

## THIRTY-FIRST DAY

St. Paul, Minnesota, Thursday, March 16, 2017

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

**CALL OF THE SENATE**

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

Prayer was offered by the Chaplain, Pastor Randy Koppen.

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

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

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

The President declared a quorum present.

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

**REPORTS OF COMMITTEES**

Senator Gazelka moved that the Committee Reports at the Desk be now adopted, with the exception of the report on S.F. No. 1643. The motion prevailed.

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

**S.F. No. 1643:** A bill for an act relating to data practices; providing for certain disclosures by the commissioner of revenue; amending Minnesota Statutes 2016, section 270B.14, subdivision 1, by adding subdivisions.

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

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2016, section 13.51, subdivision 2, is amended to read:

Subd. 2. **Income property assessment data.** The following data collected by political subdivisions and the state from individuals or business entities concerning income properties are classified as private or nonpublic data pursuant to section 13.02, subdivisions 9 and 12:

- (a) detailed income and expense figures;
- (b) average vacancy factors;
- (c) verified net rentable areas or net usable areas, whichever is appropriate;
- (d) anticipated income and expenses;
- (e) projected vacancy factors; and
- (f) lease information.

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

Page 3, line 2, after "vehicles" insert ", as agents for the commissioner,"

Page 3, line 3, after "applies" insert "on the purchase of a snowmobile, all-terrain vehicle, or watercraft" and delete "otherwise"

Page 3, line 4, after "297A.825" insert ", regarding either their collection of use tax or their issuance of refunds to applicants of use tax paid to them in error"

Page 3, line 13, after "Transportation" insert "as agent for the commissioner,"

Page 3, line 16, after "Minnesota" insert "under section 360.018" and delete "sections" and insert "section"

Page 3, line 17, after "297A.82" insert ", regarding the collection of tax by the Department of Transportation" and delete "and 360.018"

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Taxes.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

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

**S.F. No. 1655:** A bill for an act relating to taxation; providing regulation of sales suppression devices; imposing criminal penalties; amending Minnesota Statutes 2016, sections 289A.60, by adding a subdivision; 289A.63, by adding a subdivision; 609.5316, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 289A.

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

Page 2, line 21, delete everything after "transfer"

Page 2, delete lines 22 and 23 and insert:

"an automated sales suppression device, zapper, phantom-ware, or similar device capable of being used to commit tax fraud or suppress sales is liable for a civil penalty calculated under paragraph (b)."

Page 3, line 3, delete "knowingly"

Page 3, line 12, delete everything after "(9) uses"

Page 3, delete lines 13 to 15 and insert:

"an automated sales suppression device, zapper, phantom-ware, or similar device knowing that the device or phantom-ware is capable of being used to commit tax fraud or suppress sales is guilty of a felony and may be sentenced to imprisonment for not more than five years or to a payment of a fine of not more than \$10,000, or both."

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

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

**S.F. No. 1339:** A bill for an act relating to criminal justice; expanding the trespass crime to include trespassing on a school bus; imposing a criminal penalty; amending Minnesota Statutes 2016, section 609.605, by adding a subdivision.

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

Page 1, delete lines 15 and 16

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

**SECOND READING OF SENATE BILLS**

S.F. No. 1339 was read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Housley and Ingebrigtsen introduced--**

**S.F. No. 2150:** A bill for an act relating to public safety; including attempt to enter a school to school trespass crime; increasing the penalty for trespassing on school property; amending Minnesota Statutes 2016, section 609.605, subdivision 4.

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

**Senator Lourey introduced--**

**S.F. No. 2151:** A bill for an act relating to transportation; appropriating money for airport hangar construction.

Referred to the Committee on Transportation Finance and Policy.

**Senators Ingebrigtsen, Abeler, Schoen, Jasinski, and Lang introduced--**

**S.F. No. 2152:** A bill for an act relating to public safety; establishing an electronic scrap vehicle transaction report; requiring a stolen vehicle inquiry; amending Minnesota Statutes 2016, section 168A.1501, subdivision 9, by adding subdivisions; repealing Minnesota Statutes 2016, section 168A.1501, subdivision 6.

