

NINETY-FOURTH DAY

St. Paul, Minnesota, Wednesday, May 9, 2018

The Senate met at 10:30 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. Ilene Blanche.

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

The President declared a quorum present.

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

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. 2921, 3596, and 3182.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 8, 2018

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2847, 2940, 3089, 3819, 4003, 2802, and 390.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 8, 2018

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2847: A bill for an act relating to natural resources; modifying Cuyuna Country State Recreation Area Citizens Advisory Council; amending Minnesota Statutes 2017 Supplement, section 85.0146, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2536, now on General Orders.

H.F. No. 2940: A bill for an act relating to environment; requiring legislative approval for certain fees; amending Minnesota Statutes 2016, sections 115.03, subdivision 1; 115.77, subdivision 1; 115.84, subdivisions 2, 3; Minnesota Statutes 2017 Supplement, section 116.07, subdivision 4d.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2637, now on General Orders.

H.F. No. 3089: A bill for an act relating to mines; modifying inspection requirements; amending Minnesota Statutes 2016, sections 180.03, subdivisions 2, 3, 4; 180.10.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2741, now on General Orders.

H.F. No. 3819: A bill for an act relating to local government; discontinuing Ramsey Soil and Water Conservation District; transferring duties; proposing coding for new law in Minnesota Statutes, chapter 383A.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3411, now on General Orders.

H.F. No. 4003: A bill for an act relating to waters; temporarily prohibiting enforcement of certain water appropriation permit conditions.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3573, now on General Orders.

H.F. No. 2802: A bill for an act relating to environment; providing regulatory certainty to municipalities that construct publicly owned treatment works to comply with new or modified effluent limitations; proposing coding for new law in Minnesota Statutes, chapter 115.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2807, now on General Orders.

H.F. No. 390: A bill for an act relating to public safety; increasing penalties for obstructing trunk highway, airport, or transit traffic; amending Minnesota Statutes 2016, sections 609.74; 609.855, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 676, 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 under Joint Rule 2.03, together with the committee report thereon,

S.F. No. 2491: A bill for an act relating to government accountability; providing for state and local government settlement accountability and transparency; requiring reports; proposing coding for new law in Minnesota Statutes, chapters 3; 15; 465.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 2491 and that the recommendation from the Committee on Judiciary and Public Safety Finance and Policy, shown in the Journal for March 29, 2018, be amended to read:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

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

S.F. No. 730: A bill for an act relating to health; establishing an opiate stewardship program; establishing an opiate manufacturer registration fee to fund the operation of the prescription monitoring program; requiring a prescriber to access the prescription monitoring program before prescribing a controlled substance; limiting the quantity of opiates and narcotics that can be prescribed for acute pain at any one time; appropriating money; requiring a report; amending Minnesota Statutes 2016, sections 151.252, subdivision 1; 151.47, by adding a subdivision; 152.11, subdivisions 1, 2; 152.126, subdivisions 6, 10; Laws 2017, First Special Session chapter 6, article 12, section 2, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 151.

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

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

H.F. No. 2945 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. |
| 2945 | 2545 | | | | |

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2945 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2945, the first engrossment; and insert the language after the enacting clause of S.F. No. 2545, the first engrossment; further, delete the title of H.F. No. 2945, the first engrossment; and insert the title of S.F. No. 2545, the first engrossment.

And when so amended H.F. No. 2945 will be identical to S.F. No. 2545, and further recommends that H.F. No. 2945 be given its second reading and substituted for S.F. No. 2545, 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. 3196 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. |
| 3196 | 2897 | | | | |

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3196 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3196, the first engrossment; and insert the language after the enacting clause of S.F. No. 2897, the first engrossment; further, delete the title of H.F. No. 3196, the first engrossment; and insert the title of S.F. No. 2897, the first engrossment.

And when so amended H.F. No. 3196 will be identical to S.F. No. 2897, and further recommends that H.F. No. 3196 be given its second reading and substituted for S.F. No. 2897, 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. 3015 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. |
| 3015 | 3508 | | | | |

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3015 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3015; and insert the language after the enacting clause of S.F. No. 3508, the first engrossment; further, delete the title of H.F. No. 3015; and insert the title of S.F. No. 3508, the first engrossment.

