

STATE OF MINNESOTA

Journal of the Senate

NINETIETH LEGISLATURE

NINETY-SECOND DAY

St. Paul, Minnesota, Monday, May 7, 2018

The Senate met at 11:30 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. Phil Shaw.

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	Senjem
Anderson, B.	Eaton	Isaacson	Marty	Simonson
Anderson, P.	Eichorn	Jasinski	Mathews	Sparks
Bakk	Eken	Jensen	Miller	Tomassoni
Benson	Fischbach	Johnson	Nelson	Torres Ray
Bigham	Franzen	Kent	Newman	Utke
Carlson	Frentz	Kiffmeyer	Newton	Weber
Chamberlain	Gazelka	Klein	Osmek	Westrom
Clausen	Goggin	Koran	Pappas	Wiger
Cohen	Hall	Laine	Pratt	Wiklund
Cwodzinski	Hawj	Lang	Relph	
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.

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. 3656: A bill for an act relating to state government; appropriating money for agriculture, rural development, housing, state government, public safety, transportation, environment, natural resources, energy, jobs, economic development, higher education, prekindergarten through grade 12 education, health, and human services; modifying agriculture, rural development, and housing provisions; specifying conditions of legislative ratification of proposed collective bargaining agreements; requiring proposed changes to state employee group insurance to be submitted separately to Legislative Coordinating Commission; requiring certain information about collective bargaining agreements and compensation plans be submitted to Legislative Coordinating Commission; creating transition period for Legislative Budget Office to take responsibility for coordinating fiscal notes and local impact notes; establishing Legislative Budget Office Oversight Commission; modifying the effective date of certain provisions governing preparation of fiscal notes; abolishing Office of MN.IT Services; establishing division of information technology within Department of Administration; permitting agencies more flexibility in contracting for information technology projects; requiring agencies to determine impact of proposed rule on cost of residential construction or remodeling; requiring notice to applicable legislative committees; precluding adoption of residential construction rules having certain cost until after next legislative session; exempting hair braiders from cosmetology registration requirements; prohibiting exclusive representative from charging fair share fee to nonmembers; investigating possible registration or voting by ineligible voters and reporting to law enforcement; increasing penalties for child pornography offenses; requiring reports on court-imposed stays of sentence or adjudication for sex offenses; restricting grounds that permit reunification of parents and children after parent sexually abuses child; increasing maximum penalty for certain invasion of privacy crimes involving minors; requiring predatory offender registration for certain invasion of privacy crimes involving minors; requiring collection of information on connection between pornography and sex trafficking; expanding authorized prostitution penalty assessment to include additional crimes; expanding criminal sexual conduct offenses for persons in current or recent positions of authority over juveniles and for peace officers who engage in sexual activity with those in custody; extending sunset date for court technology fund; expanding list of prior offenses that support a conviction of first-degree driving while impaired; prohibiting Department of Human Rights from using federal funds to expand program; modifying various provisions governing transportation and public safety policy and finance; modifying certain loan programs; modifying energy provisions; modifying environment and natural resources provisions; adding to and deleting from state parks, recreation areas, and forests; modifying drainage law; creating accounts; providing for disposition of certain receipts; modifying renewable development account utility annual contribution; modifying solar energy incentive program; establishing pension rate base; establishing criteria for utility cost recovery of energy storage system pilot projects; establishing utility stakeholder group; requiring investor-owned utilities to include in integrated resource plans an assessment of energy storage systems; establishing solar energy grant program for school districts; extending expiration date for an assessment; requiring creation of an excavation notice system contact information database; requiring cost-benefit analysis of energy storage systems; modifying job training program requirements; limiting use of funds in Douglas J. Johnson economic protection trust fund; modifying youth skills training program; modifying accessibility requirements for public buildings; modifying fees for manufactured home installers; adopting recommendations of Workers' Compensation Advisory Council; adjusting basis for determining salary for judges of Workers' Compensation Court of Appeals; adopting recommendations of Unemployment Insurance Advisory Council; modifying certain higher education policy provisions; making clarifying and technical changes to loan forgiveness and research grant programs; providing for school safety, general education, education excellence, teachers, special education, facilities and technology, libraries,

early education, and state agencies; making forecast adjustments; modifying provisions governing children and families, licensing, state-operated services, chemical and mental health, community supports and continuing care, and health care; modifying Department of Human Services administrative funds transfer; establishing Minnesota Health Policy Commission; repealing preferred incontinence program in medical assistance; increasing reimbursement rates for doula services; modifying telemedicine service limits; modifying EPSDT screening payments; modifying capitation payment delay; modifying provisions relating to wells and borings; adding security screening systems to ionizing radiation-producing equipment regulation; authorizing statewide tobacco cessation services; establishing an opioid reduction pilot program; establishing a low-value health services study; requiring coverage of 3D mammograms; requiring disclosure of facility fees; establishing a step therapy override process; requiring the synchronization of prescription refills; prohibiting a health plan company from preventing a pharmacist from informing a patient of a price differential; converting allied health professionals to a birth month renewal cycle; modifying temporary license suspensions and background checks for health-related professions; requiring a prescriber to access the prescription monitoring program before prescribing certain controlled substances; authorizing the Board of Pharmacy to impose a fee from a prescriber or pharmacist accessing prescription monitoring data through a service offered by the board's vendor; requiring administrative changes at the Office of Health Facility Complaints; providing access to information and data sharing; making technical changes; requiring rulemaking; requiring reports; amending Minnesota Statutes 2016, sections 3.3005, subdivision 8; 3.855, subdivisions 1a, 2, by adding a subdivision; 10A.01, subdivision 35; 13.64, by adding a subdivision; 16A.103, subdivisions 1, 1b, by adding a subdivision; 16A.88, subdivision 2; 16A.97; 16E.01, subdivision 1; 16E.015, by adding a subdivision; 16E.016; 16E.02; 16E.055; 16E.14; 16E.18, subdivisions 4, 6; 16E.21, subdivision 3; 17.117, subdivisions 1, 4; 17.494; 17.4982, by adding subdivisions; 18.83, subdivision 7; 18C.425, subdivision 6; 18C.80, subdivision 2; 21.89, subdivision 2; 41A.16, subdivisions 1, 2; 41A.17, subdivision 1; 62A.30, by adding a subdivision; 62D.115, subdivision 4; 80E.13; 84.0895, subdivision 2; 84.86, subdivision 1; 86B.005, subdivision 8a; 86B.532, subdivision 1; 88.10, by adding a subdivision; 88.75, subdivision 1; 89.551; 92.50, by adding a subdivision; 94.10, subdivision 2; 97A.051, subdivision 2; 97A.433, subdivisions 4, 5; 97B.015, subdivision 6; 97B.1055; 97C.345, subdivision 3a; 103B.3369, subdivisions 5, 9; 103B.801, subdivisions 2, 5; 103E.021, subdivision 6; 103E.071; 103E.351, subdivision 1; 103F.361, subdivision 2; 103F.363, subdivision 1; 103F.365, by adding a subdivision; 103F.371; 103F.373, subdivisions 1, 3, 4; 103G.2242, subdivision 14; 103H.275, subdivision 1; 103I.205, subdivision 9; 103I.301, subdivision 6; 114D.15, subdivisions 7, 11, 13, by adding subdivisions; 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions; 114D.26; 114D.35, subdivisions 1, 3; 115.03, subdivision 5, by adding a subdivision; 115.035; 115A.51; 115A.94, subdivisions 2, 4a, 4b, 4c, 4d, 5, by adding subdivisions; 116.07, subdivision 2, by adding a subdivision; 116.155, subdivision 1, by adding a subdivision; 116.993, subdivisions 2, 6; 116J.8747, subdivisions 2, 4; 119B.011, subdivision 19, by adding a subdivision; 119B.02, subdivision 7; 119B.03, subdivision 9; 120A.20, subdivision 2; 122A.63, subdivisions 1, 4, 5, 6, by adding a subdivision; 123B.595, by adding a subdivision; 123B.61; 124D.09, subdivisions 4, 22; 124D.151, subdivisions 2, 3; 124E.20, subdivision 1; 125B.26, subdivision 4, by adding a subdivision; 126C.10, subdivisions 2e, 24; 126C.17, subdivisions 1, 2, 5, 6, 7, 7a; 126C.40, subdivision 1; 126C.44; 127A.70, subdivision 2; 135A.15, subdivision 2; 136A.15, subdivision 8; 136A.16, subdivisions 1, 2, 5, 8, 9; 136A.162; 136A.1701, subdivision 7; 136A.1791, subdivision 8; 136A.1795, subdivision 2; 136A.64, subdivision 1; 136A.822, subdivision 10; 136A.901, subdivision 1; 144.121, subdivision 1a, by adding a subdivision; 144A.53, subdivision 2; 147.012; 147.02, by adding a subdivision; 147A.06; 147A.07; 147B.02, subdivision 9, by adding a subdivision; 147C.15, subdivision 7, by adding a subdivision; 147D.17,

