

FORTY-EIGHTH DAY

St. Paul, Minnesota, Monday, May 1, 2017

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

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Imam Mohammed Dukuly.

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

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 communication was received.

April 27, 2017

The Honorable Michelle L. Fischbach
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 18, S.F. No. 341, and Chapter 19, S.F. No. 562.

Sincerely,
Mark Dayton, Governor

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 859, 1118, 1226, 1538, 985, 1542, and 1702.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 27, 2017

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 859: A bill for an act relating to transportation; providing for conveyance of unused or divided lands owned or controlled by the Department of Transportation; removing and modifying highways on the trunk highway system; authorizing conveyance of certain state-owned lands in Koochiching County; amending Minnesota Statutes 2016, sections 161.115, subdivision 190; 161.44, subdivisions 5, 6a, by adding a subdivision; repealing Minnesota Statutes 2016, section 161.115, subdivision 32.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1059, now on General Orders.

H.F. No. 1118: A bill for an act relating to real property; common interest communities; authorizing electronic delivery of cancellations of sale or resale; amending Minnesota Statutes 2016, sections 515B.4-106; 515B.4-108.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 920, now on General Orders.

H.F. No. 1226: A bill for an act relating to taxation; making policy, technical, and clarifying changes to income, corporate, estate, special, sales, property, and miscellaneous taxes and tax provisions; amending Minnesota Statutes 2016, sections 13.51, subdivision 2; 69.021, subdivision 5; 270.071, subdivisions 2, 7, 8, by adding a subdivision; 270.072, subdivisions 2, 3, by adding a subdivision; 270.12, by adding a subdivision; 270.82, subdivision 1; 270A.03, subdivision 5; 270B.14, subdivision 1; 270C.30; 270C.33, subdivisions 5, 8; 270C.34, subdivision 2; 270C.35, subdivision 3, by adding a subdivision; 270C.38, subdivision 1; 270C.445, by adding a subdivision; 270C.446, subdivision 5; 270C.72, subdivision 4; 270C.89, subdivision 1; 271.06, subdivisions 2, 7; 272.02, subdivisions 9, 10; 272.0211, subdivision 1; 272.025, subdivision 1; 272.029, subdivisions 2, 4, by

adding a subdivision; 272.0295, subdivision 4; 272.115, subdivision 2; 273.061, subdivision 7; 273.08; 273.121, by adding a subdivision; 273.124, subdivision 13; 273.13, subdivision 22; 273.33, subdivisions 1, 2; 273.371; 273.372, subdivisions 2, 4, by adding subdivisions; 274.01, subdivision 1; 274.13, subdivision 1; 274.135, subdivision 3; 275.065, subdivision 1; 275.62, subdivision 2; 278.01, subdivision 1; 282.01, subdivisions 1a, 1d; 287.2205; 289A.08, subdivisions 11, 16, by adding a subdivision; 289A.09, subdivisions 1, 2; 289A.11, subdivision 1; 289A.12, subdivision 14; 289A.18, subdivision 1, by adding a subdivision; 289A.20, subdivision 2; 289A.31, subdivision 1; 289A.35; 289A.37, subdivision 2; 289A.38, subdivision 6; 289A.50, subdivision 7; 289A.60, subdivision 28, by adding a subdivision; 289A.63, by adding a subdivision; 290.0672, subdivision 1; 290.068, subdivision 2; 290.0922, subdivision 2; 290.17, subdivision 2; 290.31, subdivision 1; 290A.19; 290C.03; 291.016, subdivisions 2, 3; 291.03, subdivisions 9, 11; 295.54, subdivision 2; 295.55, subdivision 6; 296A.01, subdivisions 33, 42, by adding a subdivision; 296A.02, by adding a subdivision; 296A.07, subdivision 1; 296A.22, subdivision 9; 296A.26; 297A.82, subdivisions 4, 4a; 297D.02; 297E.02, subdivisions 3, 7; 297E.04, subdivision 1; 297E.05, subdivision 4; 297E.06, subdivision 1; 297F.09, subdivision 1; 297F.23; 297G.09, subdivision 1; 297G.22; 297H.06, subdivision 2; 297I.05, subdivision 2; 297I.10, subdivisions 1, 3; 297I.30, by adding a subdivision; 297I.60, subdivision 2; 298.01, subdivision 4c; 469.319, subdivision 5; 477A.013, by adding a subdivision; 477A.19, by adding subdivisions; 559.202, subdivision 2; 609.5316, subdivision 3; Laws 2014, chapter 308, article 9, section 94; Laws 2016, chapter 187, section 5; proposing coding for new law in Minnesota Statutes, chapters 273; 289A; 290B; 290C; 293; repealing Minnesota Statutes 2016, sections 281.22; 290C.02, subdivisions 5, 9; 290C.06; Minnesota Rules, parts 8092.1400; 8092.2000; 8100.0700.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1219, now on General Orders.

