

FIFTY-NINTH DAY

St. Paul, Minnesota, Friday, May 19, 2017

The Senate met at 12:00 noon and was called to order by the President.

CALL OF THE SENATE

Senator Benson 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. Paul Rogers.

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 communications were received.

May 18, 2017

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

The enclosed Notaries Public for 2016 are hereby respectfully submitted to the Senate for confirmation as required by Article V, Section 3 of the Minnesota Constitution.

Sincerely,
Mark Dayton, Governor

Senator Benson moved that the Notaries Public be laid on the table. The motion prevailed.

May 18, 2017

The Honorable Michelle L. Fischbach
President of the Senate

Dear Madam President:

I will deposit, without signature, in the Office of the Secretary of State, Chapter 67, Senate File 1399. The bill modifies the required business hours of county license bureaus. Although I share the concerns expressed by many about the potential for loss of customer service, I am willing to allow these bureaus to exercise discretion in their operating hours with the expectation that they are responsive to the varied schedules of Minnesota citizens.

Sincerely,
Mark Dayton, Governor

MESSAGES FROM THE HOUSE

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. 444: A bill for an act relating to liquor; authorizing certain on-sale intoxicating liquor licenses; providing for days of sale of alcoholic beverages; creating labeling requirements for 3.2 percent malt liquor; allowing special permits for service of alcohol and extended hours for the 2018 Super Bowl; amending Minnesota Statutes 2016, sections 85.0505, by adding a subdivision; 340A.22, subdivision 2; 340A.301, by adding a subdivision; 340A.504, subdivision 6; Laws 1999, chapter 202, section 13, as amended.

Senate File No. 444 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 18, 2017

Senator Dahms moved that the Senate do not concur in the amendments by the House to S.F. No. 444, 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. 859:

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.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Torkelson, Runbeck, Petersburg, Howe and Koznick have been appointed as such committee on the part of the House.

House File No. 859 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 19, 2017

Senator Newman moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 859, 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 that the House refuses to concur in the Senate amendments to House File No. 947:

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.

The House respectfully requests that a Conference Committee of 5 members be appointed thereon.

Loon, Erickson, Bennett, Kresha and Murphy, M. have been appointed as such committee on the part of the House.

House File No. 947 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 19, 2017

Senator Nelson moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 947, 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.

REPORTS OF COMMITTEES

Senator Benson moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to the appointment. The motion prevailed.

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

H.F. No. 1227 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.
1227	1218				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1227 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1227, the second engrossment; and insert the language after the enacting clause of S.F. No. 1218, the first engrossment; further, delete the title of H.F. No. 1227, the second engrossment; and insert the title of S.F. No. 1218, the first engrossment.

And when so amended H.F. No. 1227 will be identical to S.F. No. 1218, and further recommends that H.F. No. 1227 be given its second reading and substituted for S.F. No. 1218, 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 Osmek from the Committee on Energy and Utilities Finance and Policy, to which was referred the following appointment:

PUBLIC UTILITIES COMMISSION
COMMISSIONER
Katherine Sieben

Reports the same back with the recommendation that the appointment be confirmed.

Senator Benson moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF HOUSE BILLS

H.F. No. 1227 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Pratt introduced--

S.F. No. 2410: A bill for an act relating to capital investment; appropriating money for Camp Kici Yapi in Prior Lake.

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

Senators Franzen and Sparks introduced--

S.F. No. 2411: A bill for an act relating to commerce; restricting the release of credit information about certain protected individuals; proposing coding for new law in Minnesota Statutes, chapter 13C.

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

Senator Torres Ray introduced--

S.F. No. 2412: A bill for an act relating to commerce; appropriating money for loan resolution and financial stability programs.

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

Senator Housley introduced--

S.F. No. 2413: A bill for an act relating to family law; changing certain custody and parenting time provisions; amending Minnesota Statutes 2016, sections 257.541, subdivisions 2, 3; 518.003, subdivision 3; 518.091, by adding a subdivision; 518.131, subdivisions 1, 7; 518.155; 518.156, subdivision 2; 518.167, subdivision 2; 518.17, subdivisions 1, 3; 518.1705, subdivisions 3, 5, 9; 518.175, subdivision 1; 518.179, subdivision 1; 518.18; proposing coding for new law in Minnesota Statutes, chapter 518.

