

STATE OF MINNESOTA

# Journal of the Senate

NINETY-FIRST LEGISLATURE

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THIRTY-FOURTH DAY

St. Paul, Minnesota, Monday, April 8, 2019

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

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Jon Ellefson.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators answered to their names:

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

## MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 131 and 584.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned April 4, 2019

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 1997 and 554.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 4, 2019

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1500.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 5, 2019

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H. F. No. 1997:** A bill for an act relating to local government; extending Hennepin County job order contracting authority; amending Minnesota Statutes 2018, section 383B.1511, subdivision 8.

Referred to the Committee on Local Government.

**H. F. No. 554:** A bill for an act relating to human services; permitting parent to petition for reestablishment of the legal parent and child relationship; amending Minnesota Statutes 2018, section 260C.329, subdivisions 3, 7, 8, by adding subdivisions; repealing Minnesota Statutes 2018, section 260C.329, subdivision 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 342, now on General Orders.

**H. F. No. 1500:** A bill for an act relating to transportation; modifying requirements for a noncompliant driver's license or Minnesota identification card and making related changes, including on eligibility, proof of lawful presence, primary and secondary documentation, voter registration, and data practices; making technical changes; appropriating money; amending Minnesota Statutes 2018, sections 13.6905, by adding a subdivision; 171.04, subdivision 5; 171.06, subdivision 3, by adding subdivisions; 171.07, subdivisions 1, 3, 4; 171.12, subdivisions 7a, 9, by adding subdivisions; 171.17, by adding a subdivision; 171.27; 201.061, subdivision 3; repealing Minnesota Statutes 2018, section 171.015, subdivision 7.

Referred to the Committee on Transportation Finance and Policy.

**REPORTS OF COMMITTEES****Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred**

**S.F. No. 998:** A bill for an act relating to cities; allowing a city to request a written estimate before hiring a private consultant; proposing coding for new law in Minnesota Statutes, chapter 471.

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

Delete everything after the enacting clause and insert:

"Section 1. [471.462] WRITTEN ESTIMATE OF CONSULTANT FEES.

For the purposes of this section, "city" means a home rule charter or statutory city. When an applicant applies for a permit, license, or other approval relating to real estate development or construction, the applicant may request that the city provide a written nonbinding estimate of the consulting fees to be charged to the applicant based on information available at that time. If the applicant requests the estimate, the application shall not be deemed complete until the city has:

(1) provided an estimate to the applicant;

(2) received the required application fees, as specified by the city;

(3) received a signed acceptance of the fee estimate from the applicant; and

(4) received a signed statement that the applicant has not relied on the estimate of fees in its decision to proceed with the final application from the applicant. "

Delete the title and insert:

"A bill for an act relating to cities; requiring a city, if asked, to provide a written estimate of certain fees to be paid by an applicant for a permit, license, or other approval relating to real estate; proposing coding for new law in Minnesota Statutes, chapter 471."

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Marty, Eaton, and Torres Ray introduced--**

**S.F. No. 2798:** A bill for an act relating to employment; providing for paid family, pregnancy, bonding, and applicant's serious medical condition benefits; regulating and requiring certain employment leaves; classifying certain data; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2018, sections 13.719, by adding a subdivision; 177.27, subdivision 4; 181.943; 256J.561, by adding a subdivision; 256J.95, subdivisions 3, 11; 256P.01, subdivision 3; 268.047,

subdivision 2; 268.19, subdivision 1; 290.0132, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 268B.

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

**Senator Chamberlain introduced--**

**S.F. No. 2799:** A bill for an act relating to workforce development; appropriating money for career and technical education.

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

**Senator Anderson, B. introduced--**

**S.F. No. 2800:** A bill for an act relating to education; modifying school counseling provisions including armed forces career options; amending Minnesota Statutes 2018, sections 120B.125; 121A.39.

Referred to the Committee on E-12 Finance and Policy.