H.F. No. 1538: A bill for an act relating to real property; amending the Minnesota Common Interest Ownership Act to provide for construction defect claims; amending Minnesota Statutes 2016, sections 515B.1-103; 515B.3-102; 515B.3-107; 515B.3-111; 515B.4-1021; 515B.4-113; 515B.4-116.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1455, now on General Orders.

H.F. No. 985: A bill for an act relating to civil actions; specifying the duty owed by owners of real property to trespassers; proposing coding for new law in Minnesota Statutes, chapter 604A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1196, now on General Orders.

H.F. No. 1542: 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 Rules and Administration for comparison with S.F. No. 1407, now on General Orders.

H.F. No. 1702: A bill for an act relating to juvenile justice; informing children age ten and over of the right to counsel; requiring that waivers of counsel be in writing by the child; requiring notice

to counsel; amending Minnesota Statutes 2016, sections 260C.163, subdivisions 3, 10; 260C.607, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1386, now on General Orders.

REPORTS OF COMMITTEES

Senator Limmer moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H.F. No. 812 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.
812	704				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 812 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 812, the third engrossment; and insert the language after the enacting clause of S.F. No. 704, the second engrossment; further, delete the title of H.F. No. 812, the third engrossment; and insert the title of S.F. No. 704, the second engrossment.

And when so amended H.F. No. 812 will be identical to S.F. No. 704, and further recommends that H.F. No. 812 be given its second reading and substituted for S.F. No. 704, and that the Senate File be indefinitely postponed.

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

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

H.F. No. 1712 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1712	1496				

and that the above Senate File be indefinitely postponed.

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

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

H.F. No. 809 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
809	702				

and that the above Senate File be indefinitely postponed.

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

SECOND READING OF HOUSE BILLS

H.F. Nos. 812, 1712, and 809 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Housley introduced--

S.F. No. 2355: A bill for an act relating to public safety; expanding the crime of female genital mutilation; updating requirements for education and outreach; expanding the definition of egregious harm; amending Minnesota Statutes 2016, sections 144.3872; 260.012; 260C.007, subdivision 14; 260C.175, subdivision 1; 609.2245, subdivision 1, by adding a subdivision.

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

Senators Housley, Hawj, Sparks, Senjem, and Champion introduced--

S.F. No. 2356: A bill for an act relating to state government; designating purple as the official color of the state; proposing coding for new law in Minnesota Statutes, chapter 1.

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

Senator Osmek introduced--

S.F. No. 2357: A bill for an act relating to the legislature; prohibiting certain policy provisions in omnibus budget bills; proposing coding for new law in Minnesota Statutes, chapter 3.

Referred to the Committee on Rules and Administration.

Senator Johnson introduced--

S.F. No. 2358: A bill for an act relating to disaster relief; reimbursing Roseau County for certain flood-recovery expenditures; appropriating money.

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

Senator Jensen introduced--

S.F. No. 2359: A bill for an act relating to health; modifying the physician residency expansion grant program; appropriating money; amending Minnesota Statutes 2016, section 144.1506.