And when so amended H.F. No. 3015 will be identical to S.F. No. 3508, and further recommends that H.F. No. 3015 be given its second reading and substituted for S.F. No. 3508, 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. 3763 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

| GENERAL ORDERS | | CONSENT CALENDAR | | CALENDAR | |
|-----------------------|----------|-------------------------|----------|-----------------|----------|
| H.F. No. | S.F. No. | H.F. No. | S.F. No. | H.F. No. | S.F. No. |
| 3763 | 2915 | | | | |

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. 2746 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

| GENERAL ORDERS | | CONSENT CALENDAR | | CALENDAR | |
|-----------------------|----------|-------------------------|----------|-----------------|----------|
| H.F. No. | S.F. No. | H.F. No. | S.F. No. | H.F. No. | S.F. No. |
| 2746 | 3318 | | | | |

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. 3689 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. |
| 3689 | 2662 | | | | |

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3689 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3689, the first engrossment; and insert the language after the enacting clause of S.F. No. 2662; further, delete the title of H.F. No. 3689, the first engrossment; and insert the title of S.F. No. 2662.

And when so amended H.F. No. 3689 will be identical to S.F. No. 2662, and further recommends that H.F. No. 3689 be given its second reading and substituted for S.F. No. 2662, 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. 2491 and 730 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 2945, 3196, 3015, 3763, 2746, and 3689 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Kent, Rest, Pappas, Dziejcz, and Laine introduced--

S.F. No. 4073: A bill for an act relating to state government; appropriating money for a state office to address sexual harassment and discrimination in state agencies.

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

Senator Eken introduced--

S.F. No. 4074: A bill for an act relating to capital investment; appropriating money for a rail grade crossing separation in Moorhead at 21st Street South; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

MOTIONS AND RESOLUTIONS

Senator Anderson, B. moved that the name of Senator Nelson be added as a co-author to S.F. No. 327. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 3289. The motion prevailed.

Senator Weber moved that the name of Senator Rosen be added as a co-author to S.F. No. 3310. The motion prevailed.

Senator Rosen moved that the name of Senator Nelson be added as a co-author to S.F. No. 3462. The motion prevailed.

Senator Draheim moved that the name of Senator Goggin be added as a co-author to S.F. No. 4021. The motion prevailed.

Senators Hoffman, Eaton, and Hawj introduced --

Senate Resolution No. 252: A Senate resolution recognizing the importance of the federal Deferred Enforcement Departure (DED) for Liberians.

Referred to the Committee on Rules and Administration.

Senator Sparks introduced --

Senate Resolution No. 253: A Senate resolution honoring the Nation of Patriots.

Referred to the Committee on Rules and Administration.

Senator Gazelka moved that H.F. No. 1876 be taken from the table. The motion prevailed.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated H.F. No. 1876 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 1876: A bill for an act relating to data practices; permitting trade associations to access vehicle registration information in certain circumstances; amending Minnesota Statutes 2016, sections 13.6905, subdivision 3; 168.345, subdivision 2.

H.F. No. 1876 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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDERS

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

S.F. No. 2869, H.F. Nos. 3249, 3265, 1243, S.F. Nos. 893, and 2949.

SPECIAL ORDER

S.F. No. 2869: A bill for an act relating to transportation; eliminating a tariff filing requirement for certain motor carriers; amending Minnesota Statutes 2016, sections 221.0252, subdivision 7; 221.036, subdivisions 1, 3; 221.122, subdivision 1; 221.221, subdivision 3; repealing Minnesota Statutes 2016, sections 221.161; 221.171.

