

SIXTY-SECOND DAY

St. Paul, Minnesota, Friday, May 15, 2015

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Latz 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. Dr. David Van Dyke.

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

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 14, 2015

The Honorable Sandra L. Pappas
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 25, S.F. No. 1406; Chapter 26, S.F. No. 1438; Chapter 28, S.F. No.

462; Chapter 30, S.F. No. 1191; Chapter 35, S.F. No. 1478; Chapter 36, S.F. No. 857 and Chapter 42, S.F. No. 1504.

Sincerely,
Mark Dayton, Governor

May 14, 2015

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2015 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2015	Date Filed 2015
1406		25	6:33 p.m. May 14	May 14
1438		26	6:40 p.m. May 14	May 14
	1770	27	6:49 p.m. May 14	May 14
462		28	6:50 p.m. May 14	May 14
	1127	29	6:50 p.m. May 14	May 14
1191		30	6:32 p.m. May 14	May 14
	417	31	6:42 p.m. May 14	May 14
	262	32	6:51 p.m. May 14	May 14
	1427	33	6:43 p.m. May 14	May 14
	177	34	6:32 p.m. May 14	May 14
1478		35	6:52 p.m. May 14	May 14
857		36	6:53 p.m. May 14	May 14
	1193	37	6:53 p.m. May 14	May 14
	916	38	6:54 p.m. May 14	May 14
	385	39	6:45 p.m. May 14	May 14
	1556	40	6:46 p.m. May 14	May 14
	450	41	6:49 p.m. May 14	May 14
1504		42	6:55 p.m. May 14	May 14

Sincerely,
Steve Simon
Secretary of State

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 229, 280, 1854, 1679, 634, 1350, 1025 and 1587.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 14, 2015

Madam President:

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

S.F. No. 86: A bill for an act relating to data practices; classifying data and providing procedures related to automated license plate readers and portable recording systems; amending Minnesota Statutes 2014, section 13.82, subdivision 15, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 626.

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

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 14, 2015

Senator Latz moved that the Senate do not concur in the amendments by the House to S.F. No. 86, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 45 and nays 18, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Gazelka	Nelson	Pratt	Weber
Benson	Hann	Nienow	Ruud	Westrom
Chamberlain	Kiffmeyer	Osmek	Senjem	
Dahms	Limmer	Petersen, B.	Thompson	

The motion prevailed.

MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1519.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 14, 2015

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1519: A bill for an act relating to lawful gambling; modifying provisions relating to gambling managers; providing for certain raffles; increasing prize limits; prescribing local regulation; amending Minnesota Statutes 2014, sections 349.12, subdivisions 18, 19, by adding subdivisions; 349.13; 349.163, subdivision 2; 349.167, subdivision 1; 349.173; 349.211, subdivision 1; 349.213, subdivision 1.

Referred to the Committee on Finance.

REPORTS OF COMMITTEES

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

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

H.F. No. 1257 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.
1257	1121				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1257 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1257, the third engrossment; and insert the language after the enacting clause of S.F. No. 1121, the first engrossment; further, delete the title of H.F. No. 1257, the third engrossment; and insert the title of S.F. No. 1121, the first engrossment.

And when so amended H.F. No. 1257 will be identical to S.F. No. 1121, and further recommends that H.F. No. 1257 be given its second reading and substituted for S.F. No. 1121, and that the Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. No. 1257 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Schmit introduced—

S.F. No. 2181: A bill for an act relating to capital investment; appropriating money for a regional event and conference center in Wabasha, for a riverfront revitalization project in Wabasha, and an expansion of the National Eagle Center in Wabasha; authorizing the issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Metzen introduced—

S.F. No. 2182: A bill for an act relating to capital investment; appropriating money for a Mississippi River Regional Trail connection; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Metzen introduced—

S.F. No. 2183: A bill for an act relating to parks and trails; appropriating money for a Mississippi River Regional Trail connection.

Referred to the Committee on Finance.

Senator Metzen introduced—

S.F. No. 2184: A bill for an act relating to parks and trails; appropriating money for Swing Bridge Park in the city of Inver Grove Heights.

Referred to the Committee on Finance.