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

Senator Jensen introduced--

S.F. No. 2360: A bill for an act relating to human services; increasing MinnesotaCare premiums; directing the commissioner of human services to seek federal waivers and approvals necessary to provide flexibility in the use of money in the state's basic health program trust fund; amending Minnesota Statutes 2016, section 256L.15, subdivision 2.

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

Senator Sparks introduced--

S.F. No. 2361: A bill for an act relating to natural resources; modifying soil and water conservation district provisions; authorizing tax levies for and charges by soil and water conservation districts; amending Minnesota Statutes 2016, sections 103C.331, subdivision 16; 275.066; 444.075, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 103C.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

Senators Rosen, Draheim, Sparks, Dahms, and Weber introduced--

S.F. No. 2362: A bill for an act relating to agriculture; appropriating money for a grant to Farmamerica.

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

Senator Jasinski introduced--

S.F. No. 2363: A bill for an act relating to transportation; appropriating money to study the feasibility of an interchange on Interstate Highway 35 at County Road 9 in Rice County.

Referred to the Committee on Transportation Finance and Policy.

Senator Mathews introduced--

S.F. No. 2364: A bill for an act relating to local government; authorizing towns to appropriate funds to community food shelves; amending Minnesota Statutes 2016, section 465.039.

Referred to the Committee on Local Government.

Senator Eichorn introduced--

S.F. No. 2365: A bill for an act relating to human services; establishing a medical assistance capitation payment withhold related to verification of coverage; amending Minnesota Statutes 2016, section 256B.69, subdivision 5a.

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

Senators Mathews and Lang introduced--

S.F. No. 2366: A bill for an act relating to health; modifying the abortion data required to be reported by physicians or facilities; appropriating money; amending Minnesota Statutes 2016, section 145.4131, subdivision 1.

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

Senators Koran and Jensen introduced--

S.F. No. 2367: A bill for an act relating to human services; requiring the commissioner of human services to report to the legislature on the receipt and use of federal opioid crisis grants; requiring certain funds to be used for opioid abuse prevention and other related initiatives.

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

Senators Relph and Jensen introduced--

S.F. No. 2368: A bill for an act relating to health; establishing a biomedicine and bioethics innovation grant program; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 144.

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

Senators Lang and Jensen introduced--

S.F. No. 2369: A bill for an act relating to human services; requiring the commissioner of human services to develop and implement a health care delivery system demonstration project; proposing coding for new law in Minnesota Statutes, chapter 256B.

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

MOTIONS AND RESOLUTIONS

Senator Kiffmeyer moved that the name of Senator Hall be added as a co-author to S.F. No. 814. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 859. The motion prevailed.

Senator Champion moved that the name of Senator Isaacson be added as a co-author to S.F. No. 1329. The motion prevailed.

SPECIAL ORDERS

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

H.F. Nos. 1397, 1732, S.F. No. 1293, H.F. Nos. 212, 676, 1294, 1477, S.F. Nos. 2008, 1251, 216, and 1654.

SPECIAL ORDER

H.F. No. 1397: A bill for an act relating to life insurance; limitation on payments to beneficiaries of persons furthering terrorism; amending Minnesota Statutes 2016, section 61A.09, 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1732: A bill for an act relating to insurance; examinations by the commissioner of commerce; amending Minnesota Statutes 2016, section 60A.031, subdivisions 4, 6; proposing coding for new law in Minnesota Statutes, chapter 60A.

Senator Dahms moved that the amendment made to H.F. No. 1732 by the Committee on Rules and Administration in the report adopted April 27, 2017, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Dahms moved to amend H.F. No. 1732 as follows:

Page 4, delete lines 15 to 17 and insert:

"(1) subject to confidential treatment as provided under paragraph (f); and"

The motion prevailed. So the amendment was adopted.

