

STATE OF MINNESOTA

Journal of the Senate

NINETY-FIRST LEGISLATURE

FIFTY-THIRD DAY

St. Paul, Minnesota, Tuesday, May 14, 2019

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, Rev. Carol J. Tomer.

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

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 File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 326: A bill for an act relating to health; modifying requirements for supervisors of temporary body art technicians; amending Minnesota Statutes 2018, section 146B.03, by adding a subdivision; repealing Minnesota Statutes 2018, section 146B.02, subdivision 7a.

Senate File No. 326 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 13, 2019

Senator Gazelka, for Senator Koran, moved that S.F. No. 326 be laid on the table. The motion prevailed.

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2097 and 2515.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 13, 2019

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2097: A bill for an act relating to local government; modifying Hennepin County library director qualifications; amending Minnesota Statutes 2018, section 383B.241.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2267, now on General Orders.

H.F. No. 2515: A resolution declaring September 7, 2019, as Great Lakes-St. Lawrence Appreciation Day in Minnesota, encouraging all Minnesotans to learn about the importance of the Great Lakes and St. Lawrence River to the economy and the environment of Minnesota, and urging recognition of this day across the region.

Referred to the Committee on Rules and Administration.

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. 810 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.
810	1940

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. 810 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 810, the first engrossment; and insert the language after the enacting clause of S.F. No. 1940; further, delete the title of H.F. No. 810, the first engrossment; and insert the title of S.F. No. 1940.

And when so amended H.F. No. 810 will be identical to S.F. No. 1940, and further recommends that H.F. No. 810 be given its second reading and substituted for S.F. No. 1940, 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. 1262 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.
1262	631

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. 2697 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.
2697	2644

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. 2849 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.
2849	2841				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2849 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2849, the first engrossment; and insert the language after the enacting clause of S.F. No. 2841, the second engrossment; further, delete the title of H.F. No. 2849, the first engrossment; and insert the title of S.F. No. 2841, the second engrossment.

And when so amended H.F. No. 2849 will be identical to S.F. No. 2841, and further recommends that H.F. No. 2849 be given its second reading and substituted for S.F. No. 2841, 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. 810, 1262, 2697, and 2849 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Limmer introduced--

S.F. No. 2883: A bill for an act relating to legislative enactments; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 2018, section 204B.07, subdivision 1.

Referred to the Committee on Rules and Administration.

Senator Rarick introduced--

S.F. No. 2884: A bill for an act relating to education; prohibiting construction of schools near former landfills; requiring notice by schools located near former landfills; amending Minnesota Statutes 2018, section 123B.51, by adding a subdivision.

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

Senator Rosen introduced--

S.F. No. 2885: A bill for an act relating to capital investment; appropriating money for renovation of the community recreation center in Lake Crystal; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

MOTIONS AND RESOLUTIONS

Senator Kent moved that her name be stricken as a co-author to S.F. No. 802. The motion prevailed.

Senator Anderson, P. moved that the name of Senator Clausen be added as a co-author to S.F. No. 1745. The motion prevailed.

Senator Westrom moved that his name be stricken as chief author and the name of Senator Chamberlain be added as chief author to S.F. No. 2201. The motion prevailed.

Senator Abeler moved that his name be stricken as a co-author to S.F. No. 2873. The motion prevailed.

Senators Gazelka and Bakk introduced --

Senate Resolution No. 101: A Senate resolution relating to the establishment of the Select Committee on Home Ownership Affordability and Availability.

BE IT RESOLVED, by the Senate of the State of Minnesota:

Pursuant to Mason's Manual of Legislative Procedure, Sections 639 to 645, the Select Committee on Home Ownership Affordability and Availability is established to make findings and recommendations to the Senate regarding issues affecting the availability of affordable owner-occupied housing. The Select Committee has no other authority with respect to the consideration of bills, and bills may not be referred to the Select Committee. The Select Committee shall consist of five members of the Senate, with three members appointed by the majority leader and two members appointed by the minority leader. The appointments must be completed by July 1, 2019, and the majority leader shall designate the chair of the Select Committee from its membership.

The Select Committee shall be dissolved upon the adjournment sine die of the 2020 Senate, 91st Session.

Senator Gazelka moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

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

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

Mr. President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. Nos. 955, 998, and 2313.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 14, 2019

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Koran moved that S.F. No. 326 be taken from the table. The motion prevailed.

