

## FIFTIETH DAY

St. Paul, Minnesota, Monday, May 8, 2017

The Senate met at 10:00 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, Rabbi Jennifer Hartman.

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	Dziedzic	Ingebrigtsen	Lourey	Schoen
Anderson, B.	Eaton	Isaacson	Marty	Senjem
Anderson, P.	Eichorn	Jasinski	Mathews	Simonson
Bakk	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	

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.

May 5, 2017

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Madam President:

I have vetoed and am returning Chapter 27, S.F. No. 1113, a bill allowing a county law library to transfer money to the county for certain construction costs.

County law librarians have raised concerns that the legislation too broadly applies, creating the potential that law library funds will be used to support the construction of new court buildings throughout the state. For this reason, I am vetoing the bill, although I am willing to consider legislation more narrowly crafted.

Sincerely,  
Mark Dayton, Governor

Senator Gazelka moved that S.F. No. 1113 and the veto message thereon be laid on the table. The motion prevailed.

### MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1616.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 4, 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. 844:** A bill for an act relating to environment; providing for certain demolition debris landfill permitting.

Senate File No. 844 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 4, 2017

Senator Ingebriksen moved that the Senate do not concur in the amendments by the House to S.F. No. 844, and that a Conference Committee of 5 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 106, 712, 827, 952, 959, and 1186.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 4, 2017

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 106:** A bill for an act relating to human services; modifying criteria for community medical response emergency medical technician services; amending Minnesota Statutes 2016, section 256B.0625, subdivision 60a.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 93, now on General Orders.

**H.F. No. 712:** A bill for an act relating to health; modifying and adding definitions; establishing standards for the substitution of biological products; amending Minnesota Statutes 2016, sections 151.01, subdivision 5, by adding subdivisions; 151.21.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1184, now on General Orders.

**H.F. No. 827:** A bill for an act relating to civil commitment; specifying limitation on notice of release or discharge; amending Minnesota Statutes 2016, section 253B.05, subdivision 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 648, now on General Orders.

**H.F. No. 952:** A bill for an act relating to health; providing for training in hearing loss care to home care provider staff and supervisors; amending Minnesota Statutes 2016, section 144A.4796, subdivisions 2, 6.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 818, now on General Orders.

**H.F. No. 959:** A bill for an act relating to health licensing; making the medical faculty license permanent; appropriating money; repealing Minnesota Statutes 2016, section 147.0375, subdivision 7.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 815, now on General Orders.

**H.F. No. 1186:** A bill for an act relating to human services; modifying provisions related to mental health services; modifying the definition of mental health practitioner; modifying certified peer specialist certification requirements; amending Minnesota Statutes 2016, sections 245.462,

subdivision 17; 245.4871, subdivision 26; 245.8261, subdivision 4; 256B.0615, subdivision 5; 256B.0616, subdivision 5; 256B.0943, subdivisions 1, 9, 13.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 915, now on General Orders.

### REPORTS OF COMMITTEES

Senator Gazelka 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. 947** 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.
947	945				

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. 1545** 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.
1545	1545				

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. 997** 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**

H.F. No.	S.F. No.
997	1245

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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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. 1242** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.	S.F. No.
1242	1224

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1242 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1242, the second engrossment; and insert the language after the enacting clause of S.F. No. 1224, the first engrossment; further, delete the title of H.F. No. 1242, the second engrossment; and insert the title of S.F. No. 1224, the first engrossment.

And when so amended H.F. No. 1242 will be identical to S.F. No. 1224, and further recommends that H.F. No. 1242 be given its second reading and substituted for S.F. No. 1224, 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. 2174** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

**GENERAL ORDERS**

H.F. No.	S.F. No.
2174	1855

**CONSENT CALENDAR**

H.F. No.	S.F. No.
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**CALENDAR**

H.F. No.	S.F. No.
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Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2174 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2174; and insert the language after the enacting clause of S.F. No. 1855, the first engrossment; further, delete the title of H.F. No. 2174; and insert the title of S.F. No. 1855, the first engrossment.

And when so amended H.F. No. 2174 will be identical to S.F. No. 1855, and further recommends that H.F. No. 2174 be given its second reading and substituted for S.F. No. 1855, and that the Senate File be indefinitely postponed.

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

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

H.F. Nos. 947, 1545, 997, 1242, and 2174 were read the second time.

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

The following bills were read the first time.

#### **Senator Dibble introduced--**

**S.F. No. 2376:** A bill for an act relating to pipelines; providing for the disposition of abandoned pipelines; requiring filing of a pipeline abandonment plan and its approval by the commissioner of public safety; amending Minnesota Statutes 2016, section 216G.02, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 216G.

Referred to the Committee on Transportation Finance and Policy.