subdivision 6, by adding a subdivision; 147D.27, by adding a subdivision; 147E.15, subdivision 5, by adding a subdivision; 147E.40, subdivision 1; 147F.07, subdivision 5, by adding subdivisions; 147F.17, subdivision 1; 148.7815, subdivision 1; 151.065, by adding a subdivision; 151.214; 151.71, by adding a subdivision; 152.126, subdivisions 6, 10; 155A.25, subdivision 1a; 155A.28, by adding a subdivision; 161.088, subdivision 2; 161.115, subdivision 111; 161.14, by adding subdivisions; 161.32, subdivision 2; 168.013, subdivision 6; 168.101, subdivision 2a; 168.127, subdivisions 4, 6; 168.27, by adding subdivisions; 168.301, subdivision 3; 168.326; 168.33, subdivision 8a, by adding a subdivision; 168.346, subdivision 1; 168A.05, by adding a subdivision; 168A.12, subdivision 2; 168A.151, subdivision 1; 168A.17, by adding a subdivision; 168A.29, subdivision 1; 169.011, subdivision 60; 169.14, subdivision 5; 169.18, subdivisions 10, 11, 12; 169.20, by adding a subdivision; 169.26, subdivision 1; 169.28; 169.29; 169.71, subdivision 4; 169.81, subdivision 5, by adding a subdivision; 169.8261, subdivision 2; 169.92, subdivision 4; 169.974, subdivision 2; 169A.24, subdivision 1; 171.041; 171.16, subdivisions 2, 3; 171.18, subdivision 1; 174.12, subdivision 8; 174.37, subdivision 6; 174.66; 175A.05; 176.231, subdivision 9; 179A.06, subdivision 3; 201.022, by adding subdivisions; 205A.07, subdivision 2; 214.075, subdivisions 1, 4, 5, 6; 214.077; 214.10, subdivision 8; 216B.16, by adding a subdivision; 216B.1641; 216B.1645, by adding a subdivision; 216B.2422, subdivision 1, by adding a subdivision; 216D.03, by adding a subdivision; 216G.01, subdivision 3; 221.031, subdivision 2d; 221.0314, subdivision 9; 221.036, subdivisions 1, 3; 221.122, subdivision 1; 221.161, subdivision 1, by adding a subdivision; 221.171, subdivision 1; 243.166, subdivision 1b; 244.052, subdivision 4; 245.4889, by adding a subdivision; 245A.175; 245C.14; 245C.15, by adding a subdivision; 245C.22, by adding a subdivision; 245C.24, by adding a subdivision; 245D.071, subdivision 5; 245D.091, subdivisions 2, 3, 4; 254A.035, subdivision 2; 254B.02, subdivision 1; 254B.06, subdivision 1; 256.01, subdivision 14b, by adding a subdivision; 256B.04, subdivision 14; 256B.0625, subdivision 58, by adding subdivisions; 256B.0659, subdivisions 3a, 11, 21, 24, 28, by adding a subdivision; 256B.0915, subdivision 6; 256B.092, subdivisions 1b, 1g; 256B.093, subdivision 1; 256B.4914, subdivision 4; 256I.04, by adding subdivisions; 256K.45, subdivision 2; 256M.41, subdivision 3, by adding a subdivision; 256N.24, by adding a subdivision; 260.012; 260.835, subdivision 2; 268.035, subdivisions 4, 12; 268.044, subdivisions 2, 3; 268.047, subdivision 3; 268.051, subdivisions 2a, 3; 268.053, subdivision 1; 268.057, subdivision 5; 268.059; 268.066; 268.067; 268.069, subdivision 1; 268.085, subdivisions 3, 3a; 268.095, subdivision 6a; 268.105, subdivision 6; 268.145, subdivision 1; 299A.01, by adding a subdivision; 299A.705; 299A.707, by adding a subdivision; 299A.785, subdivision 1; 326B.106, subdivision 9; 326B.815, subdivision 1; 327.31, by adding a subdivision; 327B.041; 327C.095, subdivisions 4, 6, 12, 13, by adding a subdivision; 349A.05; 357.021, subdivision 2b; 360.013, by adding a subdivision; 360.017, subdivision 1; 360.021, subdivision 1; 360.062; 360.063, subdivisions 1, 3; 360.064, subdivision 1; 360.065, subdivision 1; 360.066, subdivision 1; 360.067, by adding a subdivision; 360.071, subdivision 2; 360.305, subdivision 6; 394.22, by adding a subdivision; 394.23; 394.231; 394.25, subdivision 3; 462.352, by adding a subdivision; 462.355, subdivision 1; 462.357, subdivision 9, by adding a subdivision; 462A.05, subdivision 14b; 462A.33, subdivisions 1, 2; 462A.37, subdivisions 1, 2; 473.13, by adding subdivisions; 473.149, subdivision 3; 473.3994, by adding a subdivision; 473.606, subdivision 5; 473.8441, subdivision 4; 474A.02, by adding subdivisions; 474A.03, subdivision 1; 474A.04, subdivision 1a; 474A.047, subdivision 2; 474A.061, subdivisions 1, 2a, 2b, 2c, 4, by adding subdivisions; 474A.062; 474A.091, subdivisions 1, 2, 3, 5, 6, by adding a subdivision; 474A.131, subdivisions 1, 1b, 2; 474A.14; 475.58, subdivision 4; 574.26, subdivision 1a; 609.3241; 609.341, subdivision 10; 609.342, subdivision 1; 609.343, subdivision 1; 609.344, subdivision 1; 609.345, subdivision 1; 609.746, subdivision 1; 617.246, subdivisions 2, 3, 4, 7; 617.247, subdivisions 3, 4, 9; 626.556, by adding a subdivision; Minnesota Statutes 2017 Supplement,