S.F. No. 2869 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 55 and nays 4, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|--------------|---------|------------|
| Abeler | Dibble | Hoffman | Limmer | Rosen |
| Anderson, B. | Draheim | Ingebrigtsen | Lourey | Ruud |
| Anderson, P. | Eichorn | Isaacson | Marty | Senjem |
| Bakk | Eken | Jasinski | Mathews | Simonson |
| Benson | Fischbach | Jensen | Miller | Sparks |
| Bigham | Franzen | Johnson | Newman | Tomassoni |
| Carlson | Frentz | Kent | Newton | Torres Ray |
| Chamberlain | Gazelka | Kiffmeyer | Pappas | Utke |
| Cohen | Goggin | Koran | Pratt | Weber |
| Cwodzinski | Hall | Lang | Relph | Wiger |
| Dahms | Hawj | Latz | Rest | Wiklund |

Those who voted in the negative were:

Champion Dziejdzic Hayden Laine

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3249: A bill for an act relating to public safety; modifying provisions governing passing emergency vehicles stopped on a roadway; amending Minnesota Statutes 2016, section 169.18, subdivisions 11, 12.

Senator Carlson moved to amend H.F. No. 3249, as amended pursuant to Rule 45, adopted by the Senate April 25, 2018, as follows:

(The text of the amended House File is identical to S.F. No. 2977.)

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2016, section 169.011, subdivision 94, is amended to read:

Subd. 94. **Wireless communications device.** "Wireless communications device" means (1) a cellular phone, or (2) a portable electronic device that is capable of receiving and transmitting data, including but not limited to text messages and e-mail, without an access line for service. A wireless communications device does not include a device that is permanently affixed to the vehicle, or a global positioning system or navigation system ~~when the system is used exclusively for navigation purposes~~ that is physically integrated into the vehicle."

Page 3, after line 10, insert:

"Sec. 4. Minnesota Statutes 2016, section 169.475, is amended to read:

169.475 USE OF WIRELESS COMMUNICATIONS DEVICE.

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

(b) "Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between physical devices. An electronic message includes, but is not limited to, e-mail, a text message, an instant message, a command or request to access a World Wide Web page; e-mail; a text message; an instant message; a command or request to access a World Wide Web page; video content, whether Web-based, stored on the device, or accessed in any other manner; images; pictures; or other data that uses a commonly recognized electronic communications protocol. An electronic message does not include voice or other data transmitted as a result of making a phone call, or data transmitted automatically by a wireless communications device without direct initiation by a person.

(c) "Voice-activated or hands-free mode" means an attachment, accessory, application, wireless connection, or built-in feature of a wireless communications device or vehicle that allows the user to:

(1) vocally compose or send, or to listen to a text-based communication without the use of either hand except to activate or deactivate a feature or function; or

(2) engage in a phone call without the use of either hand except to activate or deactivate a feature or function.

Subd. 2. **Prohibition on use; penalty.** ~~(a) No~~ Except as provided in subdivision 3, when a motor vehicle is in motion or a part of traffic, ~~the person may operate a motor~~ operating the vehicle while is prohibited from using:

(1) a wireless communications device to initiate, compose, read, or send an electronic message, when the vehicle is in motion or a part of traffic; or

(2) a cellular phone, including but not limited to initiating a cellular phone call and talking or listening on the phone.

(b) When a motor vehicle is in motion or a part of traffic, the person operating the vehicle is prohibited from using a wireless communications device to view video content, whether Web-based, stored on the device, or accessed in any other manner. This paragraph does not apply to viewing a global positioning system or navigation system.

(c) A person who violates ~~paragraph~~ paragraphs (a) and (b) a second or subsequent time must pay a fine of \$225, plus the amount specified in the uniform fine schedule established by the Judicial Council.

(d) For purposes of this subdivision, a motor vehicle is not considered to be in motion or a part of traffic if the vehicle is legally pulled over to the side of the road, has come to a complete stop, and is not obstructing traffic.

Subd. 3. **Exceptions.** ~~This section does~~ (a) The prohibitions in subdivision 2, paragraph (a), do not apply if a wireless communications device is used:

(1) solely in a voice-activated or ~~other~~ hands-free mode to make or participate in a phone call or to initiate, compose, read, or send an electronic message;

(2) ~~for making a cellular phone call;~~

(3) ~~for obtaining to obtain~~ emergency assistance to (i) report a traffic accident, medical emergency, or serious traffic hazard, or (ii) prevent a crime about to be committed;

(4) (3) in the reasonable belief that a person's life or safety is in immediate danger; or

(5) (4) in an authorized emergency vehicle while in the performance of official duties.