#### **Senator Lang introduced--**

**S.F. No. 2377:** A bill for an act relating to capital investment; appropriating money for a child and adolescent behavioral health facility in Willmar; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

#### **Senator Lang introduced--**

**S.F. No. 2378:** A bill for an act relating to capital investment; appropriating money for marked Trunk Highway 23 construction; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

#### **Senators Rosen, Senjem, and Jasinski introduced--**

**S.F. No. 2379:** A bill for an act relating to state government; modifying membership for PERA and MSRS Boards; amending Minnesota Statutes 2016, sections 352.03, subdivision 1; 353.03, subdivision 1.

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

**Senator Eken introduced--**

**S.F. No. 2380:** A bill for an act relating to transportation; establishing an optional mental health designation for driver's licenses and identification cards and for vehicle registration; providing for data practices; amending Minnesota Statutes 2016, sections 168.0185; 168.346, by adding a subdivision; 171.07, by adding a subdivision; 171.12, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

**Senators Koran, Senjem, Housley, Tomassoni, and Dahms introduced--**

**S.F. No. 2381:** A bill for an act relating to capital investment; appropriating money for the Swedish Immigrant Regional Trail; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Simonson, Marty, Eaton, Wiger, and Dibble introduced--**

**S.F. No. 2382:** A bill for an act relating to health; requiring hospitals to provide direct-care registered nurse staffing at levels consistent with nationally accepted standards; requiring reporting of staffing levels; prohibiting retaliation; imposing civil penalties; appropriating money; amending Minnesota Statutes 2016, sections 144.7055; 148.264, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 144.

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

**MOTIONS AND RESOLUTIONS**

Senator Nelson moved that the name of Senator Clausen be added as a co-author to S.F. No. 300. The motion prevailed.

Senator Jensen moved that the name of Senator Clausen be added as a co-author to S.F. No. 481. The motion prevailed.

Senator Nelson moved that the name of Senator Clausen be added as a co-author to S.F. No. 482. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Clausen be added as a co-author to S.F. No. 527. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Housley be added as a co-author to S.F. No. 676. The motion prevailed.

Senator Kiffmeyer moved that the name of Senator Clausen be added as a co-author to S.F. No. 1844. The motion prevailed.

Senator Relph moved that the name of Senator Pratt be added as a co-author to S.F. No. 2138. The motion prevailed.

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

### 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 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:

H.F. No. 22, S.F. No. 1399, H.F. Nos. 593, 1118, 330, S.F. No. 1703, H.F. No. 1542, and S.F. No. 1490.

### SPECIAL ORDER

**H.F. No. 22:** A bill for an act relating to real property; exempting certain trusts from reporting requirements; amending Minnesota Statutes 2016, section 500.24, 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 65 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Hoffman	Latz	Rosen
Anderson, B.	Dziedzic	Housley	Limmer	Ruud
Anderson, P.	Eaton	Ingebrigtsen	Little	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	Pratt	Westrom
Dahms	Hawj	Laine	Relph	Wiger
Dibble	Hayden	Lang	Rest	Wiklund

So the bill passed and its title was agreed to.



**SPECIAL ORDER**

**S.F. No. 1399:** A bill for an act relating to local government; modifying the business hours of county license bureaus; amending Minnesota Statutes 2016, section 373.38.

Senator Goggin moved to amend S.F. No. 1399 as follows:

Page 1, line 7, strike "County" and insert "All"

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 36 and nays 29, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Dibble	Hawj	Latz	Sparks
Carlson	Dziedzic	Hayden	Little	Tomassoni
Champion	Eaton	Isaacson	Marty	Torres Ray
Clausen	Eken	Kent	Rest	Wiger
Cohen	Franzen	Klein	Schoen	Wiklund
Cwodzinski	Frentz	Laine	Simonson	

The motion prevailed. So the amendment was adopted.

S.F. No. 1399 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 41 and nays 24, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Champion	Cwodzinski	Dziedzic	Eken	Frentz
Clausen	Dibble	Eaton	Franzen	Hawj

Hayden  
Isaacson  
Kent

Klein  
Laine  
Latz

Little  
Marty  
Rest

Schoen  
Simonson  
Torres Ray

Wiger  
Wiklund

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

### SPECIAL ORDER

**H.F. No. 593:** A bill for an act relating to real estate appraisers; changing requirements relating to investigations, background checks, and disciplinary actions; amending Minnesota Statutes 2016, sections 13.411, by adding a subdivision; 82B.08, subdivision 2a; 82B.20, by adding a subdivision; 82B.24, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 82B.

Senator Housley moved that the amendment made to H.F. No. 593 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.

H.F. No. 593 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	Limmer	Ruud
Anderson, P.	Eaton	Ingebrigtsen	Little	Schoen
Bakk	Eichorn	Isaacson	Lourey	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	Pratt	Westrom
Dahms	Hawj	Laine	Relph	Wiger
Dibble	Hayden	Lang	Rest	Wiklund

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**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.