H.F. No. 1732 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 63 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 1293: A bill for an act relating to workers' compensation; adopting recommendations of the Workers' Compensation Advisory Council; adopting department proposals; allowing a forbearance of amounts owed to the special compensation fund; modifying intervention procedures; authorizing rulemaking; amending Minnesota Statutes 2016, sections 176.135, by adding a subdivision; 176.1362, subdivisions 1, 2; 176.275, subdivision 1; 176.285; 176.361, subdivisions 2, 3; 176.521, by adding a subdivision; 176.541, subdivisions 1, 8, by adding a subdivision; 176.611, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 176; repealing Minnesota Statutes 2016, section 176.541, subdivision 7.

Senator Schoen moved to amend S.F. No. 1293 as follows:

Page 1, after line 13, insert:

"Section 1. Minnesota Statutes 2016, section 176.011, subdivision 15, is amended to read:

Subd. 15. **Occupational disease.** (a) "Occupational disease" means a mental impairment as defined in paragraph (d) or physical disease arising out of and in the course of employment peculiar to the occupation in which the employee is engaged and due to causes in excess of the hazards ordinary of employment and shall include undulant fever. Physical stimulus resulting in mental injury and mental stimulus resulting in physical injury shall remain compensable. Mental impairment is not considered a disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer. Ordinary diseases of life to which the general public is equally exposed outside of employment are not compensable, except where the diseases follow as an incident of an occupational disease, or where the exposure peculiar to the occupation makes the disease an occupational disease hazard. A disease arises out of the employment only if there be a direct causal connection between the conditions under which the work is performed and if the occupational disease follows as a natural incident of the work as a result of the exposure occasioned by the nature of the employment. An employer is not liable for compensation for any occupational disease which cannot be traced to the employment as a direct and proximate cause and is not recognized as a hazard characteristic of and peculiar to the trade, occupation, process, or employment or which results from a hazard to which the worker would have been equally exposed outside of the employment.

(b) If immediately preceding the date of disablement or death, an employee was employed on active duty with an organized fire or police department of any municipality, as a member of the Minnesota State Patrol, conservation officer service, state crime bureau, as a forest officer by the Department of Natural Resources, state correctional officer, or sheriff or full-time deputy sheriff of any county, and the disease is that of myocarditis, coronary sclerosis, pneumonia or its sequel, and at the time of employment such employee was given a thorough physical examination by a licensed doctor of medicine, and a written report thereof has been made and filed with such organized fire or police department, with the Minnesota State Patrol, conservation officer service, state crime bureau, Department of Natural Resources, Department of Corrections, or sheriff's department of any county, which examination and report negated any evidence of myocarditis, coronary sclerosis, pneumonia or its sequel, the disease is presumptively an occupational disease and shall be presumed to have been due to the nature of employment. If immediately preceding the date of disablement or death, any individual who by nature of their position provides emergency medical care, or an employee who was employed as a licensed police officer under section 626.84, subdivision 1; firefighter; paramedic; state correctional officer; emergency medical technician; or licensed nurse providing emergency medical care; and who contracts an infectious or communicable disease to which the employee was exposed in the course of employment outside of a hospital, then the disease is presumptively an occupational disease and shall be presumed to have been due to the nature of employment and the presumption may be rebutted by substantial factors brought by the employer or insurer. Any substantial factors which shall be used to rebut this presumption and which are known to the employer or insurer at the time of the denial of liability shall be communicated to the employee on the denial of liability.

(c) A firefighter on active duty with an organized fire department who is unable to perform duties in the department by reason of a disabling cancer of a type caused by exposure to heat, radiation, or a known or suspected carcinogen, as defined by the International Agency for Research on Cancer, and the carcinogen is reasonably linked to the disabling cancer, is presumed to have an occupational disease under paragraph (a). If a firefighter who enters the service after August 1, 1988, is examined by a physician prior to being hired and the examination discloses the existence of a

cancer of a type described in this paragraph, the firefighter is not entitled to the presumption unless a subsequent medical determination is made that the firefighter no longer has the cancer.

(d) For the purposes of this chapter, "mental impairment" means a diagnosis of post-traumatic stress disorder by a licensed psychiatrist or psychologist. For the purposes of this chapter, "post-traumatic stress disorder" means the condition as described in the most recently published edition of the Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association. For purposes of section 79.34, subdivision 2, one or more compensable mental impairment claims arising out of a single event or occurrence shall constitute a single loss occurrence.