sections 3.8853, subdivisions 1, 2, by adding subdivisions; 3.972, subdivision 4; 3.98, subdivisions 1, 4; 15A.083, subdivision 7; 16A.152, subdivision 2; 16E.0466, subdivision 1; 18C.70, subdivision 5; 18C.71, subdivision 4; 84.01, subdivision 6; 84.925, subdivision 1; 84.9256, subdivision 1; 84D.03, subdivisions 3, 4; 84D.108, subdivisions 2b, 2c; 85.0146, subdivision 1; 89.17; 97A.075, subdivision 1; 103G.222, subdivision 3; 103G.2242, subdivision 1; 103I.005, subdivisions 2, 8a, 17a; 103I.205, subdivisions 1, 4; 103I.208, subdivision 1; 103I.235, subdivision 3; 103I.601, subdivision 4; 116.0714; 116C.779, subdivision 1; 116C.7792; 119B.011, subdivision 20; 119B.025, subdivision 1; 119B.06, subdivision 1; 119B.09, subdivision 1; 119B.095, subdivision 2; 119B.13, subdivision 1; 122A.187, by adding a subdivision; 123B.03, subdivision 1; 124D.151, subdivisions 5, 6; 124D.68, subdivision 2; 124E.03, subdivision 2; 136A.1275, subdivisions 2, 3; 136A.1789, subdivision 2; 136A.646; 136A.672, by adding a subdivision; 136A.822, subdivision 6; 136A.8295, by adding a subdivision; 147.01, subdivision 7; 147A.28; 147B.08; 147C.40; 152.105, subdivision 2; 161.088, subdivision 5; 168.013, subdivision 1a; 169.18, subdivision 7; 169.829, subdivision 4; 171.06, subdivision 2; 175.46, subdivision 13; 216B.1691, subdivision 2f; 216B.241, subdivision 1d; 216B.62, subdivision 3b; 245.4889, subdivision 1; 245A.03, subdivision 7; 245A.06, subdivision 8; 245A.11, subdivision 2a; 245C.16, subdivision 1; 245D.03, subdivision 1; 256B.0625, subdivisions 3b, 17; 256B.0911, subdivisions 1a, 3a, 3f, 5; 256B.49, subdivision 13; 256B.4914, subdivisions 2, 3, 5, 10, 10a; 256I.03, subdivision 8; 256I.04, subdivision 2b; 256I.05, subdivision 3; 268.035, subdivisions 15, 20; 268.046, subdivision 1; 268.07, subdivision 1; 268.085, subdivision 13a; 268.095, subdivision 6; 268.18, subdivisions 2b, 5; 298.2215; 298.292, subdivision 2; 364.09; 462A.2035, subdivisions 1, 1b; 473.4051, subdivision 2; 473.4485, subdivision 2; 475.59, subdivision 1; 477A.03, subdivision 2b; Laws 2010, chapter 361, article 4, section 78; Laws 2014, chapter 312, article 27, section 76; Laws 2015, First Special Session chapter 4, article 4, section 146, as amended; Laws 2016, chapter 189, article 3, sections 3, subdivision 5; 48; Laws 2017, chapter 88, article 1, section 2, subdivisions 2, 4; Laws 2017, chapter 89, article 1, section 2, subdivisions 18, 20, 29, 31, 32, 33, 34, 40; Laws 2017, chapter 94, article 1, sections 2, subdivisions 2, 3, 4, subdivision 5; 7, subdivision 7; 9; Laws 2017, First Special Session chapter 1, article 4, section 31; Laws 2017, First Special Session chapter 3, article 1, section 4, subdivisions 1, 2, 4; Laws 2017, First Special Session chapter 4, article 1, section 10, subdivision 1; article 2, sections 1; 3; 9; 58; Laws 2017, First Special Session chapter 5, article 1, section 19, subdivisions 2, 3, 4, 5, 6, 7, 9; article 2, sections 56; 57, subdivisions 2, 3, 4, 5, 6, 12, 21, 22, 23, 26, 34; article 4, section 12, subdivisions 2, as amended, 3, 4, 5; article 5, section 14, subdivisions 2, 3, 4; article 6, section 3, subdivisions 2, 3, 4; article 8, sections 9, subdivision 6; 10, subdivisions 5a, 6, 12; article 9, section 2, subdivision 2; article 10, section 6, subdivision 2; article 11, sections 9, subdivision 2; 12; Laws 2017, First Special Session chapter 6, article 1, section 52; article 3, section 49; article 4, section 61; article 10, section 144; proposing coding for new law in Minnesota Statutes, chapters 3; 11A; 14; 16A; 17; 62J; 62Q; 97A; 103B; 103F; 115; 115B; 116C; 120B; 123B; 124D; 136A; 144; 147A; 147B; 147C; 147D; 147E; 147F; 161; 168A; 176; 216C; 246; 256B; 260C; 299A; 327; 349A; 360; 383A; 609; repealing Minnesota Statutes 2016, sections 16A.98; 16E.145; 122A.63, subdivisions 7, 8; 126C.16, subdivisions 1, 3; 126C.17, subdivision 9a; 136A.15, subdivisions 2, 7; 136A.1701, subdivision 12; 155A.28, subdivisions 1, 3, 4; 168.013, subdivision 21; 214.075, subdivision 8; 221.161, subdivisions 2, 3, 4; 256B.0625, subdivision 18b; 256B.0705; 268.053, subdivisions 4, 5; 349A.16; 360.063, subdivision 4; 360.065, subdivision 2; 360.066, subdivisions 1a, 1b; Minnesota Statutes 2017 Supplement, section 256B.0625, subdivision 31c; Laws 2008, chapter 368, article 1, section 21, subdivision 2; Laws 2016, chapter 189, article 25, section 62, subdivision 16; Laws 2017, First Special Session chapter 4, article 2, section 59; Minnesota Rules, part 5600.0605, subparts 5, 8.

Senate File No. 3656 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 3, 2018

Senator Rosen moved that the Senate do not concur in the amendments by the House to S.F. No. 3656, 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 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. 4157 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.
4157	3786				

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. 3265 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.
3265	2902				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3265 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3265, the second engrossment; and insert the language after the enacting clause of S.F. No. 2902, the first engrossment; further, delete the title of H.F. No. 3265, the second engrossment; and insert the title of S.F. No. 2902, the first engrossment.

And when so amended H.F. No. 3265 will be identical to S.F. No. 2902, and further recommends that H.F. No. 3265 be given its second reading and substituted for S.F. No. 2902, 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. 3232 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.
3232	2696				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3232 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3232, the third engrossment; and insert the language after the enacting clause of S.F. No. 2696, the first engrossment; further, delete the title of H.F. No. 3232, the third engrossment; and insert the title of S.F. No. 2696, the first engrossment.

And when so amended H.F. No. 3232 will be identical to S.F. No. 2696, and further recommends that H.F. No. 3232 be given its second reading and substituted for S.F. No. 2696, 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. 4157, 3265, and 3232 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Laine introduced--

S.F. No. 4062: A bill for an act relating to capital investment; appropriating money for demolition and replacement of the Rice Creek railroad bridge in New Brighton; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Little and Hayden introduced--

S.F. No. 4063: A bill for an act relating to capital improvements; appropriating money to the Metropolitan Council for regional park and open-space land acquisition and improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Dzedzic introduced--

S.F. No. 4064: A bill for an act relating to taxation; property; providing a property tax exemption for certain property.

Referred to the Committee on Taxes.

Senators Utke and Abeler introduced--

S.F. No. 4065: A bill for an act relating to insurance; auto; changing requirements relating to the assignment of benefits and arbitration; amending Minnesota Statutes 2016, sections 65B.525, by adding a subdivision; 65B.54, subdivision 1.

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

Senators Wiger, Eken, Weber, Draheim, and Anderson, P. introduced--

S.F. No. 4066: A bill for an act relating to clean water; appropriating money from the clean water fund.

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

Senator Eken introduced--

S.F. No. 4067: A bill for an act relating to taxation; economic development; modifying border city enterprise zones; amending Minnesota Statutes 2016, section 469.171, subdivision 4.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senator Eaton moved that the name of Senator Simonson be added as a co-author to S.F. No. 2912. The motion prevailed.

Senator Nelson moved that the name of Senator Goggin be added as a co-author to S.F. No. 3019. The motion prevailed.

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

Senator Weber moved that the name of Senator Johnson be added as a co-author to S.F. No. 3960. The motion prevailed.

Senator Marty moved that the name of Senator Klein be added as a co-author to S.F. No. 4054. The motion prevailed.

Senators Clausen, Little, Klein, Carlson, and Hall introduced --

Senate Resolution No. 247: A Senate resolution commending Jane Berenz for many years of dedicated service to the education profession.

Referred to the Committee on Rules and Administration.

Senator Rosen introduced --

Senate Resolution No. 248: A Senate resolution congratulating the Granada-Huntley-East Chain School District on its 100 percent high school graduation rate.

Referred to the Committee on Rules and Administration.

Senator Rosen introduced --

Senate Resolution No. 249: A Senate resolution congratulating the St. Clair School District on its 100 percent high school graduation rate.

Referred to the Committee on Rules and Administration.

Senator Rosen introduced --

Senate Resolution No. 250: A Senate resolution recognizing the Minnesota Student Association's adoption of a resolution on reducing opioid harm.

Referred to the Committee on Rules and Administration.

Senator Gazelka moved that H.F. No. 1876 be taken from the table and given a second reading. The motion prevailed.

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 second time.

Senator Gazelka moved that H.F. No. 1876 be laid on the table. The motion prevailed.

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.

APPOINTMENTS

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. 3656: Senators Rosen, Benson, Kiffmeyer, Limmer, and Newman.

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

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 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 Miller, designee of the Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 3245, 3463, 3310, 2685, 2683, 3415, 3367, 2809, 327, and 3461.