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

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 330:** A bill for an act relating to local government; requiring at least a two-thirds vote of a quorum to impose an interim ordinance relating to housing; requiring a public hearing after ten-day notice before imposing an interim ordinance relating to housing; amending Minnesota Statutes 2016, section 462.355, subdivision 4.

Senator Hall moved to amend H.F. No. 330 as follows:

Page 2, line 2, delete everything after "submitted" and insert "a housing proposal, has a pending housing proposal, or has provided a written request to be notified of interim ordinances related to housing proposals."

Page 2, delete line 3

Page 2, line 4, delete everything before "The"

The motion prevailed. So the amendment was adopted.

Senator Little moved to amend H.F. No. 330 as follows:

Page 1, line 22, delete everything after "proposal"

Page 1, line 23, delete everything before the period

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 32 and nays 35, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

H.F. No. 330 was read the third time, as amended.

### RECONSIDERATION

Senator Relph moved that the third reading of H.F. No. 330 be now reconsidered. The motion prevailed. So the third reading was reconsidered.

Senator Relph moved to amend H.F. No. 330 as follows:

Page 1, line 23, after "present" insert "and voting on the issue"

Senator Little moved to amend the Relph amendment to H.F. No. 330 as follows:

Page 1, line 2, delete "issue" and insert "interim ordinance"

The motion prevailed. So the amendment to the amendment was adopted.

The question recurred on the adoption of the Relph amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

H.F. No. 330 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 38 and nays 29, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

### SPECIAL ORDER

**S.F. No. 1703:** A bill for an act relating to veterans; designating July 16 as Atomic Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 10.

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 67 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
Bakk	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	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**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.

Senator Relph moved that the amendment made to H.F. No. 1542 by the Committee on Rules and Administration in the report adopted May 4, 2017, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Relph moved to amend H.F. No. 1542 as follows:

Page 2, delete lines 16 to 20

Page 2, line 29, after the semicolon, insert "or"

Page 2, line 30, strike the old language and delete the new language

Page 3, line 1, strike "(3)" and insert "(2)"

The motion prevailed. So the amendment was adopted.

Senator Frentz moved to amend H.F. No. 1542 as follows:

Page 1, line 10, delete "an attorney representing" and after "person" insert "who is an attorney or a person who is represented by an attorney and"

Page 1, line 22, after "not" insert "an attorney and is not represented by an attorney"

### CALL OF THE SENATE

Senator Benson imposed a call of the Senate for the balance of the proceedings on H.F. No. 1542. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

H.F. No. 1542 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 38 and nays 29, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

### SPECIAL ORDER

**S.F. No. 1490:** A bill for an act relating to the Metropolitan Council; modifying governance of the Metropolitan Council; eliminating the Transportation Advisory Board; amending Minnesota Statutes 2016, sections 15A.0815, subdivision 3; 473.123; 473.146, subdivisions 3, 4; 473.857, subdivision 2; repealing Laws 1994, chapter 628, article 1, section 8.

Senator Dibble moved to amend S.F. No. 1490 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 473.123, subdivision 2a, is amended to read:

Subd. 2a. **Terms.** Following each apportionment of council districts, as provided under subdivision 3a, council members must be appointed from newly drawn districts as provided in subdivision 3a. Each council member, other than the chair, must reside in the council district represented. Each council district must be represented by one member of the council. The terms of members ~~end with the term of the governor~~ are staggered as follows: members representing an odd-numbered district have terms ending the first Monday in January of the year ending in the numeral "1" and members representing an even-numbered district have terms ending the first Monday in January in the year ending in the numeral "3." Thereafter, the term of each member is four years, with terms ending the first Monday in January, except that all terms expire on the effective date of the next apportionment. ~~A member serves at the pleasure of the governor.~~ A member shall continue to serve the member's district until a successor is appointed and qualified; except that, following each apportionment, the member shall continue to serve at large until the governor appoints 16 council members, one from each of the newly drawn council districts as provided under subdivision

3a, to serve terms as provided under this section. The appointment to the council must be made by the first Monday in March of the year in which the term ends.

**EFFECTIVE DATE; APPLICATION; TRANSITION.** (a) This section is effective for appointments made on or after January 1, 2020, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

(b) Each member serving on the Metropolitan Council on the effective date of this section shall continue to serve until the member's successor is appointed and qualified. Thereafter, subject to Minnesota Statutes, section 473.123, subdivision 3a, the term of each member is four years, with terms ending the first Monday in January.

Sec. 2. Minnesota Statutes 2016, section 473.123, subdivision 3, is amended to read:

Subd. 3. **Membership; appointment; qualifications.** (a) Sixteen members must be appointed by the governor from districts defined by this section. Each council member must reside in the council district represented. ~~Each council district must be represented by~~ One member of the council must represent each council district.

