

FORTY-NINTH DAY

St. Paul, Minnesota, Thursday, May 4, 2017

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

**CALL OF THE SENATE**

Senator Gazelka 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. Amanda Lunemann.

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

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

April 27, 2017

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

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2017 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 2017	Date Filed 2017
341		18	3:51 p.m. April 27	April 27
562		19	3:52 p.m. April 27	April 27

Sincerely,  
Steve Simon  
Secretary of State

May 2, 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 26, S.F. No. 870 and Chapter 28, S.F. No. 1135.

Sincerely,  
Mark Dayton, Governor

May 3, 2017

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

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2017 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 2017	Date Filed 2017
	792	20	4:49 p.m. May 2	May 2
	1397	22	4:49 p.m. May 2	May 2
	212	23	4:49 p.m. May 2	May 2

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1294	24	4:49 p.m. May 2	May 2
1477	25	4:49 p.m. May 2	May 2
870	26	4:50 p.m. May 2	May 2
1135	28	4:50 p.m. May 2	May 2

Sincerely,  
Steve Simon  
Secretary of State

May 3, 2017

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

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2017 Session of the State Legislature has been received from the Office of the Governor and is 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 2017	Date Filed 2017
	400	21	1:09 p.m. May 3	May 3

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. 870, 1113 and 1135.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2017

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. 799:** A bill for an act relating to state government; modifying provisions for certain interagency agreements and intra-agency transfers; amending Minnesota Statutes 2016, sections 62V.05, subdivision 12; 144.05, subdivision 6; 256.01, subdivision 41.

Senate File No. 799 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2017

Senator Benson moved that the Senate do not concur in the amendments by the House to S.F. No. 799, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

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

**S.F. No. 1020:** A bill for an act relating to local government; eliminating the cap on spending for purchase of awards and trophies; amending Minnesota Statutes 2016, section 471.15.

Senate File No. 1020 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 1, 2017

### CONCURRENCE AND REPASSAGE

Senator Hall moved that the Senate concur in the amendments by the House to S.F. No. 1020 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1020 was read the third time, as amended by the House, and placed on its repassage.

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

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

Those who voted in the affirmative were:

Abeler	Dahms	Goggin	Johnson	Lourey
Anderson, B.	Dibble	Hall	Kent	Marty
Anderson, P.	Draheim	Hawj	Kiffmeyer	Mathews
Benson	Dziedzic	Hayden	Klein	Miller
Carlson	Eaton	Hoffman	Koran	Nelson
Chamberlain	Eichorn	Housley	Laine	Newman
Champion	Eken	Ingebrigtsen	Lang	Newton
Clausen	Fischbach	Isaacson	Latz	Osmek
Cohen	Frentz	Jasinski	Limmer	Pappas
Cwodzinski	Gazelka	Jensen	Little	Pratt

Rolph  
Rosen  
Ruud

Schoen  
Senjem  
Simonson

Tomassoni  
Torres Ray  
Utke

Weber  
Westrom  
Wiger

Wiklund

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

### MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 676:

**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.

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

Davids, Hoppe and Rosenthal have been appointed as such committee on the part of the House.

House File No. 676 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 4, 2017

Senator Senjem moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 676, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 778:

**H.F. No. 778:** A bill for an act relating to the Minnesota Sports Facilities Authority; providing for classification of certain data; modifying appointments to the authority board; modifying duties; restricting the use of stadium suites; amending Minnesota Statutes 2016, sections 13.55, subdivision 2; 473J.07, subdivisions 2, 3, 4, 8, by adding a subdivision; 473J.09, subdivisions 6, 13, by adding subdivisions; 473J.13, by adding a subdivision; repealing Minnesota Statutes 2016, section 473J.09, subdivision 14.

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

Anderson, S.; Vogel and Sandstede have been appointed as such committee on the part of the House.