Senator Metzen introduced—

S.F. No. 2185: A bill for an act relating to capital investment; appropriating money for Swing Bridge Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Carlson, Clausen, Dahle, Jensen and Sheran introduced—

S.F. No. 2186: A bill for an act relating to transportation; capital investment; appropriating money for bridge and interchange projects on a segment of marked Interstate Highway 35W; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Latz, Stumpf, Scalze, Senjem and Nelson introduced—

S.F. No. 2187: A bill for an act relating to capital investment; appropriating money for expansion and renovation of the Perspectives Family Center facility in St. Louis Park; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Westrom, Ingebrigtsen and Koenen introduced—

S.F. No. 2188: A bill for an act relating to capital improvements; appropriating money for water treatment plants in Morris and Breckenridge; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Pappas, Senjem and Cohen introduced—

S.F. No. 2189: A bill for an act relating to capital investment; appropriating money for critical improvements to alleviate and prevent water damage to the Science Museum of Minnesota; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Anderson introduced—

S.F. No. 2190: A bill for an act relating to veterans; providing for placement on the Capitol grounds of a memorial commemorating Minnesotans awarded the Medal of Honor.

Referred to the Committee on State and Local Government.

Senators Schmit, Ruud and Dziejczak introduced—

S.F. No. 2191: A bill for an act relating to agriculture; establishing a pollinator investment grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 17.

Referred to the Committee on Finance.

Senators Schmit and Dziejczak introduced—

S.F. No. 2192: A bill for an act relating to agriculture; requiring treated seeds reports and record keeping; amending Minnesota Statutes 2014, section 21.84.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Schmit and Dziejczak introduced—

S.F. No. 2193: A bill for an act relating to agriculture; establishing a moratorium on the sale and use of certain pesticides; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 18B.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Schmit, Ruud and Dziejczak introduced—

S.F. No. 2194: A bill for an act relating to natural resources; modifying provision related to mowing roadside habitat; amending Minnesota Statutes 2014, section 160.232.

Referred to the Committee on Transportation and Public Safety.

Senators Schmit, Ruud and Dziejczak introduced—

S.F. No. 2195: A bill for an act relating to agriculture; appropriating money to develop a pesticide without neonicotinoids.

Referred to the Committee on Finance.

Senators Schmit, Ruud and Dziejczak introduced—

S.F. No. 2196: A bill for an act relating to agriculture; appropriating money for integrated pest management.

Referred to the Committee on Finance.

MOTIONS AND RESOLUTIONS**Senator Ortman introduced —**

Senate Resolution No. 171: A Senate resolution congratulating Haley Schoenfelder for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced —

Senate Resolution No. 172: A Senate resolution congratulating Lauren Moe for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced —

Senate Resolution No. 173: A Senate resolution congratulating Kayla Donovan for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced —

Senate Resolution No. 174: A Senate resolution congratulating Leah Jaworski for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced –

Senate Resolution No. 175: A Senate resolution congratulating Alissa Roemer for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced –

Senate Resolution No. 176: A Senate resolution congratulating Hannah Dudak for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Ortman introduced –

Senate Resolution No. 177: A Senate resolution congratulating Jessie Ireland for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Sieben introduced –

Senate Resolution No. 178: A Senate resolution congratulating Sean McAlpin for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Sieben introduced –

Senate Resolution No. 179: A Senate resolution congratulating Matthew Moynihan for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Sieben introduced –

Senate Resolution No. 180: A Senate resolution congratulating Michael Tappella for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Sieben introduced –

Senate Resolution No. 181: A Senate resolution congratulating William Caturia for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Osmek introduced –

Senate Resolution No. 182: A Senate resolution congratulating Austin Haag for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Osmek introduced –

Senate Resolution No. 183: A Senate resolution congratulating William Lawson for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Hann introduced –

Senate Resolution No. 184: A Senate resolution congratulating Jackson Denly for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Senator Bakk moved that H.F. No. 1947 be taken from the table and given a second reading. The motion prevailed.

H.F. No. 1947: A bill for an act relating to commerce; permitting payment in cash for used wireless communications devices in certain circumstances; modifying effect of nonredemption; amending Minnesota Statutes 2014, sections 325E.319, subdivision 4; 325J.06.

H.F. No. 1947 was read the second time.

Senator Bakk moved that H.F. No. 1947 be laid on the table. 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 Sieben imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

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. 86: Senators Latz, Kent and Hall.

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

MOTIONS AND RESOLUTIONS - CONTINUED**Senators Bakk and Hann introduced –**

Senate Concurrent Resolution No. 6: A Senate concurrent resolution relating to conference committee meetings.

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

The provisions of Joint Rule 2.06 prohibiting a conference committee from meeting between the hours of midnight and 7:00 a.m. are suspended for all conference committee meetings until 11:59 p.m. on May 18, 2015.