(b) In addition to the notice required by section 15.0597, subdivision 4, notice of vacancies and expiration of terms must be published in newspapers of general circulation in the metropolitan area and the appropriate districts. The governing bodies of the statutory and home rule charter cities, counties, and towns having territory in the district for which a member is to be appointed must be notified in writing. Within ten days of submitting notice to the secretary of state as required by section 15.0597, subdivision 4, the notice must be published and provided to statutory and home rule charter cities, counties, and towns. The notices required by this section must describe include a description of the appointments process and a detailed position description that includes the required skills, expected time commitment, and connection to the district; and must invite participation and recommendations on the appointment.

(c) The governor shall create a nominating committee, ~~composed of seven metropolitan citizens appointed by the governor,~~ to nominate persons for appointment to the council from districts. ~~Three of the committee members must be local elected officials. The governor must appoint seven members. The Association of Metropolitan Municipalities must appoint three members to represent cities. The Association of Minnesota Counties must appoint three members to represent counties.~~

(d) Following the submission of applications as provided under section 15.0597, subdivision 5, the nominating committee shall conduct public meetings, after appropriate notice, to accept statements from or on behalf of persons who have applied or been nominated for appointment and to allow consultation with and secure the advice of the public and local elected officials. The committee shall hold the meeting on each appointment in the district or in a reasonably convenient and accessible location in the part of the metropolitan area in which the district is located. The committee may consolidate meetings. Following the meetings, the committee shall submit to the governor ~~a list of nominees~~ three finalists for each appointment. The nominating committee shall publish the names and qualifications of each of the three finalists in the same newspaper in which the notice of vacancy was published. The governor must not make an appointment until the names of the finalists have been public for 14 calendar days. The governor is not required to appoint from the list.



~~(d)~~ (e) Before making an appointment, the governor shall consult with all members of the legislature from the council district for which the member is to be appointed.

~~(e)~~ (f) Appointments to the council are subject to the advice and consent of the senate as provided in section 15.066.

~~(f)~~ (g) Members of the council must be appointed to reflect fairly the various demographic, political, and other interests in the metropolitan area and each of the districts.

~~(g)~~ (h) Members of the council must be persons knowledgeable about urban and metropolitan affairs. Members must have relevant experience in areas including, but not limited to, local government, transportation, housing, environment, and regional development. Members appointed to the council must be able to meet time commitments required by the position including attending council meetings, attending community meetings, and completing other job duties.

~~(h)~~ (i) Any vacancy in the office of a council member shall immediately be filled for the unexpired term. In filling a vacancy, the governor may forgo the requirements of paragraph (c) if the governor has made appointments in full compliance with the requirements of this subdivision within the preceding 12 months.

**EFFECTIVE DATE; APPLICATION.** This section is effective for appointments made on or after January 1, 2018, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Amend the title accordingly

### CALL OF THE SENATE

Senator Dibble imposed a call of the Senate for the balance of the proceedings on S.F. No. 1490. The Sergeant at Arms was instructed to bring in the absent members.

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

The roll was called, and there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Senator Pratt moved to amend S.F. No. 1490 as follows:

Page 2, delete line 2

Page 5, line 14, reinstate the stricken "the governor as the" and after "~~17th~~" insert "28th" and reinstate the stricken "voting"

Page 5, reinstate line 15

Page 5, line 16, reinstate the stricken "of the governor to represent the metropolitan area at large."

Page 5, line 17, delete the new language

Page 5, line 18, delete the new language and strike the period

Page 6, delete lines 19 to 25

Page 7, delete lines 23 and 24

Page 8, delete lines 20 and 21

Page 9, delete lines 5 and 6

Page 9, delete line 9 and insert:

"Sec. 7. **EFFECTIVE DATE; APPLICATION.**

Sections 1 to 6 are effective January 1, 2019, and apply in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

The motion prevailed. So the amendment was adopted.

S.F. No. 1490 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 34 and nays 32, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Champion	Cohen	Dibble	Eaton
Carlson	Clausen	Cwodzinski	Dziedzic	Eken

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Franzen	Isaacson	Little	Schoen	Wiger
Frentz	Kent	Lourey	Simonson	Wiklund
Hawj	Klein	Marty	Sparks	
Hayden	Laine	Newton	Tomassoni	
Hoffman	Latz	Rest	Torres Ray	

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

#### **MEMBERS EXCUSED**

Senator Lourey was excused from the Session of today from 11:00 a.m. to 12:15 p.m. Senator Pappas was excused from the Session of today from 12:00 to 12:20 p.m. and at 7:00 p.m.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 12:00 noon, Tuesday, May 9, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