S.F. No. 326: A bill for an act relating to health; modifying requirements for supervisors of temporary body art technicians; amending Minnesota Statutes 2018, section 146B.03, by adding a subdivision; repealing Minnesota Statutes 2018, section 146B.02, subdivision 7a.

CONCURRENCE AND REPASSAGE

Senator Koran moved that the Senate concur in the amendments by the House to S.F. No. 326 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 326 was read the third time, as amended by the House, and placed on its repassage.

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

The roll was called, and there were yeas 53 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Chamberlain	Dziedzic	Goggin	Jasinski
Anderson, P.	Clausen	Eaton	Hall	Jensen
Bakk	Cwodzinski	Eichorn	Hayden	Kent
Benson	Dahms	Eken	Housley	Kiffmeyer
Bigham	Dibble	Franzen	Ingebrigtsen	Klein
Carlson	Draheim	Frentz	Isaacson	Koran

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

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

SPECIAL ORDERS

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

H.F. Nos. 281, 622, and 559.

SPECIAL ORDER

H.F. No. 281: A bill for an act relating to Open Meeting Law; modifying requirements for attendance by interactive television; amending Minnesota Statutes 2018, section 13D.02, subdivisions 1, 2, by adding a subdivision.

H.F. No. 281 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Housley	Marty	Rest
Anderson, P.	Draheim	Ingebrigtsen	Mathews	Ruud
Bakk	Dziedzic	Isaacson	Miller	Senjem
Benson	Eaton	Jasinski	Nelson	Simonson
Bigham	Eichorn	Jensen	Newman	Sparks
Carlson	Eken	Kent	Newton	Tomassoni
Chamberlain	Franzen	Kiffmeyer	Osmek	Torres Ray
Clausen	Frentz	Klein	Pappas	Utke
Cohen	Goggin	Koran	Pratt	Weber
Cwodzinski	Hall	Laine	Rarick	Wiger
Dahms	Hayden	Little	Relph	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 622: A bill for an act relating to commerce; modifying advertising requirements related to real estate brokers and licensees; amending Minnesota Statutes 2018, section 82.69.

Senator Ruud moved that the amendment made to H.F. No. 622 by the Committee on Rules and Administration in the report adopted April 11, 2019, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 622 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Housley	Marty	Rest
Anderson, P.	Draheim	Ingebrigtsen	Mathews	Ruud
Bakk	Dziedzic	Isaacson	Miller	Senjem
Benson	Eaton	Jasinski	Nelson	Simonson
Bigham	Eichorn	Jensen	Newman	Sparks
Carlson	Eken	Kent	Newton	Tomassoni
Chamberlain	Franzen	Kiffmeyer	Osmek	Torres Ray
Clausen	Frentz	Klein	Pappas	Utke
Cohen	Goggin	Koran	Pratt	Weber
Cwodzinski	Hall	Laine	Rarick	Wiger
Dahms	Hayden	Little	Relph	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 559: A bill for an act relating to health occupations; requiring a provider-patient relationship in order to make ophthalmic prescriptions; amending Minnesota Statutes 2018, section 145.713, by adding a subdivision.

H.F. No. 559 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 54 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Dibble	Housley	Marty	Rest
Anderson, P.	Draheim	Ingebrigtsen	Mathews	Ruud
Bakk	Dziedzic	Isaacson	Miller	Senjem
Benson	Eaton	Jasinski	Nelson	Simonson
Bigham	Eichorn	Jensen	Newman	Sparks
Carlson	Eken	Kent	Newton	Tomassoni
Chamberlain	Franzen	Kiffmeyer	Osmek	Torres Ray
Clausen	Frentz	Klein	Pappas	Utke
Cohen	Goggin	Koran	Pratt	Weber
Cwodzinski	Hall	Laine	Rarick	Wiger
Dahms	Hayden	Little	Relph	

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 Reports of Committees.

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

S.F. No. 2770: A bill for an act relating to state government; ratifying a labor agreement and a compensation plan.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance.

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Limmer moved that the following members be excused for a Conference Committee on S.F. No. 802 at 2:15 p.m.:

Senators Limmer; Anderson, B.; Johnson; Lang; and Latz. The motion prevailed.

MEMBERS EXCUSED

Senators Hawj, Hoffman, and Wiklund were excused from the Session of today. Senator Cohen was excused from the Session of today from 2:15 to 2:25 p.m. Senators Champion, Gazelka, Howe, Rosen, and Westrom were excused from the Session of today at 2:15 p.m.

ADJOURNMENT

Senator Jasinski moved that the Senate do now adjourn until 10:00 a.m., Wednesday, May 15, 2019. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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