House File No. 778 is herewith transmitted to the Senate with the request that the Senate appoint a like committee.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 4, 2017

Senator Rosen moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 778, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 947, 997, 1545, 2174, and 1242.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 1, 2017

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 947:** A bill for an act relating to education finance; clarifying the calculation of general education aid; amending Minnesota Statutes 2016, section 126C.13, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 945, now on General Orders.

**H.F. No. 997:** A bill for an act relating to local government; modifying the requirements for payment of claims; amending Minnesota Statutes 2016, section 471.38; repealing Minnesota Statutes 2016, section 471.391, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1245, now on General Orders.

**H.F. No. 1545:** A bill for an act relating to agriculture; extending Food Safety and Defense Task Force; modifying definition of animals; amending Minnesota Statutes 2016, sections 28A.21, subdivision 6; 31A.02, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1545, now on General Orders.

**H.F. No. 2174:** A bill for an act relating to local government; authorizing Ramsey County to select positions for a supported work program; amending Minnesota Statutes 2016, section 383A.288, subdivision 1, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1855, now on General Orders.

**H.F. No. 1242:** A bill for an act relating to local government; requiring notice of proposed city ordinances; proposing coding for new law in Minnesota Statutes, chapter 415.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1224, now on General Orders.

### REPORTS OF COMMITTEES

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

#### **Senator Rosen from the Committee on Finance, to which was re-referred**

**S.F. No. 839:** A bill for an act relating to campaign finance; codifying certain campaign finance and public disclosure rules; amending rulemaking authority of Campaign Finance and Public Disclosure Board; shortening the end date of a special election cycle; requiring electronic submissions of affidavits of contributions; repealing obsolete rules; amending Minnesota Statutes 2016, sections 10A.01, subdivisions 12, 16; 10A.02, subdivision 13; 10A.025, subdivision 1a; 10A.04, by adding a subdivision; 10A.071, subdivision 1; 10A.09, subdivisions 5, 6; 10A.15, by adding a subdivision; 10A.20, subdivision 3; 10A.25, subdivision 2; 10A.27, by adding subdivisions; 10A.31, by adding a subdivision; 10A.323; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Rules, parts 4501.0300, subpart 3; 4501.0500, subpart 2; 4503.0200, subpart 6; 4503.0300, subpart 4; 4503.0400, subpart 1; 4503.0500, subparts 5, 8; 4503.0700, subparts 2, 3; 4503.1300, subpart 5; 4503.1400, subparts 8, 9; 4503.1450, subparts 1, 3; 4503.1600; 4503.1700; 4503.1800; 4505.0100, subpart 3; 4505.0900, subparts 2, 3, 4, 5, 6, 7; 4511.0500, subpart 2; 4512.0100, subparts 2, 4, 5; 4525.0210, subpart 1.

Reports the same back with the recommendation that the bill do pass. Report adopted.

#### **Senator Rosen from the Committee on Finance, to which was re-referred**

**S.F. No. 943:** A bill for an act relating to higher education; appropriating money for an education debt relief grant.

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

Page 1, line 6, delete "\$50,000" and insert "\$25,000" and delete "\$50,000" and insert "\$25,000"

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

**Senator Rosen from the Committee on Finance, to which was re-referred**

**S.F. No. 603:** A bill for an act relating to public employment; clarifying limits on severance pay to highly compensated public employees; amending Minnesota Statutes 2016, section 43A.17, subdivision 11.

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 16E.016, is amended to read:

**16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES AND EQUIPMENT.**

(a) The chief information officer is responsible for providing or entering into managed services contracts for the provision, improvement, and development of the following information technology systems and services to state agencies:

- (1) state data centers;
- (2) mainframes including system software;
- (3) servers including system software;
- (4) desktops including system software;
- (5) laptop computers including system software;
- (6) a data network including system software;
- (7) database, electronic mail, office systems, reporting, and other standard software tools;
- (8) business application software and related technical support services;
- (9) help desk for the components listed in clauses (1) to (8);
- (10) maintenance, problem resolution, and break-fix for the components listed in clauses (1) to (8);
- (11) regular upgrades and replacement for the components listed in clauses (1) to (8); and
- (12) network-connected output devices.

