transit project, unless the money is first appropriated by law. Any local share or local match required by federal law or by an agency of the federal government for a light rail transit capital project that will be provided by a nonstate source must first be authorized by law."

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 25 and nays 36, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Schmit moved to amend S.F. No. 1647 as follows:

Page 16, after line 15, insert:

"Sec. 28. Minnesota Statutes 2014, section 169.98, is amended by adding a subdivision to read:

Subd. 3a. **Bondsman or bail enforcement agent vehicle.** All motor vehicles that are used by a bondsman or bail enforcement agent as defined in section 626.88, subdivision 1, paragraph (d), may have any color other than those specified in subdivision 1 for law enforcement vehicles. A bondsman or bail enforcement agent may not display markings on the vehicle in the form of a police shield, star, or any similar emblem that is typically associated with a marked law enforcement vehicle."

Page 28, after line 7, insert:

"Sec. 48. Minnesota Statutes 2014, section 626.88, is amended to read:

626.88 UNIFORMS; PEACE OFFICERS, SECURITY GUARDS; COLOR.

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given them.

(b) "Peace officer" means an employee of a political subdivision or state law enforcement agency who is licensed pursuant to sections 626.84 to 626.863 charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has full power of

arrest, and shall also include Minnesota state troopers, state conservation officers, park police, and University of Minnesota police officers.

(c) "Security guard" means any person who is paid a fee, wage, or salary to perform one or more of the following functions:

(1) prevention or detection of intrusion, unauthorized entry or activity, vandalism, or trespass on private property;

(2) prevention or detection of theft, loss, embezzlement, misappropriation, or concealment of merchandise, money, bonds, stocks, notes, or other valuable documents or papers;

(3) control, regulation, or direction of the flow or movements of the public, whether by vehicle or otherwise, to assure protection of private property;

(4) protection of individuals from bodily harm;

(5) prevention or detection of intrusion, unauthorized entry or activity, vandalism, or trespass on Minnesota National Guard facilities, including, but not limited to, Camp Ripley and Air National Guard air bases; or

(6) enforcement of policies and rules of the security guard's employer related to crime reduction insofar as such enforcement falls within the scope of security guard's duties.

The term "security guard" does not include: (i) auditors, accountants, and accounting personnel performing audits or accounting functions; (ii) employees of a firm licensed pursuant to section 326.3381 whose duties are primarily administrative or clerical in nature; (iii) unarmed security personnel; (iv) personnel temporarily employed pursuant to statute or ordinance by political subdivisions to provide protective services at social functions; (v) employees of air or rail carriers.

(d) "Bail bondsman" or "bail enforcement agent" means a surety acting as a bonding agent or any person who acts at the direction of a surety for the purpose of arresting a defendant that the surety believes:

(1) is about to flee;

(2) will not appear in court as required by the defendant's recognizance; or

(3) will otherwise not perform the conditions of the recognizance.

Subd. 2. **Uniforms.** (a) Uniforms for peace officers shall be of uniform colors throughout the state as provided herein. Uniforms for:

(1) municipal peace officers, including University of Minnesota peace officers and peace officers assigned to patrol duties in parks, shall be blue, brown, or green;

(2) peace officers who are members of the county sheriffs' office shall be blue, brown, or green;

(3) state troopers shall be maroon;

(4) conservation officers shall be green.

(b) The uniforms of security guards may be any color other than those specified for peace officers.

(c) The uniforms of a bail bondsman or bail enforcement agent or any person who acts at the direction of a surety may be any color other than those specified for peace officers. A violation of this paragraph is a petty misdemeanor.

(d) This subdivision shall apply to uniforms purchased subsequent to January 1, 1981.

Subd. 3. **Exception.** Security guards employed by the Capitol Complex Security Division of the Department of Public Safety are not required to comply with subdivision 2."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Petersen, B. questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

S.F. No. 1647 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 42 and nays 20, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Benson	Hall	Limmer	Osmek	Ruud
Chamberlain	Hann	Newman	Pederson, J.	Thompson
Fischbach	Ingebrigtsen	Nienow	Petersen, B.	Weber
Gazelka	Kiffmeyer	Ortman	Pratt	Westrom

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

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:

S.F. No. 888: Senators Saxhaug, Pappas, Carlson, Wiklund and Metzen.

Senator Bakk moved that the foregoing appointments be approved. 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 Bakk moved that the Committee Report at the Desk be now adopted. The motion prevailed.