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

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 has adopted the recommendation and report of the Conference Committee on House File No. 307, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 307 is herewith transmitted to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 14, 2015

CONFERENCE COMMITTEE REPORT ON H. F. NO. 307

A bill for an act relating to transportation; commerce; providing for proof of insurance in electronic format; amending Minnesota Statutes 2014, section 169.791, subdivisions 1, 2.

May 13, 2015

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

We, the undersigned conferees for H. F. No. 307 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

We request the adoption of this report and repassage of the bill.

House Conferees: Dan Fabian, Nick Zerwas, Debra Hilstrom

Senate Conferees: Kent Eken, Susan Kent, Carrie Ruud

Senator Eken moved that the foregoing recommendations and Conference Committee Report on H.F. No. 307 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 307 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senators Bakk and Hann introduced –

Senate Concurrent Resolution No. 7: A Senate concurrent resolution relating to adjournment of the Senate and House of Representatives until 2016.

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

1. Upon their adjournments on May 18, 2015, the Senate may set its next day of meeting for Tuesday, March 8, 2016, at 12:00 noon and the House of Representatives may set its next day of meeting for Tuesday, March 8, 2016, at 12:00 noon.

2. By the adoption of this resolution, each house consents to adjournment of the other house for more than three days.

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

Senators Bakk and Hann introduced –

Senate Resolution No. 185: A Senate resolution relating to conduct of Senate business during the interim between Sessions.

BE IT RESOLVED, by the Senate of the State of Minnesota:

The powers, duties and procedures set forth in this resolution apply during the interim between the adjournment of the 89th Legislature, 2015 session and the convening of the 89th Legislature, 2016 session.

The Subcommittee on Committees of the Committee on Rules and Administration shall appoint persons as necessary to fill any vacancies that may occur in commissions and other bodies whose members are to be appointed by the Senate authorized by rule, statute, resolution, or otherwise.

The Committee on Rules and Administration shall establish positions, set compensation and benefits, appoint employees and authorize expense reimbursement as it deems proper to carry out the work of the Senate.

The Secretary of the Senate shall classify as eligible for benefits under Minnesota Statutes, sections 3.095 and 43A.24, those Senate employees heretofore or hereafter certified as eligible for benefits by the Committee on Rules and Administration.

The Secretary of the Senate may employ after the close of the session the employees necessary to finish the business of the Senate at the salaries paid under the rules of the Senate for the 2015 regular session. The Secretary of the Senate may employ the necessary employees to prepare for the 2016 session at the salaries in effect at that time.

The Secretary of the Senate, as authorized and directed by the Committee on Rules and Administration, shall furnish each member of the Senate with postage and supplies and, upon proper verification of the expenses incurred, shall reimburse each member for expenses as authorized from time to time by the Committee on Rules and Administration.

The Secretary of the Senate shall correct and approve the Journal of the Senate for those days that have not been corrected and approved by the Senate, and shall correct printing errors found in the Journal of the Senate for the 2015 session. The Secretary of the Senate may include in the Senate Journal proceedings of the last day of the 2015 session, appointments by the Subcommittee on Committees to interim commissions created by legislative action, permanent commissions or committees established by statute, standing committees, official communications and other matters of record received on or after May 18, 2015.

The Secretary of the Senate may pay election and litigation costs, including the costs of legal defense, as authorized by the Committee on Rules and Administration.

The Secretary of the Senate, with the approval of the Committee on Rules and Administration, shall secure bids and enter into contracts for remodeling, improvement, and furnishing of Senate office space, and shall purchase all supplies, equipment, and other goods and services necessary to carry out the work of the Senate. Contracts in excess of \$10,000 must be approved by the Chair of the Committee on Rules and Administration and another member designated by the Chair.

The Secretary of the Senate shall draw warrants from the legislative expense fund in payment of the accounts referred to in this resolution.

All Senate records, including committee books, are subject to the direction of the Committee on Rules and Administration.

The Senate Chamber, retiring room, committee rooms, all conference rooms, storage rooms, Secretary of the Senate's office, Rules and Administration office, and any and all other space assigned to the Senate, are reserved for use by the Senate and its standing committees only and must not be released or used for any other purpose except upon the authorization of the Secretary of the Senate with the approval of the Committee on Rules and Administration or its Chair.

The Custodian of the Capitol shall continue to provide parking space for members and staff of the Legislature under Senate Concurrent Resolution No. 2.

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

MOTIONS AND RESOLUTIONS - CONTINUED

S.F. No. 1265 and the Conference Committee Report thereon were reported to the Senate.