(b) All state agency employees whose work primarily involves functions specified in paragraph (a) are employees of the Office of MN.IT Services. This includes employees who directly perform the functions in paragraph (a), as well as employees whose work primarily involves managing, supervising, or providing administrative services or support services to employees who directly perform these functions. The chief information officer may assign employees of the office to perform work exclusively for another state agency.



(c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a state agency to obtain services specified in paragraph (a) through a contract with an outside vendor when the chief information officer and the agency head agree that a contract would provide best value, as defined in section 16C.02, under the service-level agreement. The chief information officer must require that agency contracts with outside vendors ensure that systems and services are compatible with standards established by the Office of MN.IT Services.

(d) The Minnesota State Retirement System, the Public Employees Retirement Association, the Teachers Retirement Association, the State Board of Investment, ~~the Campaign Finance and Public Disclosure Board,~~ and the State Lottery, ~~and the Statewide Radio Board~~ are not state agencies for purposes of this section.

(e) Effective upon certification by the chief information officer that the information technology systems and services provided under this section meet all professional and technical standards necessary for the entity to perform its functions, the following are state agencies for purposes of this section: the Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio Board."

Page 2, after line 21, insert:

"(e) Severance pay shall not be paid to a highly compensated employee who has been employed by the appointing authority for less than six months or who voluntarily terminates employment."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "directing MN.IT to provide services to additional agencies;"

Amend the title numbers accordingly

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

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

**H.F. No. 859** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
859	1059				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 859 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 859, the first engrossment; and insert the language after the enacting clause of S.F. No. 1059; further, delete the title of H.F. No. 859, the first engrossment; and insert the title of S.F. No. 1059.

And when so amended H.F. No. 859 will be identical to S.F. No. 1059, and further recommends that H.F. No. 859 be given its second reading and substituted for S.F. No. 1059, 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. 1118** 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:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1118	920				

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. 985** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
985	1196				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 985 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 985, the first engrossment; and insert the language after the enacting clause of S.F. No. 1196, the first engrossment; further, delete the title of H.F. No. 985, the first engrossment; and insert the title of S.F. No. 1196, the first engrossment.

And when so amended H.F. No. 985 will be identical to S.F. No. 1196, and further recommends that H.F. No. 985 be given its second reading and substituted for S.F. No. 1196, 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. 1542** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1542	1407				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1542 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1542, the second engrossment; and insert the language after the enacting clause of S.F. No. 1407, the first engrossment; further, delete the title of H.F. No. 1542, the second engrossment; and insert the title of S.F. No. 1407, the first engrossment.

And when so amended H.F. No. 1542 will be identical to S.F. No. 1407, and further recommends that H.F. No. 1542 be given its second reading and substituted for S.F. No. 1407, 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. 1538** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1538	1455				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1538 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1538, the first engrossment; and insert the language after the enacting clause of S.F. No. 1455, the first engrossment; further, delete the title of H.F. No. 1538, the first engrossment; and insert the title of S.F. No. 1455, the first engrossment.

And when so amended H.F. No. 1538 will be identical to S.F. No. 1455, and further recommends that H.F. No. 1538 be given its second reading and substituted for S.F. No. 1455, 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. 1702** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1702	1386				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1702 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1702, the second engrossment; and insert the language after the enacting clause of S.F. No. 1386, the first engrossment; further, delete the title of H.F. No. 1702, the second engrossment; and insert the title of S.F. No. 1386, the first engrossment.

And when so amended H.F. No. 1702 will be identical to S.F. No. 1386, and further recommends that H.F. No. 1702 be given its second reading and substituted for S.F. No. 1386, 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. 1226** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1226	1219				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1226 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1226, the first engrossment; and insert the language after the enacting clause of S.F. No. 1219, the first engrossment; further, delete the title of H.F. No. 1226, the first engrossment; and insert the title of S.F. No. 1219, the first engrossment.