Senator Skoe from the Committee on Taxes, to which was re-referred

S.F. No. 811: A bill for an act relating to education; providing funding and policy for early childhood and family, prekindergarten through grade 12, and adult education, including general education, education excellence, special education, facilities, technology, nutrition, libraries, accounting, early childhood, education, self-sufficiency, lifelong learning, and state agencies; appropriating money; amending Minnesota Statutes 2014, sections 5A.03; 120B.021, subdivisions 1, 3, 4; 120B.13, subdivision 4; 120B.30, by adding subdivisions; 120B.36, subdivision 1; 121A.17, subdivisions 3, 5; 122A.09, by adding a subdivision; 122A.18, subdivision 8; 122A.413, subdivisions 1, 2; 122A.414, subdivisions 1, 1a, 2, 2a, 2b, 3; 122A.415; 122A.74; 123B.045, by adding a subdivision; 123B.53, subdivisions 1, 4; 123B.57; 124D.041, subdivisions 1, 2; 124D.09, subdivisions 5, 8; 124D.10, subdivisions 8, 12; 124D.11, subdivisions 1, 5, by adding subdivisions; 124D.1158, subdivisions 3, 4; 124D.15, subdivisions 3, 5, 12, 15, by adding a subdivision; 124D.16, subdivision 2; 124D.165, subdivision 2; 124D.20, subdivision 4a; 124D.4531, subdivision 1; 124D.81; 124D.83, subdivision 2; 125A.03; 125A.11, subdivision 1; 125A.79, subdivision 1; 126C.01, subdivision 2; 126C.10, subdivisions 1, 2, 2a, 13a, 18; 126C.15, subdivision 2; 127A.33; 127A.45, subdivision 3; 127A.47, subdivision 7; 129C.30, subdivision 3; 134.355, subdivisions 5, 6, 8, 9, 10; Laws 2013, chapter 116, article 1, section 58, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 6, as amended, 7, as amended, 11, as amended; article 3, sections 35, subdivision 2; 37, subdivisions 3, as amended, 4, as amended, 5, as amended, 20, as amended; article 4, section 9, subdivision 2, as amended; article 5, section 31, subdivisions 2, as amended, 3, as amended, 4, as amended; article 6, section 12, subdivisions 2, as amended, 6, as amended; article 7, section 21, subdivisions 2, as amended, 3, as amended, 4, as amended; article 8, section 5, subdivisions 3, as amended, 4, as amended, 14, as amended; Laws 2014, chapter 312, article 16, sections 15; 16, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 120B; 121A; 123B; 124D; 136D; repealing Minnesota Statutes 2014, sections 123B.59; 123B.591.

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

Page 5, line 22, delete the new language and insert "2015 and 2016, \$16,332 for fiscal year 2017, \$23,905 for fiscal year 2018, and \$38,100 for fiscal year 2019 and later"

Page 11, line 2, delete "6,636,002,000" and insert "6,645,270,000"

Page 11, line 4, delete "\$632,482,000" and insert "\$632,481,000" and delete "\$6,003,520,000" and insert "\$6,012,789,000"

Page 80, delete lines 18 to 34 and insert:

"Subd. 8. **Long-term facilities maintenance equalized levy.** For fiscal year 2017 and later, a district's long-term facilities maintenance equalized levy equals the district's long-term facilities maintenance revenue minus the greater of:

(1) the lesser of the district's long-term facilities maintenance revenue or the amount of aid the district received for fiscal year 2015 under Minnesota Statutes 2014, section 123B.59, subdivision 6; or

(2) the district's long-term facilities maintenance equalization revenue times the greater of (i) zero or (ii) one minus the ratio of its adjusted net tax capacity per adjusted pupil unit in the year preceding the year the levy is certified to 123 percent of the state average adjusted net tax capacity per adjusted pupil unit in the year preceding the year the levy is certified.

Subd. 9. **Long-term facilities maintenance equalized aid.** For fiscal year 2017 and later, a district's long-term facilities maintenance equalized aid equals its long-term facilities maintenance revenue minus its long-term facilities maintenance equalized levy times the ratio of the actual amount levied to the permitted levy."

Page 81, line 16, delete "public announcement"

Page 81, line 17, delete "systems and"

Page 85, line 7, delete "61,236,000" and insert "51,848,000"

Page 85, line 8, delete "\$63,440,000" and insert "\$51,848,000"

Renumber the subdivisions in sequence

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

SECOND READING OF SENATE BILLS

S.F. No. 811 was read the second time.