(b) This section does not apply to a device that is functioning solely as a global positioning system or navigation system that is temporarily affixed to the vehicle.

(c) The prohibition in subdivision 2, paragraph (a), clause (2), does not apply to the use of a cellular phone that is temporarily affixed to the vehicle to listen to audio-based content.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to acts committed on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Goggin questioned whether the amendment was germane.

CALL OF THE SENATE

Senator Anderson, B. imposed a call of the Senate for the balance of the proceedings on H.F. No. 3249. The Sergeant at Arms was instructed to bring in the absent members.

The President ruled that the Carlson amendment was not germane.

H.F. No. 3249 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 55 and nays 8, as follows:

Those who voted in the affirmative were:

| | | | | |
|--------------|-----------|--------------|---------|-----------|
| Abeler | Dibble | Ingebrigtsen | Limmer | Rosen |
| Anderson, B. | Draheim | Isaacson | Lourey | Ruud |
| Anderson, P. | Eichorn | Jasinski | Marty | Senjem |
| Bakk | Eken | Jensen | Mathews | Simonson |
| Benson | Fischbach | Johnson | Miller | Sparks |
| Bigham | Franzen | Kent | Nelson | Tomassoni |
| Carlson | Frentz | Kiffmeyer | Newman | Utke |
| Chamberlain | Gazelka | Klein | Newton | Weber |
| Cohen | Goggin | Koran | Osmek | Westrom |
| Cwodzinski | Hall | Laine | Pratt | Wiger |
| Dahms | Hoffman | Lang | Relph | Wiklund |

Those who voted in the negative were:

| | | | |
|----------|--------|--------|------------|
| Champion | Hawj | Latz | Rest |
| Dziedzic | Hayden | Pappas | Torres Ray |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3265: A bill for an act relating to human services; modifying child foster care training requirements; establishing a foster care sibling bill of rights; amending Minnesota Statutes 2016, section 245A.175; proposing coding for new law in Minnesota Statutes, chapter 260C.

H.F. No. 3265 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 | Draheim | Ingebrigtsen | Lourey | Ruud |
| Anderson, B. | Dziedzic | Isaacson | Marty | Senjem |
| Anderson, P. | Eichorn | Jasinski | Mathews | Simonson |
| Bakk | Eken | Jensen | Miller | Sparks |
| Benson | Fischbach | Johnson | Nelson | Tomassoni |
| Bigham | Franzen | Kent | Newman | Torres Ray |
| Carlson | Frentz | Kiffmeyer | Newton | Utke |
| Chamberlain | Gazelka | Klein | Osmek | Weber |
| Champion | Goggin | Koran | Pappas | Westrom |
| Cohen | Hall | Laine | Pratt | Wiger |
| Cwodzinski | Hawj | Lang | Relph | Wiklund |
| Dahms | Hayden | Latz | Rest | |
| Dibble | Hoffman | Limmer | Rosen | |

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1243: A bill for an act relating to security freezes; authorizing security freezes for protected persons; providing exceptions; proposing coding for new law in Minnesota Statutes, chapter 13C.

Senator Jasinski moved to amend H.F. No. 1243, the unofficial engrossment, as follows:

Page 3, line 17, delete "temporary" and after "three" insert "business"

Page 3, line 18, delete everything after "request" and insert a period

The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend H.F. No. 1243, the unofficial engrossment, as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2016, section 13C.016, subdivision 8, is amended to read:

Subd. 8. **Fees.** (a) A consumer reporting agency may not charge a fee ~~of \$5~~ for placing, temporarily lifting, or removing a security freeze ~~unless:~~

(1) ~~the consumer is a victim of identity theft as defined in subdivision 1, paragraph (c); and~~

(2) ~~the consumer provides the consumer reporting agency with a valid copy of a police report or a police case number documenting the identity theft.~~

(b) ~~In addition to the charge, if any, permitted under paragraph (a),~~ A consumer may be charged no more than \$5 if the consumer fails to retain the original personal identification number given to the consumer by the agency, but the consumer may not be charged for a onetime reissue of the same or a new personal identification number. The consumer may be charged no more than \$5 for subsequent instances of loss of the personal identification number.