(e) If, preceding the date of disablement or death, an employee who was employed (1) as a licensed police officer under section 626.84, subdivision 1; firefighter; paramedic; emergency medical technician; licensed nurse providing emergency medical care; or public safety dispatcher; (2) on active duty as a forest officer by the Department of Natural Resources; state correctional officer; or sheriff or full-time deputy sheriff of any county; or (3) as a member of the Minnesota State Patrol; conservation officer service; or state crime bureau; is diagnosed with a mental impairment as defined in paragraph (d), and had not been diagnosed with the mental impairment previously, then the mental impairment is presumptively an occupational disease and shall be presumed to have been due to the nature of employment. The mental impairment is not considered an occupational disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer."

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

The motion prevailed. So the amendment was adopted.

S.F. No. 1293 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 212: A bill for an act relating to insurance producers; regulating payment of commissions by issuers of individual health plans; amending Minnesota Statutes 2016, sections 60K.31, by adding a subdivision; 60K.48, subdivision 4.

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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 676: A bill for an act relating to commerce; regulating landscape application contracts; providing an exclusion; amending Minnesota Statutes 2016, section 325F.245, subdivision 6.

Senator Senjem moved that the amendment made to H.F. No. 676 by the Committee on Rules and Administration in the report adopted April 27, 2017, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Senjem moved to amend H.F. No. 676 as follows:

Page 1, line 16, after the period, insert "Prior to the first application of the season,"

The motion prevailed. So the amendment was adopted.

Senator Clausen moved to amend H.F. No. 676 as follows:

Page 1, after line 20, insert:

"Sec. 2. **[325G.56] AUTOMATIC RENEWAL OF CONSUMER CONTRACTS.**

Subdivision 1. **Definitions.** For purposes of this section:

(1) "automatic renewal clause" means a provision of a contract that extends the term of or renews a contract if the consumer does not take a specified action, provided the original contract term is for one year or more and the contract automatically renews for more than one month;

(2) "consumer" means a person who acquires goods or services for personal, family, or household purposes; and

(3) "seller" means a person who provides a service or sells or leases goods to the consumer.

Subd. 2. **Requirements for automatic renewal.** If a contract between a seller and a consumer contains an automatic renewal clause, the seller shall:

(1) clearly and conspicuously disclose to the consumer the automatic renewal clause and the procedure for canceling the contract at the time that the seller enters into the contract with the consumer; and

(2) give the consumer written notice of the automatic renewal clause and the procedure for canceling the contract no less than 30 days and no more than 60 days before the last date on which the consumer may cancel the contract before it renews for another term.

Subd. 3. **Notice of automatic renewal.** (a) Written notice provided under this section must clearly and conspicuously disclose:

(1) that the contract will automatically renew if the consumer does not cancel the contract;

(2) the cancellation procedure, which shall allow for cancellation by regular mail or e-mail; and

(3) the dates during which the consumer may cancel the contract.

(b) Written notice under this section must be made in a stand-alone mailing using boldfaced type.

Subd. 4. **Consumer's right to cancel.** (a) A consumer may cancel the automatic renewal of a contract at any time before the date on which the contract renews for another term, at no cost to the consumer, by following the procedure set out in the disclosure and notice provided under this section or by standard mail or e-mail.

(b) If the seller fails to provide either the disclosure or the written notice required by subdivision 2, the consumer may cancel the contract by any reasonable means at any time, including by standard mail, e-mail, or telephone, at no cost to the consumer.

Subd. 5. **Right of first refusal.** A contract subject to this section must not require that the consumer has to permit the seller to match any offer the consumer has received. A provision in a contract that violates this subdivision is void and unenforceable.

Subd. 6. **Exemption.** (a) This section does not apply to a class of contracts governed by other specific provisions related to automatic or guaranteed renewal in state or federal statute or regulation.