And when so amended H.F. No. 1226 will be identical to S.F. No. 1219, and further recommends that H.F. No. 1226 be given its second reading and substituted for S.F. No. 1219, 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 SENATE BILLS**

S.F. Nos. 839, 943, and 603 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. Nos. 859, 1118, 985, 1542, 1538, 1702, and 1226 were read the second time.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

#### **Senators Nelson, Ingebrigtsen, Hayden, Franzen, and Simonson introduced--**

**S.F. No. 2370:** A bill for an act relating to health; adding charter schools to the prohibition of tobacco in schools; increasing the tobacco sale age; increasing administrative penalties; allowing alternative penalties; amending Minnesota Statutes 2016, sections 144.4165; 144.4167, subdivision 4; 171.171; 461.12, subdivisions 2, 3, 4, 5, 6; 461.18; 609.685; 609.6855; proposing coding for new law in Minnesota Statutes, chapter 461.

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

#### **Senator Mathews introduced--**

**S.F. No. 2371:** A bill for an act relating to capital investment; appropriating money for public infrastructure in Milaca; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

#### **Senators Chamberlain and Osmek introduced--**

**S.F. No. 2372:** A bill for an act relating to transportation finance; amending certain local option transportation sales taxes; limiting authority to impose a sales tax; allocating and limiting uses of funds; requiring a referendum under certain circumstances; amending Minnesota Statutes 2016, sections 174.93, subdivision 1; 297A.992, subdivisions 1, 2, 3, 4, 6a, 7, 10; 297A.993, subdivisions 1, 2, by adding a subdivision; 398A.10, subdivisions 3, 4; repealing Minnesota Statutes 2016, section 297A.992, subdivisions 5, 6, 11, 12.

Referred to the Committee on Transportation Finance and Policy.

#### **Senator Dahms introduced--**

**S.F. No. 2373:** A bill for an act relating to capital investment; appropriating money for a regional rescue facility; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Hayden and Dzedzic introduced--**

**S.F. No. 2374:** A bill for an act relating to health; establishing a grant program to fund immunization-related activities for geographic areas and populations experiencing or at risk of experiencing an outbreak of a vaccine-preventable disease; appropriating money.

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

**Senator Limmer introduced--**

**S.F. No. 2375:** A bill for an act relating to public safety; requiring a warrant to obtain blood or urine samples; providing for license revocation; establishing guidelines for license revocation hearings; amending Minnesota Statutes 2016, sections 169A.03, subdivision 21; 169A.20, subdivision 2; 169A.51, subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapter 171; repealing Minnesota Statutes 2016, section 169A.51, subdivision 3.

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

### MOTIONS AND RESOLUTIONS

Senator Housley moved that the name of Senator Anderson, B. be added as a co-author to S.F. No. 2355. The motion prevailed.

Senator Sparks moved that the name of Senator Dzedzic be added as a co-author to S.F. No. 2361. The motion prevailed.

Senator Ingebrigtsen moved that his name be stricken as a co-author to S.F. No. 2370. The motion prevailed.

**Senator Hawj introduced --**

**Senate Resolution No. 85:** A Senate resolution in memory of Seng Wang Herr (Vaam Xeeb Hawj).

Referred to the Committee on Rules and Administration.

**Senator Sparks introduced --**

**Senate Resolution No. 86:** A Senate resolution honoring the Nation of Patriots.

Referred to the Committee on Rules and Administration.

**Senators Hoffman, Hawj, Newton, Eaton, and Schoen introduced --**

**Senate Resolution No. 87:** A Senate resolution recognizing the Lao Freedom Fighters and the people of the former Kingdom of Laos.

Referred to the Committee on Rules and Administration.

