

STATE OF MINNESOTA

Journal of the Senate

NINETY-FIRST LEGISLATURE

FIFTY-FOURTH DAY

St. Paul, Minnesota, Wednesday, May 15, 2019

The Senate met at 10:00 a.m. 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. Dr. Jeffrey Japinga.

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

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.

April 10, 2019

The Honorable Jeremy R. Miller
President of the Senate

Dear Senator Miller:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

MINNESOTA STATE LOTTERY
DIRECTOR

Adam Prock, 885 Spring Hill Dr., Woodbury, in the county of Washington, effective April 10, 2019.

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

May 13, 2019

The Honorable Jeremy R. Miller
President of the Senate

Dear Senator Miller:

The enclosed Notaries Public for 2018 are hereby respectfully submitted to the Senate for confirmation as required by Article V, Section 3 of the Minnesota Constitution.

Sincerely,
Tim Walz, Governor

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

REPORTS OF COMMITTEES

Senator Benson 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. 2097 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.
2097	2267				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2097 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2097, the first engrossment; and insert the language after the enacting clause of S.F. No. 2267; further, delete the title of H.F. No. 2097, the first engrossment; and insert the title of S.F. No. 2267.

And when so amended H.F. No. 2097 will be identical to S.F. No. 2267, and further recommends that H.F. No. 2097 be given its second reading and substituted for S.F. No. 2267, 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 Benson, for 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. 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 Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 2770 and that the report from the Committee on State Government Finance and Policy and Elections, shown in the Journal for May 14, 2019, be adopted; that committee recommendation being:

"the bill do pass and be re-referred to the Committee on Finance". Report adopted.

SECOND READING OF HOUSE BILLS

H.F. No. 2097 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Dzedzic and Champion introduced--

S.F. No. 2886: A bill for an act relating to capital investment; appropriating money for Mississippi River habitat and public water access; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Klein introduced--

S.F. No. 2887: A bill for an act relating to health; modifying certain health indicator reports; amending Minnesota Statutes 2018, section 62U.10, subdivisions 6, 7.

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

Senator Klein introduced--

S.F. No. 2888: A bill for an act relating to health; changing access to birth and death records; amending Minnesota Statutes 2018, section 144.225, subdivision 7.

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

MOTIONS AND RESOLUTIONS**Senators Hall, Abeler, and Benson introduced --**

Senate Resolution No. 102: A Senate resolution recognizing July 31 as Transverse Myelitis Awareness Day in Minnesota.

Referred to the Committee on Rules and Administration.

Senators Bigham and Klein introduced --

Senate Resolution No. 103: A Senate resolution honoring Jessica Davis on being named Minnesota's 2019 Teacher of the Year.

Referred to the Committee on Rules and Administration.

Senator Carlson introduced --

Senate Resolution No. 104: A Senate resolution recognizing Cody Kottke of Eagan High School for choosing to serve in the United States Army.

Referred to the Committee on Rules and Administration.

Senator Carlson introduced --

Senate Resolution No. 105: A Senate resolution recognizing Benjamin Kozemzak of Eagan High School for choosing to serve in the National Guard of the United States.

Referred to the Committee on Rules and Administration.

Senator Carlson introduced --

Senate Resolution No. 106: A Senate resolution recognizing Elise Cook of Eagan High School for choosing to serve in the United States Army.

Referred to the Committee on Rules and Administration.

Senator Carlson introduced --

Senate Resolution No. 107: A Senate resolution recognizing Joseph Krueger of Eagan High School for choosing to serve in the United States Marine Corps.

Referred to the Committee on Rules and Administration.

Senator Carlson introduced --

Senate Resolution No. 108: A Senate resolution recognizing Thane Stejskal of Eagan High School for choosing to serve in the United States Marines.

Referred to the Committee on Rules and Administration.

Senator Carlson introduced --

Senate Resolution No. 109: A Senate resolution recognizing Jacob Ricciardi of Eagan High School for choosing to serve in the United States Marines.

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.

CALL OF THE SENATE

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Pratt moved that the following members be excused for a Conference Committee on H.F. No. 2208 at 1:05 p.m.:

Senators Pratt, Dahms, Osmek, Housley, and Simonson. The motion prevailed.

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

S.F. No. 316: A bill for an act relating to state government; requiring involvement in user acceptance testing from local units of governments impacted by new information technology business software; amending Minnesota Statutes 2018, sections 168.33, by adding a subdivision; 171.061, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 15.

Senate File No. 316 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 14, 2019

Senator Howe moved that the Senate do not concur in the amendments by the House to S.F. No. 316, 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.

MOTIONS AND RESOLUTIONS - CONTINUED

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. 2849 and 810.

SPECIAL ORDER

H.F. No. 2849: A bill for an act relating to higher education; providing student relief from Argosy University closure; requiring a report.

Senator Anderson, P. moved to amend H.F. No. 2849, as amended pursuant to Rule 45, adopted by the Senate May 14, 2019, as follows:

(The text of the amended House File is identical to S.F. No. 2841.)