(b) This section does not apply to contracts when the consumer may cancel at any time and receive a refund for goods or services not yet provided, if notice of this cancellation right is given in the manner provided in subdivision 3, and the consumer may cancel by any reasonable means, including by standard mail, e-mail, or telephone.

Subd. 7. **Enforcement.** This section may be enforced by the attorney general under section 8.31.

EFFECTIVE DATE. This section is effective January 1, 2018, for contracts entered into, modified, or renewed on or after that date."

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 42 and nays 23, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Hoffman	Marty	Sparks
Anderson, B.	Dziedzic	Isaacson	Mathews	Tomassoni
Anderson, P.	Eaton	Kent	Nelson	Torres Ray
Carlson	Eichorn	Kiffmeyer	Newton	Westrom
Champion	Eken	Klein	Pappas	Wiger
Clausen	Franzen	Laine	Pratt	Wiklund
Cohen	Frentz	Latz	Rest	
Cwodzinski	Hawj	Little	Schoen	
Dibble	Hayden	Lourey	Simonson	

Those who voted in the negative were:

Benson	Goggin	Jensen	Miller	Senjem
Chamberlain	Hall	Johnson	Newman	Utke
Dahms	Housley	Koran	Osmek	Weber
Fischbach	Ingebrigtsen	Lang	Relph	
Gazelka	Jasinski	Limmer	Rosen	

The motion prevailed. So the amendment was adopted.

H.F. No. 676 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 1294: A bill for an act relating to commerce; regulating the termination of sales representatives; amending Minnesota Statutes 2016, section 325E.37, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 65 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1477: A bill for an act relating to credit unions; regulating meetings; amending Minnesota Statutes 2016, section 52.07.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2008: A bill for an act relating to commerce; modifying price marking requirements for retail merchandise; amending Minnesota Statutes 2016, section 325F.53, subdivision 1.

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

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1251: A bill for an act relating to state government; establishing a Legislative Commission on Cybersecurity; providing legislative appointments; proposing coding for new law in Minnesota Statutes, chapter 3.

Senator Anderson, P. moved to amend S.F. No. 1251 as follows:

Page 2, line 20, delete "May" and insert "June"

Page 2, line 23, delete "June" and insert "July"

The motion prevailed. So the amendment was adopted.

S.F. No. 1251 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 216: A bill for an act relating to human services; modifying certain claims against estates provisions under medical assistance; amending Minnesota Statutes 2016, section 256B.15, subdivisions 1, 1a, 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	Carlson	Cohen	Draheim	Eken
Anderson, B.	Chamberlain	Cwodzinski	Dziedzic	Fischbach
Anderson, P.	Champion	Dahms	Eaton	Franzen
Benson	Clausen	Dibble	Eichorn	Frentz