### 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:

S.F. Nos. 1844, 1353, 527, 482, H.F. No. 1712, S.F. No. 481, H.F. Nos. 809, 812, and 474.

### SPECIAL ORDER

**S.F. No. 1844:** A bill for an act relating to health and human services; adding advanced practice registered nurses and physician assistants to certain statutes; amending Minnesota Statutes 2016, sections 62Q.56, subdivision 1a; 144.213, subdivision 1; 144.441, subdivision 3; 145.7131; 145.867, subdivision 2; 252A.21, subdivision 2; 256.9365, subdivision 2; 256B.056, subdivision 2; 256B.057, subdivision 9; 256B.0653, subdivision 4; 256B.15, subdivision 1a; 256D.44, subdivisions 4, 5; 514.981, subdivision 2; 626.556, subdivision 11d.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1353:** A bill for an act relating to health occupations; establishing requirements for the practice of telemedicine; proposing coding for new law in Minnesota Statutes, chapter 147.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 527:** A bill for an act relating to health occupations; modifying the nurse practices act; clarifying licensure requirements for advanced practice registered nurses; amending Minnesota Statutes 2016, sections 148.171, subdivision 7b, by adding a subdivision; 148.211, subdivisions 1a, 1c, 2; repealing Minnesota Statutes 2016, sections 148.211, subdivision 1b; 148.243, subdivision 15.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 482:** A bill for an act relating to health licensing; clarifying title protection and grounds for disciplinary action; making technical changes; amending Minnesota Statutes 2016, sections 147.081; 147.091, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 147.

Senator Abeler moved to amend S.F. No. 482 as follows:



Page 2, line 14, before "A" insert "(a)"

Page 2, after line 17, insert:

"(b) Nothing in this section shall be construed to prohibit a health care professional from using a title incorporating any of the words specified in paragraph (a), or from using a title or designation that is not specifically protected in paragraph (a), if the title or designation used is permitted under the health care professional's practice act."

The motion prevailed. So the amendment was adopted.

S.F. No. 482 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

**H.F. No. 1712:** A bill for an act relating to health occupations; modifying the requirements for collaborative community dental hygiene services; establishing requirements for collaborative community dental assisting services; amending Minnesota Statutes 2016, sections 150A.10, subdivision 1a, by adding a subdivision; 150A.105, subdivision 8.

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

The question was taken on the passage of the bill.

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

Those who voted in the affirmative were:

Abeler	Chamberlain	Dibble	Frentz	Hoffman
Anderson, B.	Champion	Draheim	Gazelka	Housley
Anderson, P.	Clausen	Dziedzic	Goggin	Ingebrigtsen
Bakk	Cohen	Eaton	Hall	Isaacson
Benson	Cwodzinski	Eichorn	Hawj	Jasinski
Carlson	Dahms	Eken	Hayden	Jensen

Johnson	Latz	Newman	Rosen	Utke
Kent	Limmer	Newton	Ruud	Weber
Kiffmeyer	Little	Osmek	Schoen	Westrom
Klein	Lourey	Pappas	Senjem	Wiger
Koran	Marty	Pratt	Simonson	Wiklund
Laine	Mathews	Relph	Tomassoni	
Lang	Nelson	Rest	Torres Ray	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 481:** A bill for an act relating to health licensing; clarifying waiver of examination, dental assisting licensure, and allied dental professional restorative functions; making technical changes; amending Minnesota Statutes 2016, sections 150A.06, subdivisions 3, 8; 150A.10, subdivision 4.

Senator Jensen moved to amend S.F. No. 481 as follows:

Page 1, line 13, strike everything after "board"

Page 1, line 14, strike everything before the period

The motion prevailed. So the amendment was adopted.