Page 2, delete lines 31 and 32 and insert:

"(b) Any claim the eligible student may have against any legally responsible person or entity arising from a SELF loan under Minnesota Statutes, sections 136A.15 to 136A.1701, is subrogated to the state if an eligible student accepts a loan disbursement reversal under this section. The eligible student must agree in writing to the subrogation interest of the state. The state must pursue all claims arising from a SELF loan made to an eligible student against any legally responsible person or entity, including, but not limited to, Argosy, when it is in the best interests of the state. The state's subrogation right is limited to the amount of the SELF loan disbursement reversal made under this section. The rights of the state under this paragraph are in addition to other available remedies and claims."

Page 3, delete lines 1 to 6

The motion prevailed. So the amendment was adopted.

H.F. No. 2849 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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 810: A bill for an act relating to veterans; authorizing the placement of a plaque in the court of honor on the Capitol grounds to honor all Minnesota veterans who served in the United States armed forces, both at home and abroad, during World War I.

Senator Clausen moved that the amendment made to H.F. No. 810 by the Committee on Rules and Administration in the report adopted May 14, 2019, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 810 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 61 and nays 0, as follows:

Those who voted in the affirmative were:

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

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 Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 129, 286, 1065, and 873.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 15, 2019

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 129: A bill for an act relating to state government; requiring compensation and expense reimbursement for public members of the Governor's Council on Developmental Disabilities; amending Minnesota Statutes 2018, section 16B.054.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 149, now on General Orders.

H.F. No. 286: A bill for an act relating to railroads; requiring a minimum crew size for certain rail carriers; imposing criminal penalties; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Transportation Finance and Policy.

H.F. No. 1065: A bill for an act relating to legislative enactments; making miscellaneous technical corrections to laws and statutes; correcting erroneous, obsolete, and omitted text and references; removing redundant, conflicting, and superseded provisions; amending Minnesota Statutes 2018, sections 5.001, subdivision 1a; 10A.022, subdivision 3b; 10A.08, subdivision 3; 10A.173; 10A.177; 13.7191, subdivision 19; 13.7905, by adding a subdivision; 15B.36, subdivision 8; 16A.28, subdivision 3; 16D.11, subdivision 3; 16E.03, subdivisions 9, 10; 28A.08, subdivision 3; 28A.151, subdivision 5; 47.58, subdivision 7; 60A.11, subdivision 10; 62D.02, subdivision 12; 79.251, subdivision 2a; 84D.11, subdivision 1; 84D.14; 97A.055, subdivision 2; 97B.621, subdivision 2; 97C.505, subdivision 2; 103B.201; 103B.255, subdivision 3; 103C.321, subdivision 2; 103C.625; 103D.641; 103E.202, subdivision 2; 103H.151, subdivision 4; 122A.31, subdivision 2; 123B.42, subdivision 3; 126C.48, subdivision 8; 127A.49, subdivisions 2, 3; 136A.1276, subdivision 1; 144.441, subdivision 1; 144.55, subdivision 2; 144A.04, subdivision 7; 144A.073, subdivision 1; 145.365, subdivision 4; 146A.09, subdivision 7; 146B.02, subdivision 8; 147.111, subdivision 10; 147E.01, subdivision 3; 148.6402, subdivisions 14, 16; 148.6420, subdivision 1; 148.6443, subdivision 2; 148.6448, subdivision 1; 148.7802, subdivision 3; 148F.11, subdivision 1; 150A.25, subdivision 1; 151.21, subdivision 8; 155A.30, subdivision 12; 168.33, subdivision 8a; 169.81, subdivision 3; 169.86, subdivision 5; 171.05, subdivision 2a; 176.102, subdivision 2; 214.072; 214.073; 245A.065; 245A.07, subdivision 3; 245A.22, subdivision 4; 245D.22, subdivision 2; 252A.01, subdivision 1; 253D.27, subdivision 3; 254B.04, subdivision 1; 254B.05, subdivision 5; 254B.13, subdivision 2a; 256B.0659, subdivision 11; 256B.0755, subdivision 4; 256B.15, subdivision 1k; 256B.49, subdivision 26; 256B.4914, subdivisions 3, 5, 6, 7, 8, 9; 256D.051, subdivision 6b;

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Referred to the Committee on Rules and Administration for comparison with S.F. No. 1290, now on General Orders.

H.F. No. 873: A bill for an act relating to local government; eliminating crime of unauthorized use of the name and mark "portorama"; repealing Minnesota Statutes 2018, sections 333.50; 333.51; 333.52.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1202, now on General Orders.

MEMBERS EXCUSED

Senator Champion was excused from the Session of today from 1:05 to 1:30 p.m. Senators Gazelka and Rosen were excused from the Session of today at 1:05 p.m.

ADJOURNMENT

Senator Benson moved that the Senate do now adjourn until 10:00 a.m., Thursday, May 16, 2019. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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Wednesday, May 15, 2019

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