Gazelka	Jasinski	Latz	Newton	Sparks
Goggin	Jensen	Limmer	Pappas	Tomassoni
Hall	Johnson	Little	Pratt	Torres Ray
Hawj	Kent	Lourey	Relph	Utke
Hayden	Kiffmeyer	Marty	Rest	Weber
Hoffman	Klein	Mathews	Rosen	Westrom
Housley	Koran	Miller	Schoen	Wiger
Ingebrigtsen	Laine	Nelson	Senjem	Wiklund
Isaacson	Lang	Newman	Simonson	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 1654: A bill for an act relating to legislative enactments; making miscellaneous technical corrections to laws and statutes; correcting erroneous, obsolete, and omitted text and references; removing redundant, conflicting, and superseded provisions; amending Minnesota Statutes 2016, sections 10A.01, subdivision 3; 10A.20, subdivision 1b; 13.321, by adding a subdivision; 13.381, by adding a subdivision; 13.383, by adding a subdivision; 13.461, by adding a subdivision; 13.598, by adding a subdivision; 13.7191, by adding a subdivision; 15A.0825, subdivision 8; 16A.152, subdivision 1b; 43A.23, subdivision 1; 43A.316, subdivision 9; 62A.46, subdivision 7; 69.021, subdivision 10; 97A.075, subdivision 5; 97A.133, subdivision 2; 103F.601, subdivision 2; 116R.02, subdivision 4; 119B.06, subdivision 1; 124D.19, subdivision 3; 126C.05, subdivision 14; 127A.41, subdivision 8; 144.0571; 144.0722, subdivision 1; 144.0724, subdivisions 1, 2, 9; 144A.071, subdivisions 3, 4a, 4c, 4d; 144A.073, subdivision 3c; 144A.10, subdivision 4; 144A.15, subdivision 2; 144A.154; 144A.161, subdivision 10; 144A.1888; 144A.611, subdivision 1; 144D.01, subdivision 6; 146B.03, subdivision 7; 148.512, subdivision 16; 148.725, subdivision 5; 148E.280; 150A.02; 151.06, subdivision 1; 151.32; 152.25, subdivision 4; 153B.30, subdivision 2; 179A.10, subdivision 1; 204B.13, subdivisions 1, 2; 237.59, subdivision 2; 237.761, subdivision 4; 245.4835, subdivision 2; 245.493, subdivision 1; 245.62, subdivision 4; 245A.11, subdivision 2a; 245F.09, subdivision 1; 252.292, subdivision 4; 256.045, subdivisions 3b, 4; 256.0451, subdivisions 1, 3, 11, 19; 256.481; 256.9741, subdivision 7; 256.9742, subdivision 6; 256.991; 256B.02, subdivision 9; 256B.059, subdivisions 5, 6; 256B.0622, subdivisions 7b, 7d; 256B.0911, subdivisions 4d, 6; 256B.25, subdivision 3; 256B.35, subdivision 4; 256B.421, subdivision 1; 256B.50, subdivisions 1, 1c; 256B.501, subdivisions 3i, 4b; 256B.692, subdivision 6; 256B.76, subdivision 1; 256B.78; 256D.03, subdivision 2a; 256D.04; 256D.05, subdivision 1; 256D.44, subdivision 5; 256J.01, subdivision 3; 256J.21, subdivision 2; 256J.515; 260.55; 260.56; 260.57; 260C.451, subdivision 8; 270.074, subdivision 3; 273.1392; 275.71, subdivision 4; 275.72, subdivision 2; 276.04, subdivision 3; 276A.06, subdivision 10; 289A.121, subdivisions 5, 6; 290.091, subdivision 2; 290A.03, subdivision 8; 295.53, subdivision 1; 297F.10, subdivision 1; 297I.06, subdivision 3; 297I.15, subdivision 4; 298.001, by adding a subdivision; 298.24, subdivision 1; 298.28, subdivision 6; 317A.061, subdivision 2; 340A.409, subdivision 1; 354A.37, subdivision 1; 354C.11, subdivision 2; 356.215, subdivision 8; 383B.32, subdivisions 3, 4; 462C.05, subdivision 7; 473.39, subdivision 1; 518A.53, subdivision 11; 617.85; Laws 2017, chapter 3, section 1; repealing Minnesota Statutes 2016, sections 120B.365; 122A.245, subdivision 10; 124D.095, subdivision 10; 128D.055, subdivision 4; 129C.30, subdivision 5; 144A.10, subdivision 8a; 216H.077; 290A.28; Laws 2014, chapter 207, section 1; Laws 2014, chapter 227, article 2, section 1; Laws 2015, chapter 68, article 3, section 12; Laws 2016, chapter 135, article 4, section 9; Laws 2016, chapter 189, article 26, section 4.

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Nelson moved that H.F. No. 474, No. 1 on the Consent Calendar, be stricken and placed on General Orders. The motion prevailed.

MEMBERS EXCUSED

Senator Bakk was excused from the Session of today. Senators Hawj and Latz were excused from the Session of today from 11:00 to 11:30 a.m. Senator Nelson was excused from the Session of today from 11:00 to 11:45 a.m. Senator Ruud was excused from the Session of today at 12:15 p.m. Senator Osmek was excused from the Session of today at 12:20 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 11:00 a.m., Thursday, May 4, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