CONFERENCE COMMITTEE REPORT ON S.F. NO. 1265

A bill for an act relating to insurance; permitting individuals to contract with an insurance producer to advocate on the individual's behalf with respect to health coverage with an insurance company; regulating payment of commissions by issuers of qualified health plans; amending Minnesota Statutes 2014, sections 60K.31, by adding subdivisions; 60K.48, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 62V.

May 14, 2015

The Honorable Sandra L. Pappas
President of the Senate

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

We, the undersigned conferees for S.F. No. 1265 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S.F. No. 1265 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 60K.31, is amended by adding a subdivision to read:

Subd. 1a. **Agent of record.** "Agent of record" means an insurance producer, as defined in subdivision 6, who enters into an agreement with:

(1) a policyholder who has individual health insurance coverage from an insurance company that the producer represents; or

(2) an applicant for individual health insurance coverage from an insurance company the producer represents.

Sec. 2. Minnesota Statutes 2014, section 60K.31, is amended by adding a subdivision to read:

Subd. 1b. **Agent of record agreement.** "Agent of record agreement" means an agreement documenting the agreement referenced in subdivision 1a, and that is signed by the agent of record and either a policyholder or applicant for individual health insurance coverage.

Sec. 3. Minnesota Statutes 2014, section 60K.48, is amended by adding a subdivision to read:

Subd. 4. **Qualified health plans.** (a) If a health carrier pays commissions or service fees to licensed producers who are appointed by the health carrier for sale of a qualified health plan, then, within 30 days of receipt of the agent of record agreement, the health carrier must accommodate a policyholder or applicant for coverage by allowing a policyholder or applicant to select or change the agent of record, effective upon the next premium cycle.

(b) The health carrier's standard commission and service fees must be paid to the policyholder's agent of record or the agent's assignee if any premium rate for a qualified health plan has been approved by the commissioner with costs associated with producer commissions included in the filed rate.

(c) A health carrier is prohibited from offering, renewing, or failing to renew qualified health plans based solely on the commission-paying status of the health plan.

(d) Nothing in this subdivision requires a health carrier to pay any commission or service fee with respect to the sale of a qualified health plan, unless the rate for the qualified health plan has been approved by the commissioner with costs associated with producer commissions included in the filed rate.

Sec. 4. [62V.051] MNSURE; CONSUMER RETROACTIVE APPOINTMENT OF A NAVIGATOR OR PRODUCER PERMITTED.

Notwithstanding any other law or rule to the contrary, for up to six months after the effective date of the qualified health plan, MNsure must permit a qualified health plan policyholder, who has not designated a navigator or an insurance producer, to retroactively appoint a navigator or insurance producer. MNsure must provide notice of the retroactive appointment to the health carrier. The health carrier must retroactively pay commissions to the insurance producer if the producer can demonstrate that they were certified by MNsure at the time of the original enrollment, were appointed by the selected health carrier at the time of the enrollment, and that an agent of record agreement was executed prior to or at the time of the effective date of the policy. MNsure must adopt a standard form of agent of record agreement for purposes of this section.

Sec. 5. MNSURE; CONSUMER RETROACTIVE APPOINTMENT OF A NAVIGATOR OR PRODUCER PERMITTED.

Notwithstanding any other law or rule to the contrary, MNsure must permit a policyholder, who has not yet designated a navigator or an insurance producer, to retroactively appoint a navigator or insurance producer by August 1, 2015, for a qualified health plan purchased by the policyholder through MNsure with a coverage effective date of January 1, 2015, to July 31, 2015. MNsure must provide timely notice of the retroactive appointment to the health carrier. The health carrier must retroactively pay commissions to the insurance producer if the producer can demonstrate that they were certified by MNsure at the time of the original enrollment, were appointed by the selected

health carrier at the time of the enrollment, and that the policyholder indicates that the insurance producer advised them at the time of enrollment. This section shall sunset on August 1, 2015.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 3 and 5 are effective the day following final enactment. Section 4 is effective August 1, 2015, and applies with respect to qualified health plans with an effective date on or after that date."

We request the adoption of this report and repassage of the bill.