**Senators Dahms and Weber introduced--**

**S.F. No. 2801:** A bill for an act relating to capital investment; appropriating money for the Lincoln-Pipestone Rural Water System to provide expanded water service to the region; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Eichorn, Ingebrigtsen, and Lang introduced--**

**S.F. No. 2802:** A bill for an act relating to game and fish; allowing portable deer stands to be left overnight in certain wildlife management areas; amending Minnesota Statutes 2018, section 97A.137, subdivision 5.

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

**Senators Housley, Dziedzic, and Koran introduced--**

**S.F. No. 2803:** A bill for an act relating to liquor; modifying requirements for microdistilleries; authorizing certain on-sale licenses; authorizing provision of liquor and tasting-related services; appropriating money; amending Minnesota Statutes 2018, sections 340A.101, subdivision 17a; 340A.22, subdivision 4; 340A.301, subdivision 9; 340A.404, subdivision 10; 340A.418.

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

**Senators Hall, Jasinski, Latz, and Dahms introduced--**

**S.F. No. 2804:** A bill for an act relating to motor vehicles; allowing an insurer to apply for a title to a vehicle in certain situations; proposing coding for new law in Minnesota Statutes, chapter 168A.

Referred to the Committee on Transportation Finance and Policy.

**Senators Laine and Dibble introduced--**

**S.F. No. 2805:** A bill for an act relating to crime; adjusting thresholds for certain marijuana offenses; providing for penalties; amending Minnesota Statutes 2018, section 152.025, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapter 152.

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

**Senators Abeler, Franzen, Hoffman, Jensen, and Housley introduced--**

**S.F. No. 2806:** A bill for an act relating to health; creating a cannabis task force; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 152.

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

**Senators Osmek, Pratt, and Anderson, P. introduced--**

**S.F. No. 2807:** A bill for an act relating to taxes; local government aids; modifying the city aid program; amending Minnesota Statutes 2018, sections 477A.013, subdivisions 8, 9, by adding subdivisions; 477A.03, subdivision 2a.

Referred to the Committee on Taxes.

**Senator Hawj introduced--**

**S.F. No. 2808:** A bill for an act relating to state government; prohibiting former legislators and certain legislative employees from lobbying the legislature for two years after leaving legislative office or separation from employment; providing exceptions; proposing coding for new law in Minnesota Statutes, chapter 10A.

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

**Senators Senjem, Relph, Pappas, and Tomassoni introduced--**

**S.F. No. 2809:** A bill for an act relating to capital investment; appropriating money for public housing rehabilitation and preservation; authorizing housing infrastructure bonding; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2018, section 462A.37, subdivision 5, by adding a subdivision.

Referred to the Committee on Capital Investment.

**Senator Franzen introduced--**

**S.F. No. 2810:** A bill for an act relating to creditor remedies; updating types of property exempt from attachment; amending Minnesota Statutes 2018, section 550.37, subdivision 4, by adding subdivisions.

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

**Senator Eaton introduced--**

**S.F. No. 2811:** A bill for an act relating to capital investment; appropriating money for an interchange project in Brooklyn Center; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Benson and Chamberlain introduced--**

**S.F. No. 2812:** A bill for an act relating to taxation; sales and use; extending the exemption for governments and nonprofits to certain psychiatric residential treatment facilities; amending Minnesota Statutes 2018, section 297A.70, subdivision 7.

Referred to the Committee on Taxes.

**Senators Marty and Dzedzic introduced--**

**S.F. No. 2813:** A bill for an act relating to transportation; modifying requirements for a noncompliant driver's license or Minnesota identification card and making related changes, including on eligibility, proof of lawful presence, primary and secondary documentation, discrimination, voter registration, and data practices; making technical changes; appropriating money; amending Minnesota Statutes 2018, sections 13.6905, by adding a subdivision; 171.04, subdivision 5; 171.06, subdivision 3, by adding subdivisions; 171.07, subdivisions 1, 3; 171.12, subdivisions 7a, 9, by adding subdivisions; 201.061, subdivision 3; 363A.28, by adding a subdivision; repealing Minnesota Statutes 2018, section 171.015, subdivision 7.