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

MOTIONS AND RESOLUTIONS**Senator Chamberlain introduced --**

Senate Resolution No. 117: A Senate resolution honoring Dr. Paul A. Wilson, Director, Tax Research Division, Minnesota Department of Revenue, on the occasion of his retirement and thanking him for his years of service to the State of Minnesota.

Referred to the Committee on Rules and Administration.

RECESS

Senator Benson 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 Benson, for 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. 859: Senators Newman, Jasinski, Kiffmeyer, Osmek, and Sparks.

H.F. No. 947: Senators Nelson, Pratt, Eichorn, Weber, and Wiger.

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

RECESS

Senator Benson 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.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 712, S.F. No. 1339, and H.F. No. 827.

SPECIAL ORDER

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.

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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	Ruud
Benson	Eken	Jasinski	Marty	Schoen
Carlson	Fischbach	Jensen	Mathews	Senjem
Chamberlain	Franzen	Johnson	Miller	Simonson
Champion	Frentz	Kent	Nelson	Sparks
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. 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.

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	Ruud
Benson	Eken	Jasinski	Marty	Schoen
Carlson	Fischbach	Jensen	Mathews	Senjem
Chamberlain	Franzen	Johnson	Miller	Simonson
Champion	Frentz	Kent	Nelson	Sparks
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.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Order of Business of Messages From the House.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 1564.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 19, 2017

Madam President:

I have the honor to announce that the House has acceded to the request of the Senate for the appointment of a Conference Committee, consisting of 3 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 550: A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying requirements for receipt of fund money;

amending Minnesota Statutes 2016, sections 116P.05, subdivision 2; 116P.17, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 477A.

There has been appointed as such committee on the part of the House:

Heintzeman, Lueck and Johnson, C.

Senate File No. 550 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 19, 2017

Madam President:

I have the honor to announce that the House has adopted the recommendation and report of the Conference Committee on House File No. 1725, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 1725 is herewith transmitted to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 19, 2017

CONFERENCE COMMITTEE REPORT ON H. F. No. 1725

A bill for an act relating to motor vehicles; amending certain weight limitations for vehicles transporting milk; amending Minnesota Statutes 2016, section 169.871, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 169.

May 18, 2017

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

The Honorable Michelle L. Fischbach
President of the Senate

We, the undersigned conferees for H. F. No. 1725 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment

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

House Conferees: Steve Drazkowski, Tim Miller, Gene Pelowski Jr.

Senate Conferees: Michael P. Goggin, Paul Utke

Senator Goggin moved that the foregoing recommendations and Conference Committee Report on H.F. No. 1725 be now adopted, and that the bill be repassed as amended by the Conference Committee. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 1725 was read the third time, as amended by the Conference Committee, and placed on its repassage.

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

The roll was called, and there were yeas 42 and nays 23, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Carlson	Dibble	Ingebrigtsen	Marty	Torres Ray
Champion	Dziedzic	Kent	Newton	Wiger
Clausen	Eaton	Klein	Pappas	Wiklund
Cohen	Hawj	Laine	Rest	
Cwodzinski	Hayden	Latz	Simonson	

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

RECESS

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

S.F. No. 444: Senators Dahms, Utke, and Tomassoni.

H.F. No. 740: Senators Ingebrigtsen, Dahms, Housley, Weber, and Frentz.

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

59TH DAY]

FRIDAY, MAY 19, 2017

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MEMBERS EXCUSED

Senators Hayden and Schoen were excused from the Session of today from 5:10 to 5:20 p.m. Senators Bakk and Tomassoni were excused from the Session of today at 5:10 p.m.

ADJOURNMENT

Senator Benson moved that the Senate do now adjourn until 10:00 a.m., Saturday, May 20, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