(c) A consumer who makes a written request by mail may pay any fee charged pursuant to this subdivision by check, money order, or credit card. A consumer who makes a request by telephone or other electronic media may pay any fee charged pursuant to this subdivision by credit card.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to security freezes placed, temporarily lifted, or removed on or after that date."

Page 3, line 7, after the semicolon, insert "and"

Page 3, delete line 10

Page 4, line 10, after the semicolon, insert "and"

Page 4, line 11, delete "; and" and insert a period

Page 4, delete line 12

Page 4, delete subdivision 8 and insert:

"Subd. 8. Fees. A consumer reporting agency may not charge a fee for placement or removal of a security freeze for a protected person."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

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

Those who voted in the affirmative were:

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

The motion prevailed. So the amendment was adopted.

H.F. No. 1243 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 | Draheim | Ingebrigtsen | Marty | Senjem |
| Anderson, B. | Dziedzic | Isaacson | Mathews | Simonson |
| Anderson, P. | Eaton | Jasinski | Miller | Sparks |
| Bakk | Eichorn | Jensen | Nelson | Tomassoni |
| Benson | Eken | Johnson | Newman | Torres Ray |
| Bigham | Fischbach | Kent | Newton | Utke |
| Carlson | Franzen | Kiffmeyer | Osmek | Weber |
| Chamberlain | Frentz | Klein | Pappas | Westrom |
| Champion | Gazelka | Laine | Pratt | Wiger |
| Cohen | Goggin | Lang | Relph | Wiklund |
| Cwodzinski | Hall | Latz | Rest | |
| Dahms | Hayden | Limmer | Rosen | |
| Dibble | Hoffman | Lourey | Ruud | |

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

SPECIAL ORDER

S.F. No. 893: A bill for an act relating to notaries public; enacting the Revised Uniform Law on Notarial Acts, as amended, approved by the National Conference of Commissioners on Uniform State Laws; amending Minnesota Statutes 2016, sections 5.15; 325K.23, subdivision 1; 358.50; 359.01, subdivisions 4, 5, by adding a subdivision; 359.04; 507.24, subdivision 2; 508.48; 508A.48; Minnesota Statutes 2017 Supplement, section 358.116; proposing coding for new law in Minnesota Statutes, chapter 358; repealing Minnesota Statutes 2016, sections 358.41; 358.42; 358.43; 358.44; 358.45; 358.46; 358.47; 358.48; 358.49; 359.12.

Senator Relph moved to amend S.F. No. 893 as follows:

Page 11, line 18, before the period, insert "if the act occurs before January 1, 2023"

The motion prevailed. So the amendment was adopted.

S.F. No. 893 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 | Hoffman | Limmer | Ruud |
| Anderson, B. | Dziedzic | Ingebrigtsen | Lourey | Senjem |
| Anderson, P. | Eaton | Isaacson | Marty | Simonson |
| Bakk | Eichorn | Jasinski | Mathews | Sparks |
| Benson | Eken | Jensen | Miller | Tomassoni |
| Bigham | Fischbach | Johnson | Newman | Torres Ray |
| Carlson | Franzen | Kent | Newton | Utke |
| Chamberlain | Frentz | Kiffmeyer | Osmek | Weber |
| Champion | Gazelka | Klein | Pappas | Westrom |
| Cohen | Goggin | Koran | Pratt | Wiger |
| Cwodzinski | Hall | Laine | Relph | Wiklund |
| Dahms | Hawj | Lang | Rest | |
| Dibble | Hayden | Latz | Rosen | |

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

SPECIAL ORDER

S.F. No. 2949: A bill for an act relating to housing; amending requirements for residential leases; amending Minnesota Statutes 2016, section 504B.111; proposing coding for new law in Minnesota Statutes, chapter 504B.