SPECIAL ORDER

S.F. No. 3245: A bill for an act relating to energy; modifying the energy improvements program; providing consumer protections for residential property assessed clean energy (PACE) loans; providing remedies; amending Minnesota Statutes 2016, sections 45.011, subdivision 1; 46.04, subdivision 1; 46.131, subdivisions 1, 2, 4; 216C.435, subdivisions 1, 2, 3a, 6, 8, by adding subdivisions; 216C.436, subdivisions 1, 2, 5, 7, 8, 9, by adding a subdivision; 290B.03, subdivision 1; 429.011, subdivision 2a; 429.021, subdivision 1; 429.101, subdivision 1; Minnesota Statutes 2017 Supplement, section 46.131, subdivision 11; proposing coding for new law in Minnesota Statutes, chapter 216C; repealing Minnesota Statutes 2016, section 216C.435, subdivision 5.

Senator Pratt moved to amend S.F. No. 3245 as follows:

Page 15, line 10, delete everything after "\$1,000" and insert "; and"

Page 15, delete line 11

Page 15, line 12, delete everything after "\$500" and insert a period

Page 15, delete line 13

Page 24, line 21, after "by" insert "subordinate"

The motion prevailed. So the amendment was adopted.

Senator Dibble moved to amend S.F. No. 3245 as follows:

Page 33, after line 22, insert:

"Sec. 37. Minnesota Statutes 2016, section 462A.05, subdivision 14b, is amended to read:

Subd. 14b. **Energy conservation loans.** It may agree to purchase, make, or otherwise participate in the making, and may enter into commitments for the purchase, making, or participating in the making, of loans to persons and families, without limitations relating to the maximum incomes of the borrowers, to assist in energy conservation rehabilitation measures for existing housing owned by those persons or families including, but not limited to: weatherstripping and caulking;; chimney construction or improvement;; furnace or space heater repair, cleaning or replacement;; central air conditioner repair, maintenance, or replacement; air source or geothermal heat pump repair, maintenance, or replacement; insulation, ~~storm~~ windows and doors; and structural or other directly related repairs essential for energy conservation. Loans shall be made only when the agency determines that financing is not otherwise available, in whole or in part, from private lenders upon equivalent terms and conditions. Loans under this subdivision or subdivision 14 may:

(1) be integrated with a utility's on-bill repayment program approved under section 216B.241, subdivision 5d; and

(2) also be made for the installation of on-site solar energy or energy storage systems."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 3245 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 1, as follows:

Those who voted in the affirmative were:

Abeler	Cohen	Eken	Hayden	Kent
Anderson, B.	Cwodzinski	Fischbach	Hoffman	Kiffmeyer
Anderson, P.	Dahms	Franzen	Housley	Klein
Benson	Dibble	Frentz	Ingebrigtsen	Koran
Bigham	Draheim	Gazelka	Isaacson	Laine
Carlson	Dziedzic	Goggin	Jasinski	Lang
Chamberlain	Eaton	Hall	Jensen	Latz
Clausen	Eichorn	Hawj	Johnson	Limmer

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

Those who voted in the negative were:

Bakk

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

SPECIAL ORDER

S.F. No. 3463: A bill for an act relating to public safety; creating liability and vicarious liability for trespass to critical infrastructure; creating a crime for recruiting or educating individuals to trespass on or damage critical infrastructure; amending Minnesota Statutes 2016, section 609.6055, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 604.

S.F. No. 3463 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 37 and nays 28, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Bakk	Dibble	Hayden	Latz	Simonson
Bigham	Dziedzic	Hoffman	Little	Torres Ray
Carlson	Eaton	Isaacson	Lourey	Wiger
Clausen	Franzen	Kent	Marty	Wiklund
Cohen	Frentz	Klein	Newton	
Cwodzinski	Hawj	Laine	Pappas	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3310: A bill for an act relating to human services; modifying provisions relating to child care licensing; amending Minnesota Statutes 2016, sections 245A.04, subdivision 9; 245A.14, by adding a subdivision; 245A.152; 245A.16, subdivision 2.

Senator Weber moved to amend S.F. No. 3310 as follows:

Page 2, after line 10, insert:

"Sec. 2. Minnesota Statutes 2016, section 245A.05, is amended to read:

245A.05 DENIAL OF APPLICATION.

(a) The commissioner may deny a license if an applicant or controlling individual:

(1) fails to submit a substantially complete application after receiving notice from the commissioner under section 245A.04, subdivision 1;

(2) fails to comply with applicable laws or rules;

(3) knowingly withholds relevant information from or gives false or misleading information to the commissioner in connection with an application for a license or during an investigation;

(4) has a disqualification that has not been set aside under section 245C.22 and no variance has been granted;

(5) has an individual living in the household who received a background study under section 245C.03, subdivision 1, paragraph (a), clause (2), who has a disqualification that has not been set aside under section 245C.22, and no variance has been granted;

(6) is associated with an individual who received a background study under section 245C.03, subdivision 1, paragraph (a), clause (6), who may have unsupervised access to children or vulnerable adults, and who has a disqualification that has not been set aside under section 245C.22, and no variance has been granted; or

(7) fails to comply with section 245A.04, subdivision 1, paragraph (f) or (g).

(b) An applicant whose application has been denied by the commissioner must be given notice of the denial, which must state the reasons for the denial in plain language. Notice must be given by certified mail or personal service. The notice must state the reasons the application was denied and must inform the applicant of the right to a contested case hearing under chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612. The applicant may appeal the denial by notifying the commissioner in writing by certified mail or personal service. If mailed, the appeal must be postmarked and sent to the commissioner within 20 calendar days after the applicant received the notice of denial. If an appeal request is made by personal service, it must be received by the commissioner within 20 calendar days after the applicant received the notice of denial. Section 245A.08 applies to hearings held to appeal the commissioner's denial of an application.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 3. Minnesota Statutes 2016, section 245A.06, subdivision 1, is amended to read:

Subdivision 1. **Contents of correction orders and conditional licenses.** (a) If the commissioner finds that the applicant or license holder has failed to comply with an applicable law or rule and this failure does not imminently endanger the health, safety, or rights of the persons served by the program, the commissioner may issue a correction order and an order of conditional license to the applicant or license holder. When issuing a conditional license, the commissioner shall consider the nature, chronicity, or severity of the violation of law or rule and the effect of the violation on the

health, safety, or rights of persons served by the program. The correction order or conditional license must state the following in plain language:

(1) the conditions that constitute a violation of the law or rule;

(2) the specific law or rule violated;

(3) the time allowed to correct each violation; and

(4) if a license is made conditional, the length and terms of the conditional license, and the reasons for making the license conditional.

(b) Nothing in this section prohibits the commissioner from proposing a sanction as specified in section 245A.07, prior to issuing a correction order or conditional license.

EFFECTIVE DATE. This section is effective January 1, 2019.

Sec. 4. Minnesota Statutes 2017 Supplement, section 245A.07, subdivision 3, is amended to read:

Subd. 3. **License suspension, revocation, or fine.** (a) The commissioner may suspend or revoke a license, or impose a fine if:

(1) a license holder fails to comply fully with applicable laws or rules;

(2) a license holder, a controlling individual, or an individual living in the household where the licensed services are provided or is otherwise subject to a background study has a disqualification which has not been set aside under section 245C.22;

(3) a license holder knowingly withholds relevant information from or gives false or misleading information to the commissioner in connection with an application for a license, in connection with the background study status of an individual, during an investigation, or regarding compliance with applicable laws or rules; or

(4) after July 1, 2012, and upon request by the commissioner, a license holder fails to submit the information required of an applicant under section 245A.04, subdivision 1, paragraph (f) or (g).

A license holder who has had a license suspended, revoked, or has been ordered to pay a fine must be given notice of the action by certified mail or personal service. If mailed, the notice must be mailed to the address shown on the application or the last known address of the license holder. The notice must state in plain language the reasons the license was suspended, or revoked, or a fine was ordered.

(b) If the license was suspended or revoked, the notice must inform the license holder of the right to a contested case hearing under chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612. The license holder may appeal an order suspending or revoking a license. The appeal of an order suspending or revoking a license must be made in writing by certified mail or personal service. If mailed, the appeal must be postmarked and sent to the commissioner within ten calendar days after the license holder receives notice that the license has been suspended or revoked. If a request is made by personal service, it must be received by the commissioner within ten calendar days after

the license holder received the order. Except as provided in subdivision 2a, paragraph (c), if a license holder submits a timely appeal of an order suspending or revoking a license, the license holder may continue to operate the program as provided in section 245A.04, subdivision 7, paragraphs (g) and (h), until the commissioner issues a final order on the suspension or revocation.