Referred to the Committee on Transportation Finance and Policy.

**Senator Benson introduced--**

**S.F. No. 2814:** A bill for an act relating to insurance; authorizing a health carrier to offer a reference-based pricing health plan in the individual and small group markets; proposing coding for new law in Minnesota Statutes, chapter 62K.

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

**Senator Clausen introduced--**

**S.F. No. 2815:** A bill for an act relating to environment; appropriating money for wastewater infrastructure in Rosemount.

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

### **MOTIONS AND RESOLUTIONS**

Senator Eaton moved that her name be stricken as a co-author to S.F. No. 2102. The motion prevailed.

Senator Howe moved that the name of Senator Eken be added as a co-author to S.F. No. 2115. The motion prevailed.

Senator Jasinski moved that the name of Senator Draheim be added as a co-author to S.F. No. 2160. The motion prevailed.

Senator Koran moved that the name of Senator Utke be added as a co-author to S.F. No. 2661. The motion prevailed.

Senator Benson, for Senator Miller, moved that S.F. No. 973 be withdrawn from the Committee on Finance and re-referred to the Committee on Rules and Administration. The motion prevailed.

Senator Isaacson moved that S.F. No. 746 be withdrawn from the Committee on Transportation Finance and Policy, given a second reading, and placed on General Orders. The motion prevailed.

S.F. No. 746 was read the second time.

#### **Senator Franzen introduced --**

**Senate Resolution No. 82:** A Senate resolution congratulating the Edina High School girls hockey team on winning the 2019 State High School Class 2A girls hockey championship.

Referred to the Committee on Rules and Administration.

#### **Senator Franzen introduced --**

**Senate Resolution No. 83:** A Senate resolution congratulating the Edina High School boys hockey team on winning the 2019 State High School Class 2A boys hockey championship.

Referred to the Committee on Rules and Administration.

### **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. Nos. 75, 558, H.F. Nos. 819, and 608.

### **SPECIAL ORDER**

**S.F. No. 75:** A bill for an act relating to public safety; increasing the penalties for texting while driving; authorizing the suspension of driver's licenses; providing that certain texting while driving

crimes are not payable offenses; expanding the criminal vehicular operation crime; requiring driver education and driver's manual to cover distracted driving; amending Minnesota Statutes 2018, sections 169.475, subdivisions 1, 2; 171.0701, subdivision 1; 171.0705, by adding a subdivision; 171.30, subdivision 1; 609.2111; 609.2112, subdivision 1; 609.2113, subdivisions 1, 2, 3; 609.2114, subdivisions 1, 2.

S.F. No. 75 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 56 and nays 9, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Jasinski	Miller	Senjem
Anderson, B.	Eichorn	Jensen	Nelson	Simonson
Anderson, P.	Eken	Johnson	Newman	Sparks
Bakk	Frentz	Kent	Newton	Tomassoni
Benson	Gazelka	Kiffmeyer	Osmek	Utke
Bigham	Goggin	Klein	Pappas	Weber
Carlson	Hall	Lang	Pratt	Westrom
Chamberlain	Hoffman	Latz	Rarick	Wiger
Clausen	Housley	Limmer	Relph	
Cwodzinski	Howe	Little	Rest	
Dahms	Ingebrigtsen	Marty	Rosen	
Dibble	Isaacson	Mathews	Ruud	

Those who voted in the negative were:

Champion	Franzen	Hayden	Laine	Wicklund
Dziedzic	Hawj	Koran	Torres Ray	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 558:** A bill for an act relating to state government; specifying judicial jurisdiction for disputes regarding certain public procurement actions; amending Minnesota Statutes 2018, section 471.345, subdivision 14, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 16C.