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

**Senators Hawj and Pratt introduced--**

**S.F. No. 2153:** A bill for an act relating to taxation; property; authorizing a state general tax refund for certain businesses; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 469.

Referred to the Committee on Taxes.

**Senators Pappas, Laine, Schoen, Klein, and Sparks introduced--**

**S.F. No. 2154:** A bill for an act relating to capital investment; authorizing spending to acquire and better public land and buildings and other improvements of a capital nature with certain conditions; modifying previous appropriations; establishing new programs and modifying existing programs; authorizing the sale and issuance of state bonds; appropriating money; amending Minnesota Statutes 2016, sections 16A.967; 84.946, subdivision 2; 85.34, subdivision 1; 363A.36; 363A.44, subdivision 1; 446A.072; 446A.073; 446A.081, subdivision 9; 446A.12, subdivision 1; 462A.37,

subdivisions 1, 2, 2a, 2b, 5, by adding a subdivision; Laws 2014, chapter 294, article 1, section 17, subdivision 12; Laws 2015, First Special Session chapter 5, article 1, section 10, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 219; repealing Minnesota Statutes 2016, section 123A.446.

Referred to the Committee on Capital Investment.

**Senator Chamberlain introduced--**

**S.F. No. 2155:** A bill for an act relating to local government aids; establishing post-certification adjustments for lobbying expenses; proposing coding for new law in Minnesota Statutes, chapter 477A.

Referred to the Committee on Taxes.

**Senator Chamberlain introduced--**

**S.F. No. 2156:** A bill for an act relating to taxation; property; establishing the Legislative Property Tax Reform Task Force; requiring a report.

Referred to the Committee on Taxes.

**Senator Chamberlain introduced--**

**S.F. No. 2157:** A bill for an act relating to local government aid; establishing aid reductions for cities imposing labor regulations; proposing coding for new law in Minnesota Statutes, chapter 477A.

Referred to the Committee on Taxes.

**Senator Osmek introduced--**

**S.F. No. 2158:** A bill for an act relating to the state and Metropolitan Council; requiring specific authority in law for the Metropolitan Council to issue certain types of debt obligations; repealing state technology lease-purchase financing; amending Minnesota Statutes 2016, section 16A.82; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 2016, section 16A.81.

Referred to the Committee on Local Government.

**Senators Senjem, Pappas, Rosen, Relph, and Bakk introduced--**

**S.F. No. 2159:** A bill for an act relating to capital investment; authorizing housing infrastructure bonds; appropriating money; amending Minnesota Statutes 2016, section 462A.37, subdivision 5, by adding a subdivision.

Referred to the Committee on Capital Investment.

**Senator Westrom introduced--**

**S.F. No. 2160:** A bill for an act relating to natural resources; establishing program for riparian-buffer compensation; appropriating money; amending Minnesota Statutes 2016, section 13.7931, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103F.

Referred to the Committee on Agriculture, Rural Development, and Housing Policy.

**Senators Senjem, Gazelka, Pappas, Rosen, and Bakk introduced--**

**S.F. No. 2161:** A bill for an act relating to capital investment; establishing a grant program for the development of regional behavioral health crisis programs in selected communities; authorizing the sale and issuance of state bonds; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 245G.

Referred to the Committee on Capital Investment.

**Senators Pappas and Senjem introduced--**

**S.F. No. 2162:** A bill for an act relating to taxation; sales and use tax; providing an exemption for construction materials used in state building projects; amending Minnesota Statutes 2016, sections 297A.71, by adding a subdivision; 297A.75, subdivisions 1, 2.

Referred to the Committee on Taxes.

**Senator Dibble introduced--**

**S.F. No. 2163:** A bill for an act relating to retirement; Minnesota State Retirement System; revising the treatment of certain former privatized hospital employees who return to public service; amending Minnesota Statutes 2016, section 352F.04, subdivision 2, by adding a subdivision.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Jensen introduced--**

**S.F. No. 2164:** A bill for an act relating to health insurance; authorizing the sale and purchase of health plans that do not include all mandated health benefits; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

**Senator Nelson introduced--**

**S.F. No. 2165:** A bill for an act relating to education finance; appropriating money for Turnaround Arts programs.

Referred to the Committee on E-12 Finance.