(c)(1) If the license holder was ordered to pay a fine, the notice must inform the license holder of the responsibility for payment of fines and the right to a contested case hearing under chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612. The appeal of an order to pay a fine must be made in writing by certified mail or personal service. If mailed, the appeal must be postmarked and sent to the commissioner within ten calendar days after the license holder receives notice that the fine has been ordered. If a request is made by personal service, it must be received by the commissioner within ten calendar days after the license holder received the order.

(2) The license holder shall pay the fines assessed on or before the payment date specified. If the license holder fails to fully comply with the order, the commissioner may issue a second fine or suspend the license until the license holder complies. If the license holder receives state funds, the state, county, or municipal agencies or departments responsible for administering the funds shall withhold payments and recover any payments made while the license is suspended for failure to pay a fine. A timely appeal shall stay payment of the fine until the commissioner issues a final order.

(3) A license holder shall promptly notify the commissioner of human services, in writing, when a violation specified in the order to forfeit a fine is corrected. If upon reinspection the commissioner determines that a violation has not been corrected as indicated by the order to forfeit a fine, the commissioner may issue a second fine. The commissioner shall notify the license holder by certified mail or personal service that a second fine has been assessed. The license holder may appeal the second fine as provided under this subdivision.

(4) Fines shall be assessed as follows:

(i) the license holder shall forfeit \$1,000 for each determination of maltreatment of a child under section 626.556 or the maltreatment of a vulnerable adult under section 626.557 for which the license holder is determined responsible for the maltreatment under section 626.556, subdivision 10e, paragraph (i), or 626.557, subdivision 9c, paragraph (c);

(ii) if the commissioner determines that a determination of maltreatment for which the license holder is responsible is the result of maltreatment that meets the definition of serious maltreatment as defined in section 245C.02, subdivision 18, the license holder shall forfeit \$5,000;

(iii) for a program that operates out of the license holder's home and a program licensed under Minnesota Rules, parts 9502.0300 to 9502.0495, the fine assessed against the license holder shall not exceed \$1,000 for each determination of maltreatment;

(iv) the license holder shall forfeit \$200 for each occurrence of a violation of law or rule governing matters of health, safety, or supervision, including but not limited to the provision of adequate staff-to-child or adult ratios, and failure to comply with background study requirements under chapter 245C; and

(v) the license holder shall forfeit \$100 for each occurrence of a violation of law or rule other than those subject to a \$5,000, \$1,000, or \$200 fine in items (i) to (iv).

For purposes of this section, "occurrence" means each violation identified in the commissioner's fine order. Fines assessed against a license holder that holds a license to provide home and community-based services, as identified in section 245D.03, subdivision 1, and a community residential setting or day services facility license under chapter 245D where the services are provided, may be assessed against both licenses for the same occurrence, but the combined amount of the fines shall not exceed the amount specified in this clause for that occurrence.

(5) When a fine has been assessed, the license holder may not avoid payment by closing, selling, or otherwise transferring the licensed program to a third party. In such an event, the license holder will be personally liable for payment. In the case of a corporation, each controlling individual is personally and jointly liable for payment.

(d) Except for background study violations involving the failure to comply with an order to immediately remove an individual or an order to provide continuous, direct supervision, the commissioner shall not issue a fine under paragraph (c) relating to a background study violation to a license holder who self-corrects a background study violation before the commissioner discovers the violation. A license holder who has previously exercised the provisions of this paragraph to avoid a fine for a background study violation may not avoid a fine for a subsequent background study violation unless at least 365 days have passed since the license holder self-corrected the earlier background study violation.

EFFECTIVE DATE. This section is effective January 1, 2019."

Page 2, after line 16, insert:

"Sec. 6. Minnesota Statutes 2017 Supplement, section 245A.1434, is amended to read:

245A.1434 INFORMATION FOR CHILD CARE LICENSE HOLDERS.

The commissioner shall inform family child care and child care center license holders on a timely basis of changes to state and federal statute, rule, regulation, and policy relating to the provision of licensed child care, the child care assistance program under chapter 119B, the quality rating and improvement system under section 124D.142, and child care licensing functions delegated to counties. Communications under this section shall be in plain language and include information to promote license holder compliance with identified changes. Communications under this section may be accomplished by electronic means and shall be made available to the public online.

EFFECTIVE DATE. This section is effective January 1, 2019."

Page 3, delete section 4

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 3310 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 66 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

S.F. No. 2685: A bill for an act relating to human services; exempting child care providers from the positive support strategies training rule; amending Minnesota Statutes 2016, section 245.8251, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 245A.

S.F. No. 2685 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
Bakk	Eken	Jasinski	Marty	Senjem
Benson	Fischbach	Jensen	Mathews	Simonson
Bigham	Franzen	Johnson	Miller	Sparks
Carlson	Frentz	Kent	Nelson	Tomassoni
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

S.F. No. 2683: A bill for an act relating to human services; modifying background study provisions; amending Minnesota Statutes 2016, sections 245C.02, subdivisions 4a, 15, by adding subdivisions; 245C.05, subdivision 2c, by adding a subdivision; 245C.051; Minnesota Statutes 2017

Supplement, sections 245C.02, subdivision 6a; 245C.03, subdivision 1; 245C.04, subdivision 1; 245C.05, subdivision 5; 245C.08, subdivision 1; 245C.10, subdivision 9a; 245C.15, subdivision 1.

Senator Latz moved to amend S.F. No. 2683 as follows:

Page 4, line 2, before "child" insert "subject to paragraph (d),"

Page 4, after line 9, insert:

"(d) The commissioner shall only require a background study on 60 percent of the persons who may be considered child care background study subjects. An employer who is a background study subject may choose whether to request employees to submit to a background study and, if requested, an employee may choose whether to submit to a background study or provide licensed services without a background study."

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 0 and nays 63, as follows:

Those who voted in the negative were:

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

The motion did not prevail. So the amendment was not adopted.

Senator Kiffmeyer moved to amend S.F. No. 2683 as follows:

Page 10, line 19, delete everything after "effective" and insert "30 days following final enactment."

Page 10, delete line 20

Page 11, line 31, delete "and"

Page 12, line 10, reinstate the stricken language and delete the new language

Page 12, lines 11 and 12, reinstate the stricken language

Page 12, line 13, reinstate the stricken language and after "include" insert ", to the extent practicable,"

Page 12, line 14, reinstate the stricken language

Page 14, lines 27 and 28, reinstate the stricken language

Page 15, delete lines 3 and 4

The motion prevailed. So the amendment was adopted.

S.F. No. 2683 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 59 and nays 5, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Dibble	Hawj	Latz	Pappas	Rest
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So the bill, as amended, was passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3415: A bill for an act relating to health licensing; converting allied health professions to a birth month renewal cycle; making technical corrections; amending Minnesota Statutes 2016, sections 147.012; 147.02, by adding a subdivision; 147A.06; 147A.07; 147B.02, subdivision 9, by adding a subdivision; 147C.15, subdivision 7, by adding a subdivision; 147D.17, subdivision 6, by adding a subdivision; 147D.27, by adding a subdivision; 147E.15, subdivision 5, by adding a subdivision; 147E.40, subdivision 1; 147F.07, subdivision 5, by adding subdivisions; 147F.17, subdivision 1; 148.7815, subdivision 1; Minnesota Statutes 2017 Supplement, sections 147.01, subdivision 7; 147A.28; 147B.08; 147C.40; proposing coding for new law in Minnesota Statutes, chapters 147A; 147B; 147C; 147D; 147E; 147F; repealing Minnesota Rules, part 5600.0605, subparts 5, 8.