S.F. No. 481 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	Draheim	Ingebrigtsen	Little	Ruud
Anderson, B.	Dziedzic	Isaacson	Lourey	Schoen
Anderson, P.	Eaton	Jasinski	Marty	Senjem
Bakk	Eichorn	Jensen	Mathews	Simonson
Benson	Eken	Johnson	Nelson	Tomassoni
Carlson	Frentz	Kent	Newman	Torres Ray
Chamberlain	Gazelka	Kiffmeyer	Newton	Utke
Champion	Goggin	Klein	Osmek	Weber
Clausen	Hall	Koran	Pappas	Westrom
Cohen	Hawj	Laine	Pratt	Wiger
Cwodzinski	Hayden	Lang	Relph	Wiklund
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

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

### RECESS

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

**SPECIAL ORDER**

**H.F. No. 809:** A bill for an act relating to health; limiting use of funds for state-sponsored health programs for funding abortions.

**CALL OF THE SENATE**

Senator Kiffmeyer imposed a call of the Senate for the balance of the proceedings on H.F. No. 809. The Sergeant at Arms was instructed to bring in the absent members.

H.F. No. 809 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 35 and nays 29, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So the bill passed and its title was agreed to.

**SPECIAL ORDER**

**H.F. No. 812:** A bill for an act relating to health; requiring licensure of abortion facilities; requiring a licensing fee; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 145.

Senator Fischbach moved that the amendment made to H.F. No. 812 by the Committee on Rules and Administration in the report adopted May 1, 2017, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Klein moved to amend H.F. No. 812 as follows:

Page 1, after line 5, insert:

"Section 1. **[145.25] PROVISION OF SCIENCE-BASED HEALTH CARE.**

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

(b) "Evidence-based" means the conscientious, explicit, and judicious use of current best evidence in making decisions about the care of an individual patient, integrating individual clinical expertise with the best available external, clinically relevant evidence from systematic research.

(c) "Medically accurate" means information that is:

(1) verified or supported by the weight of peer-reviewed medical research conducted in compliance with accepted scientific methods;

(2) recognized as medically sound and objective by:

(i) leading health care organizations with relevant expertise, such as the American Medical Association, the American Congress of Obstetricians and Gynecologists, the American Public Health Association, the American Psychological Association, the American Academy of Pediatrics, the American College of Physicians, and the American Academy of Family Physicians;

(ii) federal agencies such as the Centers for Disease Control and Prevention, the Food and Drug Administration, the National Cancer Institute, and the National Institutes of Health; or

(iii) leading national or international scientific advisory groups such as the Health and Medicine Division and the Advisory Committee on Immunization Practices; or

(3) recommended by or affirmed in the health care practice guidelines of a nationally recognized health care accreditation organization.

(d) "Appropriate for the patient" means care consistent with applicable health and professional standards, the patient's clinical and other circumstances, and the patient's reasonably known wishes and beliefs.

Subd. 2. **Right to provide science-based health care.** (a) Notwithstanding any law to the contrary, no licensed or registered health care provider, or person operating under the authority of the provider, shall be required by state or local law, rule, or ordinance to provide a patient with:

(1) information that is not medically accurate and appropriate for the patient, in the health care provider's reasonable professional judgment; or

(2) a health care service in a manner that is not evidence-based and appropriate for the patient, in the health care provider's reasonable professional judgment.

(b) Notwithstanding any law to the contrary, no state or local law, rule, or ordinance shall prohibit a licensed or registered health care provider, or person operating under the authority of the provider, from providing a patient with:

(1) information that is medically accurate and appropriate for the patient in the health care provider's reasonable professional judgment; or

(2) a health care service in a manner that is evidence-based and appropriate for the patient in the health care provider's reasonable professional judgment.

Subd. 3. **Documentation.** A health care provider who determines that a state or local law, rule, or ordinance violates subdivision 2 and determines that following the law, rule, or ordinance is not appropriate for the patient must:

(1) document this determination in writing, including the medical basis for the determination; and

(2) include the documentation in clause (1) in the patient's health record and comply with existing health records retention requirements for retention of the documentation.