**Senator Frentz introduced--**

**S.F. No. 2166:** A bill for an act relating to public safety; allowing certain defendants to appear by interactive video teleconferencing; proposing coding for new law in Minnesota Statutes, chapter 629.

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

**Senator Frentz introduced--**

**S.F. No. 2167:** A bill for an act relating to public safety; extending immunity for underage possession or consumption of alcohol to persons assisting another who remains on the scene; amending Minnesota Statutes 2016, section 340A.503, subdivision 8.

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

**Senators Frentz and Latz introduced--**

**S.F. No. 2168:** A bill for an act relating to human rights; amending notice provisions for actions involving architectural barriers; amending Minnesota Statutes 2016, section 363A.331, subdivisions 2, 5.

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

**Senators Frentz, Clausen, and Newton introduced--**

**S.F. No. 2169:** A bill for an act relating to marriage; recognizing certain marriages between persons of the same sex under prior law; amending Minnesota Statutes 2016, section 517.01.

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

**Senator Hawj introduced--**

**S.F. No. 2170:** A bill for an act relating to economic development; appropriating money for a grant to the East Side Neighborhood Development Company.

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

**Senator Hawj introduced--**

**S.F. No. 2171:** A bill for an act relating to elections; increasing the number of voters an individual may assist in marking a ballot; amending Minnesota Statutes 2016, section 204C.15, subdivision 1.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senator Ingebrigtsen introduced--**

**S.F. No. 2172:** A bill for an act relating to natural resources; appropriating money for study on forest harvest levels; requiring a report.

Referred to the Committee on Environment and Natural Resources Finance.

**Senators Ingebrigtsen and Westrom introduced--**

**S.F. No. 2173:** A bill for an act relating to capital investment; appropriating money for expanding the Runestone Community Center in Alexandria; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Lang and Anderson, B. introduced--**

**S.F. No. 2174:** A bill for an act relating to military affairs; authorizing transfer of funds to address deficit in enlistment incentives program.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

**Senators Relph, Frenz, Eken, and Simonson introduced--**

**S.F. No. 2175:** A bill for an act relating to state government; appropriating money for a grant to the Council on Minnesotans of African Heritage.

Referred to the Committee on State Government Finance and Policy and Elections.

**Senators Koran, Tomassoni, Ingebrigtsen, and Senjem introduced--**

**S.F. No. 2176:** A bill for an act relating to taxation; tobacco; modifying the sale of cigarette stamps; amending Minnesota Statutes 2016, sections 297F.08, subdivisions 5, 7, 8; 297F.09, subdivision 1.

Referred to the Committee on Taxes.

**Senators Koran and Kiffmeyer introduced--**

**S.F. No. 2177:** A bill for an act relating to campaign finance; repealing the public subsidy program; providing for voluntary pledges to abide by expenditure limits and certain other sections; amending Minnesota Statutes 2016, sections 10A.01, subdivision 26; 10A.105, subdivision 1; 10A.15, subdivision 1; 10A.245, subdivision 2; 10A.25, subdivisions 1, 10; 10A.257, subdivision 1; 10A.27, subdivision 10; 10A.322, subdivision 1; 10A.38; repealing Minnesota Statutes 2016, sections 10A.30; 10A.31, subdivisions 1, 3, 3a, 4, 5, 5a, 6, 6a, 7, 7a, 10, 10a, 10b, 11; 10A.315; 10A.321; 10A.322, subdivisions 2, 4; 10A.323; 10A.324, subdivisions 1, 3; Minnesota Rules, parts 4503.1400, subparts 2, 3, 4, 5, 6, 7, 8, 9; 4503.1450.

Referred to the Committee on State Government Finance and Policy and Elections.



**MOTIONS AND RESOLUTIONS**

Senator Torres Ray moved that her name be stricken as a co-author to S.F. No. 389. The motion prevailed.

Senator Hawj moved that the name of Senator Marty be added as a co-author to S.F. No. 464. The motion prevailed.

Senator Abeler moved that the name of Senator Clausen be added as a co-author to S.F. No. 562. The motion prevailed.

Senator Housley moved that the name of Senator Hoffman be added as a co-author to S.F. No. 668. The motion prevailed.