Senator Frentz moved to amend S.F. No. 3415 as follows:

Page 22, after line 15, insert:

"ARTICLE 8**MISCELLANEOUS****Section 1. GUIDELINES AUTHORIZING PATIENT-ASSISTED MEDICATION ADMINISTRATION.**

(a) Within the limits of the board's available appropriation, the Emergency Medical Services Regulatory Board shall propose guidelines authorizing EMTs, AEMTs, and paramedics certified under Minnesota Statutes, section 144E.28, to assist a patient in emergency situations with administering prescription medications that are:

(1) carried by a patient;

(2) intended to treat adrenal insufficiency or other rare conditions that require emergency treatment with a previously prescribed medication;

(3) intended to treat a specific life-threatening condition; and

(4) administered via routes of delivery that are within the scope of training of the EMT, AEMT, or paramedic.

(b) The proposed guidelines shall include language that requires the ambulance service to be available to patients or their caregivers who have medical conditions identified in paragraph (a) to define the patient's needs and, when appropriate, develop specific care plans and provide education or other resources at the discretion of the ambulance service medical director.

(c) The Emergency Medical Services Regulatory Board shall submit the proposed guidelines and draft legislation as necessary to the chairs and ranking minority members of the legislative committees with jurisdiction over health care by January 1, 2019."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 3415 as follows:

Page 22, after line 15, insert:

"ARTICLE 8**MISCELLANEOUS**

Section 1. Minnesota Statutes 2016, section 148B.56, is amended to read:

148B.56 RECIPROCITY.

Subdivision 1. Persons licensed in another jurisdiction for less than five years. The board may issue a license to an individual who holds a current license or other credential from another

jurisdiction if the board finds that the requirements for that credential are substantially similar to the requirements in sections 148B.50 to 148B.593.

Subd. 2. **Persons licensed in another jurisdiction for five or more years.** (a) The board may issue a license to an individual who holds a current license or other credential in good standing from another jurisdiction if the board finds that the individual has been in active practice for a minimum of five years after receiving licensure or other credential.

(b) The board shall determine, based on the individual's experience and qualifications, whether the individual is granted the licensed professional counselor license or the licensed professional clinical counselor license.

Sec. 2. Minnesota Statutes 2016, section 148B.593, is amended to read:

148B.593 DISCLOSURE OF INFORMATION.

(a) A person licensed under sections 148B.50 to 148B.593 may not disclose without written consent of the client any communication made by the client to the licensee in the course of the practice of professional counseling, nor may any employee of the licensee reveal the information without the consent of the employer or client except as provided under section 626.556 or 626.557.

(b) For purposes of sections 148B.50 to 148B.593, the confidential relations and communications between the licensee and a client are placed upon the same basis as those that exist between a licensed psychologist and client. Nothing in sections 148B.50 to 148B.593 may be construed to require any communications to be disclosed except by court order.

(c) Private information may be disclosed without the consent of the client when a duty to warn arises, or as otherwise provided by law or court order. The duty to warn of, or take reasonable precautions to provide protection from, violent behavior arises only when a client or other person has communicated to the provider a specific, serious threat of physical violence to self or a specific, clearly identified or identifiable potential victim. If a duty to warn arises, the duty is discharged by the provider if reasonable efforts are made to communicate the threat to law enforcement agencies, the potential victim, the family of the client, or appropriate third parties who are in a position to prevent or avert the harm. No monetary liability and no cause of action or disciplinary action by the board may arise against a provider for disclosure of confidences to third parties, for failure to disclose confidences to third parties, or for erroneous disclosure of confidences to third parties in a good faith effort to warn against or take precautions against a client's violent behavior or threat of suicide.

(d) For purposes of this subdivision, "provider" includes a licensee, an applicant for licensure, and a student or intern practicing professional counseling or professional clinical counseling under supervision as part of an accredited graduate educational program or under a supervised postgraduate experience in professional counseling or professional clinical counseling required for licensure.

Sec. 3. Minnesota Statutes 2016, section 148F.03, is amended to read:

148F.03 RECIPROCITY.

Subdivision 1. **Persons licensed or credentialed in another jurisdiction for less than five years.** (a) An individual who holds a current license or national certification as an alcohol and drug

counselor from another jurisdiction must file with the board a completed application for licensure by reciprocity containing the information required in this section.

(b) The applicant must request the credentialing authority of the jurisdiction in which the credential is held to send directly to the board a statement that the credential is current and in good standing, the applicant's qualifications that entitled the applicant to the credential, and a copy of the jurisdiction's credentialing laws and rules that were in effect at the time the applicant obtained the credential.

(c) The board shall issue a license if the board finds that the requirements which the applicant met to obtain the credential from the other jurisdiction were substantially similar to the current requirements for licensure in this chapter and that the applicant is not otherwise disqualified under section 148F.09.

Subd. 2. Persons licensed or credentialed in another jurisdiction for five or more years.

(a) An individual who holds a current license or national certification as an alcohol and drug counselor from another jurisdiction must file with the board a completed application for licensure by reciprocity containing the information required in this section.

(b) The applicant must request the credentialing authority of the jurisdiction in which the credential is held to send directly to the board a statement that the credential is current and in good standing.

(c) The board may issue a license if the board finds that the applicant has been in active practice in good standing for a minimum of five years after receiving licensure or other credential.

(d) The board shall determine, based on the applicant's experience and qualifications, whether the applicant is granted the licensed alcohol and drug counselor license or other credential regulated by the board."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 3415 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	Hall	Kiffmeyer	Miller
Anderson, B.	Draheim	Hawj	Klein	Nelson
Anderson, P.	Dziedzic	Hayden	Koran	Newman
Benson	Eaton	Hoffman	Laine	Newton
Bigham	Eichorn	Housley	Lang	Osmek
Carlson	Eken	Ingebrigtsen	Latz	Pappas
Chamberlain	Fischbach	Isaacson	Limmer	Pratt
Clausen	Franzen	Jasinski	Little	Relph
Cohen	Frentz	Jensen	Lourey	Rest
Cwodzinski	Gazelka	Johnson	Marty	Rosen
Dahms	Goggin	Kent	Mathews	Ruud

Senjem
Simonson

Sparks
Tomassoni

Torres Ray
Utke

Weber
Westrom

Wiger
Wiklund

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

SPECIAL ORDER

S.F. No. 3367: A bill for an act relating to public safety; requiring employees of hotels and motels to receive training on identifying activities associated with sex trafficking; clarifying immunization record requirements; requiring the commissioner of health to draft legislation establishing a statewide autism registry program; amending Minnesota Statutes 2016, sections 121A.15, subdivisions 3, 3a, 12, by adding a subdivision; 135A.14, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 157; repealing Minnesota Rules, part 4604.0400.

Senator Abeler moved to amend S.F. No. 3367 as follows:

Page 6, line 1, after the period, insert "The commissioner shall allow the use of existing training modules and materials, to the extent possible."

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 3367 as follows:

Page 3, delete section 3

Page 4, delete section 4

Page 6, delete sections 7 and 8 and insert:

"Sec. 6. **AUTISM SPECTRUM DISORDER TASK FORCE PLAN.**

The commissioner of health, in consultation with the commissioners of human services and education, shall submit a plan to the chairs and ranking minority members of the legislative committees with jurisdiction over health care, human services, and education by January 15, 2019, to reconstitute the Autism Spectrum Disorder Task Force originally established in 2011. The plan must include proposed membership of the task force that takes into consideration all points of view and represents a diverse range of agencies, community groups, advocacy organizations, educators, and families."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Bigham moved to amend S.F. No. 3367 as follows:

Page 5, line 30, after "with" insert "the commissioner of public safety, law enforcement, Minnesota County Attorneys Association, trafficking victim advocacy groups, and"

The motion prevailed. So the amendment was adopted.

Senator Kent moved to amend S.F. No. 3367 as follows:

Page 6, after line 8, insert:

"Sec. 7. Minnesota Statutes 2016, section 363A.03, subdivision 43, is amended to read:

Subd. 43. **Sexual harassment.** (a) "Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

(1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodations or public services, education, or housing;

(2) submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment, public accommodations or public services, education, or housing; or

(3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, or housing environment.

(b) An intimidating, hostile, or offensive environment under paragraph (a), clause (3), does not require the harassing conduct or communication to be severe or pervasive.

EFFECTIVE DATE. This section is effective August 1, 2018, and applies to causes of action arising on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Benson questioned whether the amendment was germane.

CALL OF THE SENATE

Senator Limmer imposed a call of the Senate for the balance of the proceedings on the Kent amendment to S.F. No. 3367. The Sergeant at Arms was instructed to bring in the absent members.