S.F. No. 558 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	Champion	Eichorn	Hayden	Johnson
Anderson, B.	Clausen	Eken	Hoffman	Kent
Anderson, P.	Cohen	Franzen	Housley	Kiffmeyer
Bakk	Cwodzinski	Frentz	Howe	Klein
Benson	Dahms	Gazelka	Ingebrigtsen	Koran
Bigham	Dibble	Goggin	Isaacson	Laine
Carlson	Draheim	Hall	Jasinski	Lang
Chamberlain	Dziedzic	Hawj	Jensen	Latz



Limmer	Newman	Relph	Sparks	Wiger
Little	Newton	Rest	Tomassoni	Wiklund
Marty	Osmek	Rosen	Torres Ray	
Mathews	Pappas	Ruud	Utke	
Miller	Pratt	Senjem	Weber	
Nelson	Rarick	Simonson	Westrom	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 819:** A bill for an act relating to health; authorizing the x-ray practice of cardiovascular technologists who meet certain education requirements; amending Minnesota Statutes 2018, section 144.121, subdivision 5a.

H.F. No. 819 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	Howe	Limmer	Rest
Anderson, B.	Dziedzic	Ingebrigtsen	Little	Rosen
Anderson, P.	Eichorn	Isaacson	Marty	Ruud
Bakk	Eken	Jasinski	Mathews	Senjem
Benson	Franzen	Jensen	Miller	Simonson
Bigham	Frentz	Johnson	Nelson	Sparks
Carlson	Gazelka	Kent	Newman	Tomassoni
Chamberlain	Goggin	Kiffmeyer	Newton	Torres Ray
Champion	Hall	Klein	Osmek	Utke
Clausen	Hawj	Koran	Pappas	Weber
Cwodzinski	Hayden	Laine	Pratt	Westrom
Dahms	Hoffman	Lang	Rarick	Wiger
Dibble	Housley	Latz	Relph	Wiklund

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**H.F. No. 608:** A bill for an act relating to local government; amending the St. Louis County Civil Service Commission; making technical changes; removing obsolete language; amending Minnesota Statutes 2018, sections 383C.031; 383C.032; 383C.033; 383C.034; 383C.035; 383C.037; 383C.038; 383C.039; 383C.04; 383C.041; 383C.042; 383C.043; 383C.044; 383C.045; 383C.046; 383C.048; 383C.05; 383C.051; 383C.056; proposing coding for new law in Minnesota Statutes, chapter 383C; repealing Minnesota Statutes 2018, sections 383C.036; 383C.047; 383C.049; 383C.052; 383C.053; 383C.059.

Senator Tomassoni moved that the amendment made to H.F. No. 608 by the Committee on Rules and Administration in the report adopted March 13, 2019, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 608 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	Howe	Limmer	Rest
Anderson, B.	Dziedzic	Ingebrigtsen	Little	Rosen
Anderson, P.	Eichorn	Isaacson	Marty	Ruud
Bakk	Eken	Jasinski	Mathews	Senjem
Benson	Franzen	Jensen	Miller	Simonson
Bigham	Frentz	Johnson	Nelson	Sparks
Carlson	Gazelka	Kent	Newman	Tomassoni
Chamberlain	Goggin	Kiffmeyer	Newton	Torres Ray
Champion	Hall	Klein	Osmek	Utke
Clausen	Hawj	Koran	Pappas	Weber
Cwodzinski	Hayden	Laine	Pratt	Westrom
Dahms	Hoffman	Lang	Rarick	Wiger
Dibble	Housley	Latz	Relph	Wiklund

So the bill passed and its title was agreed to.

#### **MEMBERS EXCUSED**

Senator Eaton was excused from the Session of today. Senator Cohen was excused from the Session of today from 11:30 to 11:45 a.m. and at 11:50 a.m.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 10, 2019. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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