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 and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 844.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 25, 2015

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 844: A bill for an act relating to education; providing for funding and policy in early childhood, kindergarten through grade 12, and adult education, including general education, education excellence, standards and assessments, charter schools, special education, facilities and technology, nutrition and accounting, libraries, early childhood education, prevention, self-sufficiency and lifelong learning, state agencies, and forecast adjustments; requiring rulemaking; appropriating money; amending Minnesota Statutes 2014, sections 5A.03; 16A.103, subdivision 1c; 120A.41; 120B.02, subdivision 2; 120B.021, subdivision 4; 120B.022, subdivisions 1, 1a, 1b; 120B.024, subdivision 2; 120B.11, subdivision 1a; 120B.12, subdivision 4a; 120B.125; 120B.13, subdivision 4; 120B.30, subdivisions 1, 1a, 3; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.17, subdivision 5; 122A.09, subdivision 4, by adding subdivisions; 122A.14, subdivisions 3, 9, by adding a subdivision; 122A.18, subdivisions 2, 7c, 8; 122A.20, subdivision 1; 122A.21, subdivisions 1, 2; 122A.23; 122A.245, subdivisions 1, 3, 7; 122A.25; 122A.30; 122A.31, subdivisions 1, 2; 122A.40, subdivisions 5, 8, 10, 11, 13; 122A.41, subdivisions 2, 5, 6, 14; 122A.414, subdivision 2; 122A.60; 122A.61, subdivision 1; 122A.69; 122A.70, subdivision 1; 123A.24, subdivision 1; 123A.75, subdivision 1; 123B.045; 123B.59, subdivisions 6, 7; 123B.77, subdivision 3; 123B.88, subdivision 1, by adding a subdivision; 124D.041, subdivisions 1, 2; 124D.09, subdivisions 5, 5a, 8, 9, 12; 124D.091, subdivision 1; 124D.10, subdivisions 1, 3, 4, 8, 9, 12, 14, 16, 23, by adding a subdivision; 124D.11, subdivisions 1, 9; 124D.121; 124D.122; 124D.126, subdivision 1; 124D.127; 124D.128, subdivision 1; 124D.13; 124D.135; 124D.16; 124D.165; 124D.531, subdivisions 1, 2, 3; 124D.73, subdivisions 3, 4; 124D.74, subdivisions 1, 3, 6; 124D.75, subdivisions 1, 3, 9; 124D.76; 124D.78; 124D.79, subdivisions 1, 2; 124D.791, subdivision 4; 124D.861; 124D.862; 125A.01; 125A.023, subdivisions 3, 4; 125A.027; 125A.03; 125A.08; 125A.085; 125A.0942, subdivision 3; 125A.21; 125A.28; 125A.63, subdivisions 2, 3, 4, 5; 125A.75, subdivision 9; 125A.76, subdivisions 1, 2c; 125B.26, subdivision 2; 126C.10, subdivisions 1, 2, 2a, 2e, 3, 13a, 18, 24; 126C.13, subdivision 4; 126C.15, subdivisions 1, 2, 3; 126C.17, subdivisions 1, 2; 127A.05, subdivision 6; 127A.49, subdivision 1; 134.355, subdivisions 8, 9, 10; 135A.101, by adding a subdivision; 179A.20, by adding a subdivision; Laws 2013, chapter 116, article 1, section 58, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 6, as amended, 7, as amended, 11, as amended; article 3, section 37, subdivisions 3, as amended, 4, as amended, 5, as amended, 20, as amended; article 4, section 9, subdivision 2, as amended; article 5, section 31, subdivisions 2, as amended, 3, as amended, 4, as amended; article 6, section 12, subdivisions 2, as amended, 6, as amended; article 7, sections 19; 21, subdivisions 2, as amended, 3, as amended, 4, as amended; article 8, section 5, subdivisions 3, as amended, 4, as amended, 14, as amended; Laws 2014, chapter 312, article 16, section 15; proposing coding for new law in Minnesota Statutes, chapters 119A; 121A; 122A; 124D; 125A; repealing Minnesota Statutes 2014, sections 120B.128; 122A.40, subdivision 11; 125A.63, subdivision 1; 126C.12, subdivision 6; 126C.13, subdivisions 3a, 3b, 3c; 126C.41, subdivision 1; Minnesota Rules, part 3500.1000.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 811, now on General Orders.

MEMBERS EXCUSED

Senators Anderson and Goodwin were excused from the Session of today. Senator Dahms was excused from the Session of today at 3:30 p.m. Senator Hann was excused from the Session of today from 3:30 to 3:35 p.m. Senator Brown was excused from the Session of today at 3:55 p.m. Senators Cohen and Nelson were excused from the Session of today from 3:55 to 4:00 p.m. Senator Bakk

was excused from the Session of today from 3:55 to 4:00 p.m. and from 5:15 to 5:30 p.m. Senator Bonoff was excused from the Session of today at 4:50 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 12:00 noon, Tuesday, April 28, 2015. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