Senator Dzierdzic moved to amend S.F. No. 2949 as follows:

Page 1, line 17, delete everything after "lease" and insert "for a residential unit must identify the lease start date and lease end date"

Page 1, line 18, delete everything before the period

Page 1, line 20, before the period, insert ", if applicable"

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend S.F. No. 2949 as follows:

Page 2, after line 2, insert:

"Sec. 3. **[504B.147] TIME PERIOD FOR NOTICE TO QUIT OR RENT INCREASE.**

Subdivision 1. Application. This section applies to a residential lease that provides a time period for the landlord to give a notice to quit the premises or a notice of a rent increase that is different than the time period the tenant is required to give for a notice of intention to quit the premises. For purposes of this section, "notice to quit" includes a notice of a nonrenewal of a lease.

Subd. 2. Tenant option to choose notice period. The tenant may give a notice of an intention to quit the premises using either:

(1) the time period provided in the lease for the tenant to give a notice of intention to quit the premises; or

(2) the time period provided in the lease for the landlord to give a notice to quit the premises or a notice of a rent increase.

Subd. 3. Landlord notice requirements. The landlord may not give a notice to quit the premises or notice of a rent increase that is shorter than the time period the lease provides for the tenant to give notice of an intention to quit the premises.

Subd. 4. No waiver. The requirements of this section may not be waived or modified by the parties to a residential lease. Any provision, whether oral or written, of a lease or other agreement by which any provision of this section is waived by a tenant is contrary to public policy and void.

EFFECTIVE DATE. This section applies to leases entered into or renewed on or after August 1, 2018.

Sec. 4. Minnesota Statutes 2016, section 504B.206, subdivision 3, is amended to read:

Subd. 3. **Liability for rent; termination of tenancy.** (a) A tenant who is a sole tenant and is terminating a lease under subdivision 1 is responsible for the rent payment for the full month in which the tenancy terminates. The tenant forfeits all claims for the return of the security deposit under section 504B.178 and is relieved of any other contractual obligation for payment of rent or any other charges for the remaining term of the lease, except as provided in this section. In a sole tenancy, the tenancy terminates on the date specified in the notice provided to the landlord as required under subdivision 1.

(b) In a tenancy with multiple tenants, one of whom is terminating the lease under subdivision 1, any lease governing all tenants is terminated at the ~~latter~~ later of the end of the month or the end of the rent interval in which one tenant terminates the lease under subdivision 1. All tenants are responsible for the rent payment for the full month in which the tenancy terminates. Upon termination, all tenants forfeit all claims for the return of the security deposit under section 504B.178 and are relieved of any other contractual obligation for payment of rent or any other charges for the remaining term of the lease, except as provided in this section. Any tenant whose tenancy was terminated under this paragraph may reapply to enter into a new lease with the landlord.

(c) This section does not affect a tenant's liability for delinquent, unpaid rent or other amounts owed to the landlord before the lease was terminated by the tenant under this section."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend S.F. No. 2949 as follows:

Page 1, line 14, delete everything after "effective" and insert "the day following final enactment."

Page 1, delete line 15

Page 2, line 1, delete everything after "effective" and insert "the day following final enactment."

Page 2, delete line 2

The motion prevailed. So the amendment was adopted.

Senator Limmer moved to amend the Dibble amendment to S.F. No. 2949, adopted by the Senate May 9, 2018, as follows:

Page 1, line 22, delete everything after "section" and insert "is effective the day following final enactment."

Page 1, delete line 23

The motion prevailed. So the amendment was adopted.

S.F. No. 2949 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

MEMBERS EXCUSED

Senators Housley and Little were excused from the Session of today. Senator Senjem was excused from the Session of today from 10:30 to 10:50 a.m. Senators Klein, Osmek, and Westrom were excused from the Session of today from 10:30 to 11:00 a.m. Senator Nelson was excused from the Session of today from 10:30 to 11:00 a.m. and from 11:30 to 11:40 a.m. Senator Eaton was excused from the Session of today from 10:30 to 11:25 a.m. Senator Clausen was excused from the Session of today from 10:30 a.m. to 12:05 p.m. Senator Koran was excused from the Session of today from 11:25 to 11:30 a.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 10:00 a.m., Thursday, May 10, 2018. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