Senate Conferees: Vicki Jensen, James P. Metzen, Paul E. Gazelka

House Conferees: Greg Davids, Joe Hoppe, Paul Rosenthal

Senator Jensen moved that the foregoing recommendations and Conference Committee Report on S.F. No. 1265 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

S.F. No. 1265 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

MOTIONS AND RESOLUTIONS - CONTINUED

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

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education, reported May 5, 2015, pertaining to appointments to the Board of the Minnesota State Academies, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Education, reported May 5, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE MINNESOTA STATE ACADEMIES

Todd Sesker, 2800 - 1st Ave. N.W., Faribault, Rice County, effective April 30, 2014, for a term expiring on January 1, 2018.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education, reported May 5, 2015, pertaining to appointments to the Board of Teaching, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Education, reported May 5, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF TEACHING

Joyce Baumann, 1518 Calvary Hill Ln., Saint Cloud, Stearns County, effective April 12, 2014, to complete a term expiring on January 2, 2017.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education, reported May 5, 2015, pertaining to appointments to the Board of School Administrators, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Education, reported May 5, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF SCHOOL ADMINISTRATORS

Tracine Asberry, 3809 Harriet Ave. S., Minneapolis, Hennepin County, effective June 30, 2014, for a term expiring on January 1, 2018.

Robert Meyer, 12229 Linden Ct., Lindstrom, Chisago County, effective June 30, 2014, for a term expiring on January 1, 2018.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education, reported May 5, 2015, pertaining to appointments to the Board of the Perpich Center for Arts Education, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Education, reported May 5, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Mikal Nabors, 4200 DuPont Ave. N., Minneapolis, Hennepin County, effective October 7, 2014, for a term expiring on January 1, 2018.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Bonoff moved that the report from the Committee on Higher Education and Workforce Development, reported May 6, 2015, pertaining to appointments to the Minnesota Higher Education Facilities Authority, be taken from the table. The motion prevailed.

Senator Bonoff moved that the foregoing report be now adopted. The motion prevailed.

Senator Bonoff moved that in accordance with the report from the Committee on Higher Education and Workforce Development, reported May 6, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Michael Ranum, 203 E. Golden Lake Cir., Circle Pines, Anoka County, effective April 30, 2014, for a term expiring on January 1, 2018.

Nancy Sampair, 1660 Pinehurst Ave., Saint Paul, Ramsey County, effective April 30, 2014, for a term expiring on January 1, 2018.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Bonoff moved that the report from the Committee on Higher Education and Workforce Development, reported May 6, 2015, pertaining to appointments to the Board of Trustees of the Minnesota State Colleges and Universities, be taken from the table. The motion prevailed.

Senator Bonoff moved that the foregoing report be now adopted. The motion prevailed.

Senator Bonoff moved that in accordance with the report from the Committee on Higher Education and Workforce Development, reported May 6, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES AND UNIVERSITIES

John Cowles, 475 Grand Hill, Saint Paul, Ramsey County, effective August 26, 2014, for a term expiring on June 30, 2020.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education reported May 8, 2015, pertaining to appointments to the Board of Teaching, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Education, reported May 8, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF TEACHING

Jim Grabowska, 520 Main St. E., Saint Clair, Blue Earth County, effective February 2, 2013, for a term expiring on January 2, 2017.

The motion prevailed. So the appointment was confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education, reported May 8, 2015, pertaining to appointments to the Board of School Administrators, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Education, reported May 8, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF SCHOOL ADMINISTRATORS

Nancy Antoine, 401 Jefferson Pkwy., Northfield, Rice County, effective March 2, 2014, for a term expiring on January 2, 2017.

Jean Haar, 118 Armstrong Hall, Mankato, Blue Earth County, effective June 17, 2013, for a term expiring on January 2, 2017.

The motion prevailed. So the appointments were confirmed.

CONFIRMATION

Senator Wiger moved that the report from the Committee on Education, reported May 8, 2015, pertaining to appointments to the Board of the Perpich Center for Arts Education, be taken from the table. The motion prevailed.

Senator Wiger moved that the foregoing report be now adopted. The motion prevailed.

Senator Wiger moved that in accordance with the report from the Committee on Education, reported May 8, 2015, the Senate, having given its advice, do now consent to and confirm the appointment of:

BOARD OF THE PERPICH CENTER FOR ARTS EDUCATION

Linda Henning, 135 W. 48th St., Minneapolis, Hennepin County, effective October 7, 2014, for a term expiring on January 1, 2018.

The motion prevailed. So the appointment was confirmed.

MEMBERS EXCUSED

Senators Reinert and Rosen were excused from the Session of today. Senator Pederson, J. was excused from the Session of today from 11:00 to 11:50 a.m. Senator Petersen, B. was excused from the Session of today at 11:50 a.m. Senator Schmit was excused from the Session of today from 11:50 a.m. to 12:10 p.m. Senator Nelson was excused from the Session of today from 11:50 a.m. to 12:25 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 12:00 noon, Saturday, May 16, 2015. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