Subd. 4. **Existing standard of care.** Nothing in this section shall be construed to alter a health care provider's existing professional standards of care or interfere with the duty of a health care provider in meeting the applicable standard of care for that provider.

**EFFECTIVE DATE.** This section is effective July 1, 2017."

Page 4, after line 5, insert:

"Sec. 4. **REPEALER.**

Minnesota Statutes 2016, sections 145.4241; 145.4242; 145.4243; 145.4244; 145.4245; 145.4246; 145.4247; 145.4248; and 145.4249, are repealed effective July 1, 2017."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Fischbach questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

#### CALL OF THE SENATE

Senator Mathews imposed a call of the Senate for the balance of the proceedings on H.F. No. 812. The Sergeant at Arms was instructed to bring in the absent members.

H.F. No. 812 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 35 and nays 29, as follows:

Those who voted in the affirmative were:

Abeler

Anderson, B.

Anderson, P.

Benson

Chamberlain

Dahms	Goggin	Johnson	Miller	Rosen
Draheim	Hall	Kiffmeyer	Nelson	Ruud
Eichorn	Housley	Koran	Newman	Senjem
Eken	Ingebrigtsen	Lang	Osmek	Utke
Fischbach	Jasinski	Limmer	Pratt	Weber
Gazelka	Jensen	Mathews	Relph	Westrom

Those who voted in the negative were:

Carlson	Dziedzic	Isaacson	Lourey	Simonson
Champion	Eaton	Kent	Marty	Tomassoni
Clausen	Frentz	Klein	Newton	Torres Ray
Cohen	Hawj	Laine	Pappas	Wiger
Cwodzinski	Hayden	Latz	Rest	Wicklund
Dibble	Hoffman	Little	Schoen	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 474:** A bill for an act relating to health occupations; authorizing criminal background checks by the Board of Medical Practice; exempting certain physicians from criminal background checks under the Interstate Medical Licensure Compact; amending Minnesota Statutes 2016, section 147.381.

Senator Nelson moved to amend H.F. No. 474 as follows:

Page 1, line 21, delete everything after "to" and insert "require"

Page 1, line 22, before the period, insert "to submit to a national criminal background check"

Page 2, line 2, delete everything after "data" and insert "to the Interstate Commission"

Page 2, line 3, delete "by law"

Page 2, line 5, delete "performed" and insert "required"

The motion prevailed. So the amendment was adopted.

H.F. No. 474 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 62 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Hall	Kent	Marty
Anderson, B.	Draheim	Hawj	Kiffmeyer	Mathews
Anderson, P.	Dziedzic	Hayden	Klein	Miller
Benson	Eaton	Hoffman	Koran	Nelson
Carlson	Eichorn	Housley	Laine	Newman
Chamberlain	Eken	Ingebrigtsen	Lang	Newton
Clausen	Fischbach	Isaacson	Latz	Pappas
Cohen	Frentz	Jasinski	Limmer	Pratt
Cwodzinski	Gazelka	Jensen	Little	Relph
Dahms	Goggin	Johnson	Lourey	Rest

Rosen	Senjem	Torres Ray	Westrom
Ruud	Simonson	Utke	Wiger
Schoen	Tomassoni	Weber	Wiklund

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

### RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

### APPOINTMENTS

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

H.F. No. 676: Senators Senjem, Dahms, and Sparks.

H.F. No. 778: Senators Rosen, Jasinski, and Champion.

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

### MEMBERS EXCUSED

Senators Franzen and Sparks were excused from the Session of today. Rest was excused from the Session of today from 11:00 to 11:20 a.m. Senator Bakk was excused from the Session of today from 11:00 to 11:40 a.m. and from 4:00 to 5:00 p.m. Senator Gazelka was excused from the Session of today from 11:25 to 11:40 a.m. Senators Fischbach and Miller were excused from the Session of today from 11:30 to 11:50 a.m.

### ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 10:00 a.m., Monday, May 8, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