The President ruled that the Kent amendment was not germane.

Senator Kent appealed the decision of the President.

The question was taken on "Shall the decision of the President be the judgment of the Senate?"

The roll was called, and there were yeas 34 and nays 31, as follows:

Those who voted in the affirmative were:

Abeler

Anderson, B.

Anderson, P.

Benson

Chamberlain

Dahms	Hall	Kiffmeyer	Nelson	Ruud
Draheim	Housley	Koran	Newman	Senjem
Eichorn	Ingebrigtsen	Lang	Osmek	Utke
Fischbach	Jasinski	Limmer	Pratt	Weber
Gazelka	Jensen	Mathews	Relph	Westrom
Goggin	Johnson	Miller	Rosen	

Those who voted in the negative were:

Bigham	Eaton	Isaacson	Marty	Torres Ray
Carlson	Eken	Kent	Newton	Wiger
Clausen	Franzen	Klein	Pappas	Wiklund
Cohen	Frentz	Laine	Rest	
Cwodzinski	Hawj	Latz	Simonson	
Dibble	Hayden	Little	Sparks	
Dziedzic	Hoffman	Lourey	Tomassoni	

So the decision of the President was sustained.

Senator Abeler moved to amend S.F. No. 3367 as follows:

Page 3, lines 19 and 20, reinstate the stricken language

The motion prevailed. So the amendment was adopted.

S.F. No. 3367 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	Dziedzic	Housley	Limmer	Rest
Anderson, B.	Eaton	Ingebrigtsen	Little	Rosen
Anderson, P.	Eichorn	Isaacson	Lourey	Ruud
Benson	Eken	Jasinski	Marty	Senjem
Bigham	Fischbach	Jensen	Mathews	Simonson
Carlson	Franzen	Johnson	Miller	Sparks
Chamberlain	Frentz	Kent	Nelson	Tomassoni
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, as amended, was passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2809: A bill for an act relating to the Metropolitan Council; modifying governance of the Metropolitan Council; eliminating the Transportation Advisory Board; amending Minnesota Statutes 2016, sections 3.8841, subdivision 9; 473.123; 473.146, subdivisions 3, 4; Minnesota Statutes 2017 Supplement, section 15A.0815, subdivision 3; repealing Laws 1994, chapter 628, article 1, section 8.

Senator Dibble moved to amend S.F. No. 2809 as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 10A.01, subdivision 10, is amended to read:

Subd. 10. **Candidate.** "Candidate" means an individual who seeks nomination or election as a state constitutional officer, legislator, ~~or judge,~~ or Metropolitan Council member. An individual is deemed to seek nomination or election if the individual has taken the action necessary under the law of this state to qualify for nomination or election, has received contributions or made expenditures in excess of \$750, or has given implicit or explicit consent for any other person to receive contributions or make expenditures in excess of \$750, for the purpose of bringing about the individual's nomination or election. A candidate remains a candidate until the candidate's principal campaign committee is dissolved as provided in section 10A.243.

Sec. 2. Minnesota Statutes 2016, section 10A.09, subdivision 6a, is amended to read:

Subd. 6a. **Place of filing.** A public official required to file a statement under this section must file it with the board. A local official required to file a statement under this section must file it with the governing body of the official's political subdivision, except that a member of the Metropolitan Council must file the statement with the board. The governing body must maintain statements filed with it under this subdivision as public data. If an official position is defined as both a public official and as a local official of a metropolitan governmental unit under this chapter, the official must file the statement with the board.

Sec. 3. Minnesota Statutes 2016, section 10A.25, subdivision 2, is amended to read:

Subd. 2. **Amounts.** (a) In a segment of an election cycle, the principal campaign committee of the candidate must not make campaign expenditures nor permit approved expenditures to be made on behalf of the candidate that result in aggregate expenditures in excess of the following:

(1) for governor and lieutenant governor, running together, \$3,651,200 in the election segment and \$1,564,800 in the nonelection segment;

(2) for attorney general, \$626,000 in the election segment and \$208,700 in the nonelection segment;

(3) for secretary of state and state auditor, separately, \$417,300 in the election segment and \$104,400 in the nonelection segment;

(4) for state senator, \$94,700 in the election segment and \$31,600 in a nonelection segment;

(5) for state representative, \$63,100 in the election segment; and

(6) for a member of the Metropolitan Council, \$90,000 in the election segment and \$30,000 in the nonelection segment.

(b) In addition to the amount in paragraph (a), clause (1), a candidate for endorsement for the office of lieutenant governor at the convention of a political party may make campaign expenditures and approved expenditures of five percent of that amount to seek endorsement.

(c) If a special election cycle occurs during a general election cycle, expenditures by or on behalf of a candidate in the special election do not count as expenditures by or on behalf of the candidate in the general election.

(d) The expenditure limits in this subdivision for an office are increased by ten percent for a candidate who has not previously held the same office, whose name has not previously been on the primary or general election ballot for that office, and who has not in the past ten years raised or spent more than \$750 in a run for any other office whose territory now includes a population that is more than one-third of the population in the territory of the new office. In the case of a legislative candidate, the office is that of a member of the house of representatives or senate without regard to any specific district.

Sec. 4. Minnesota Statutes 2016, section 10A.27, subdivision 1, is amended to read:

Subdivision 1. **Contribution limits.** (a) Except as provided in subdivision 2, a candidate must not permit the candidate's principal campaign committee to accept aggregate contributions made or delivered by any individual, political committee, political fund, or association not registered with the board in excess of the following:

(1) to candidates for governor and lieutenant governor running together, \$4,000 in the election segment of an election cycle for the office sought and \$2,000 in the nonelection segment of the election cycle;

(2) to a candidate for attorney general, \$2,500 in the election segment of an election cycle for the office sought and \$1,500 in the nonelection segment of the election cycle;

(3) to a candidate for secretary of state or state auditor, \$2,000 in the election segment of an election cycle and \$1,000 in the nonelection segment of the election cycle;

(4) to a candidate for state senator, \$1,000 in the election segment of an election cycle for the office sought and \$1,000 in a nonelection segment of the election cycle;

(5) to a candidate for state representative, \$1,000 in the election segment of an election cycle for the office sought; ~~and~~

(6) to a candidate for judicial office, \$2,500 in the election segment of an election cycle for the office sought and \$2,500 in a nonelection segment of the election cycle; and

(7) to a candidate for the Metropolitan Council, \$1,000 in the election segment of an election cycle for the office sought and \$1,000 in the nonelection segment of the election cycle.

(b) The following deliveries are not subject to the bundling limitation in this subdivision:

(1) delivery of contributions collected by a member of the candidate's principal campaign committee, such as a block worker or a volunteer who hosts a fund-raising event, to the committee's treasurer; and

(2) a delivery made by an individual on behalf of the individual's spouse.

(c) A lobbyist, political committee, political party unit, an association that has a political fund, or an association not registered with the board must not make a contribution a candidate is prohibited from accepting.

Sec. 5. **10A.313 METROPOLITAN COUNCIL PUBLIC SUBSIDY.**

Subdivision 1. **Funding.** The Metropolitan Council must provide sufficient money to pay the public subsidy provided for in this section.

Subd. 2. **Eligibility.** A candidate is eligible to receive a public subsidy in the amount of \$20,000 if the candidate has filed with the board a spending limit agreement under section 10A.322 and an affidavit of contributions under section 10A.323, the candidate was opposed in the primary election or will be opposed in the general election, and the candidate's name will appear on the ballot in the general election.

Subd. 3. **Certification.** Within one week after the last day for filing a spending limit agreement under section 10A.322 and an affidavit of contributions under section 10A.323, the board must certify to the Metropolitan Council the maximum number of candidates eligible to receive the public subsidy. Within one week after receiving the certification, the Metropolitan Council must pay the board the amount necessary to fund the public subsidy for that number of candidates. The amount received must be deposited in the state treasury and credited to a Metropolitan Council public subsidy account in the special revenue fund. Money in the fund is appropriated to the board for purposes of the public subsidy program.

Subd. 4. **Payment.** The board shall pay the public subsidy to the eligible candidates as soon as the board has obtained from the secretary of state the results of the primary election but not later than one week after certification by the State Canvassing Board of the results of the primary. Amounts not paid to candidates, or returned by candidates to the board, must be returned by the board to the Metropolitan Council.