Senator Limmer moved that the name of Senator Hall be added as a co-author to S.F. No. 817. The motion prevailed.

Senator Klein moved that the name of Senator Miller be added as a co-author to S.F. No. 976. The motion prevailed.

Senator Wiger moved that his name be stricken as a co-author to S.F. No. 1197. The motion prevailed.

Senator Nelson moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 1397. The motion prevailed.

Senator Abeler moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 1515. The motion prevailed.

Senator Nelson moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 1561. The motion prevailed.

Senator Champion moved that the name of Senator Dziejcz be added as a co-author to S.F. No. 1586. The motion prevailed.

Senator Limmer moved that the name of Senator Kiffmeyer be added as a co-author to S.F. No. 1716. The motion prevailed.

Senator Wiger moved that his name be stricken as a co-author to S.F. No. 1792. The motion prevailed.

Senator Wiger moved that his name be stricken as a co-author to S.F. No. 1845. The motion prevailed.

Senator Johnson moved that the name of Senator Gazelka be added as a co-author to S.F. No. 1884. The motion prevailed.

Senator Schoen moved that the names of Senators Relph and Anderson, B. be added as co-authors to S.F. No. 1895. The motion prevailed.

Senator Goggin moved that the name of Senator Dibble be added as a co-author to S.F. No. 1907. The motion prevailed.

Senator Abeler moved that the name of Senator Dziejczak be added as a co-author to S.F. No. 1959. The motion prevailed.

Senator Osmek moved that the name of Senator Rosen be added as a co-author to S.F. No. 1965. The motion prevailed.

Senator Nelson moved that the name of Senator Dziejczak be added as a co-author to S.F. No. 1990. The motion prevailed.

Senator Ruud moved that the names of Senators Eichorn and Ingebrigtsen be added as co-authors to S.F. No. 2031. The motion prevailed.

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

Senator Lang moved that the name of Senator Anderson, B. be added as a co-author to S.F. No. 2093. The motion prevailed.

Senator Dziejczak moved that the name of Senator Clausen be added as a co-author to S.F. No. 2113. The motion prevailed.

**Senator Relph introduced --**

**Senate Resolution No. 60:** A Senate resolution congratulating Chelsea Nooner of St. Cloud State University on her outstanding athletic and academic career.

Referred to the Committee on Rules and Administration.

**Senator Anderson, B. introduced --**

**Senate Resolution No. 61:** A Senate resolution congratulating Riley Pfau for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**Senator Anderson, B. introduced --**

**Senate Resolution No. 62:** A Senate resolution congratulating James Arthur Kesler for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**SPECIAL ORDERS**

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

S.F. No. 662, H.F. No. 234, and S.F. No. 151.

### SPECIAL ORDER

**S.F. No. 662:** A bill for an act relating to health; creating an exemption from the practice of dentistry for certain dental students; amending Minnesota Statutes 2016, section 150A.05, 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 234:** A bill for an act relating to energy; amending Public Utilities Commission regulation of municipal electric utilities and rural electric cooperatives; amending Minnesota Statutes 2016, section 216B.164, subdivisions 5, 9, by adding a subdivision.

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 39 and nays 26, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 151:** A bill for an act relating to public safety; modifying vehicle forfeiture provisions to include more than one owner of a vehicle; amending Minnesota Statutes 2016, section 169A.63, subdivision 7.

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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Senator Franzen moved that S.F. No. 2076 be withdrawn from the Committee on Aging and Long-term Care Policy and re-referred to the Committee on Health and Human Services Finance and Policy. The motion prevailed.

Senator Nelson moved that S.F. No. 2128 be withdrawn from the Committee on E-12 Policy and re-referred to the Committee on E-12 Finance. The motion prevailed.

### RECONSIDERATION

Having voted on the prevailing side, Senator Latz moved that the vote whereby the Nelson motion on S.F. No. 2128 was adopted on March 16, 2017, be now reconsidered. The motion prevailed. So the vote was reconsidered.

Senator Nelson withdrew her motion on S.F. No. 2128.

**MEMBERS EXCUSED**

Senators Limmer and Rest were excused from the Session of today. Senator Torres Ray was excused from the Session of today from 11:00 to 11:20 a.m.

**ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Monday, March 20, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