Sec. 6. Minnesota Statutes 2016, section 10A.315, is amended to read:

10A.315 SPECIAL ELECTION SUBSIDY.

Subdivision 1. **Legislative office.** (a) Each eligible candidate for a legislative office in a special election must be paid a public subsidy equal to the sum of:

(1) the party account money at the last general election for the candidate's party for the office the candidate is seeking; and

(2) the general account money paid to a candidate for the same office at the last general election.

(b) A candidate who wishes to receive this public subsidy must submit a signed agreement under section 10A.322 to the board and must meet the contribution requirements of section 10A.323. The special election subsidy must be distributed in the same manner as money in the party and general accounts is distributed to legislative candidates in a general election.

(c) The amount necessary to make the payments required by this section is appropriated from the general fund for transfer to the state special elections campaign account for distribution by the board as set forth in this section.

Subd. 2. **Metropolitan Council office.** Each eligible candidate for Metropolitan Council office in a special election must be paid a public subsidy equal to the subsidy paid in a general election. To be eligible to receive this public subsidy, a candidate must file a spending limit agreement under section 10A.322 and meet the contribution requirements of section 10A.323, except that the candidate may count contributions received during the two months immediately preceding the special election, other than contributions the candidate has previously included on an affidavit for another election, and the amount required is one-quarter of the amount stated in section 10A.323. To receive the subsidy, the candidate must be opposed in either the primary or the general election. The special election subsidy must be distributed in the same manner as the public subsidy in a general election.

Sec. 7. Minnesota Statutes 2016, section 10A.323, is amended to read:

10A.323 AFFIDAVIT OF CONTRIBUTIONS.

(a) In addition to the requirements of section 10A.322, to be eligible to receive a public subsidy under section 10A.31 a candidate or the candidate's treasurer must:

(1) between January 1 of the previous year and the cutoff date for transactions included in the report of receipts and expenditures due before the primary election, accumulate contributions from individuals eligible to vote in this state in at least the amount indicated for the office sought, counting only the first \$50 received from each contributor, excluding in-kind contributions:

- (i) candidates for governor and lieutenant governor running together, \$35,000;
- (ii) candidates for attorney general, \$15,000;
- (iii) candidates for secretary of state and state auditor, separately, \$6,000;
- (iv) candidates for the senate, \$3,000; ~~and~~
- (v) candidates for the house of representatives, \$1,500; and
- (vi) candidates for the Metropolitan Council, \$3,000;

(2) file an affidavit with the board stating that the principal campaign committee has complied with this paragraph. The affidavit must state the total amount of contributions that have been received from individuals eligible to vote in this state, excluding:

- (i) the portion of any contribution in excess of \$50;
- (ii) any in-kind contribution; and
- (iii) any contribution for which the name and address of the contributor is not known and recorded; and

(3) submit the affidavit required by this section to the board in writing by the deadline for reporting of receipts and expenditures before a primary under section 10A.20, subdivision 4.

(b) A candidate for a vacancy to be filled at a special election for which the filing period does not coincide with the filing period for the general election must accumulate the contributions specified in paragraph (a) and must submit the affidavit required by this section to the board within five days after the close of the filing period for the special election for which the candidate filed.

Sec. 8. Minnesota Statutes 2016, section 10A.324, subdivision 1, is amended to read:

Subdivision 1. **When return required.** A candidate must return all or a portion of the public subsidy received from the state elections campaign account or the public subsidy received under section 10A.313 or 10A.315, under the circumstances in this section or section 10A.257, subdivision 1.

To the extent that the amount of public subsidy received exceeds the aggregate of: (1) actual expenditures made by the principal campaign committee of the candidate; and (2) approved expenditures made on behalf of the candidate, the treasurer of the candidate's principal campaign committee must return an amount equal to the difference to the board. The cost of postage that was not used during an election cycle and payments that created credit balances at vendors at the close of an election cycle are not considered expenditures for purposes of determining the amount to be returned. Expenditures in excess of the candidate's spending limit do not count in determining aggregate expenditures under this paragraph.

Sec. 9. Minnesota Statutes 2016, section 15.0597, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in this section, the following terms shall have the meanings given them.

(a) "Agency" means (1) a state board, commission, council, committee, authority, task force, including an advisory task force created under section 15.014 or 15.0593, a group created by executive order of the governor, or other similar multimember agency created by law and having statewide jurisdiction; and (2) ~~the Metropolitan Council~~, a metropolitan agency, Capitol Area Architectural and Planning Board, and any agency with a regional jurisdiction created in this state pursuant to an interstate compact.

(b) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency, or (2) a new, unfilled agency position. Vacancy includes a position that is to be filled through appointment of a nonlegislator by a legislator or group of legislators; vacancy does not mean (1) a vacant position on an agency composed exclusively of persons employed by a political subdivision or another agency, or (2) a vacancy to be filled by a person required to have a specific title or position.

(c) "Secretary" means the secretary of state.

Sec. 10. Minnesota Statutes 2016, section 200.02, subdivision 28, is amended to read:

Subd. 28. **Nonpartisan offices.** "Nonpartisan offices" means all judicial, Metropolitan Council, county, municipal, school district, and special district offices.

Sec. 11. Minnesota Statutes 2016, section 204B.06, subdivision 4a, is amended to read:

Subd. 4a. **State and local offices.** Candidates who seek nomination for the following offices shall state the following additional information on the affidavit:

(1) for governor or lieutenant governor, that on the first Monday of the next January the candidate will be 25 years of age or older and, on the day of the state general election, a resident of Minnesota for not less than one year;

(2) for Supreme Court justice, Court of Appeals judge, or district court judge, that the candidate is learned in the law;

(3) for Metropolitan Council, county, municipal, school district, or special district office, that the candidate meets any other qualifications for that office prescribed by law;

(4) for senator or representative in the legislature, that on the day of the general or special election to fill the office the candidate will have resided not less than one year in the state and not less than six months in the legislative district from which the candidate seeks election.

Sec. 12. Minnesota Statutes 2016, section 204B.09, subdivision 1, is amended to read:

Subdivision 1. **Candidates in state and county general elections.** (a) Except as otherwise provided by this subdivision, affidavits of candidacy and nominating petitions for Metropolitan Council, county, state, and federal offices filled at the state general election shall be filed not more than 84 days nor less than 70 days before the state primary. The affidavit may be prepared and signed at any time between 60 days before the filing period opens and the last day of the filing period.

(b) Notwithstanding other law to the contrary, the affidavit of candidacy must be signed in the presence of a notarial officer or an individual authorized to administer oaths under section 358.10.

(c) This provision does not apply to candidates for presidential elector nominated by major political parties. Major party candidates for presidential elector are certified under section 208.03. Other candidates for presidential electors may file petitions at least 77 days before the general election day pursuant to section 204B.07. Nominating petitions to fill vacancies in nominations shall be filed as provided in section 204B.13. No affidavit or petition shall be accepted later than 5:00 p.m. on the last day for filing.

(d) Affidavits and petitions for county offices must be filed with the county auditor of that county. Affidavits and petitions for federal offices must be filed with the secretary of state. Affidavits and petitions for state and Metropolitan Council offices must be filed with the secretary of state or with the county auditor of the county in which the candidate resides.

(e) Affidavits other than those filed pursuant to subdivision 1a must be submitted by mail or by hand, notwithstanding chapter 325L, or any other law to the contrary and must be received by 5:00 p.m. on the last day for filing.

Sec. 13. Minnesota Statutes 2016, section 204B.09, subdivision 1a, is amended to read:

Subd. 1a. **Absent candidates.** (a) A candidate for special district, county, Metropolitan Council, state, or federal office who will be absent from the state during the filing period may submit a properly executed affidavit of candidacy, the appropriate filing fee, and any necessary petitions in person to the filing officer. The candidate shall state in writing the reason for being unable to submit the affidavit during the filing period. The affidavit, filing fee, if any, and petitions must be submitted to the filing officer during the seven days immediately preceding the candidate's absence from the state. Nominating petitions may be signed during the 14 days immediately preceding the date when the affidavit of candidacy is filed.

(b) A candidate for special district, county, Metropolitan Council, state, or federal office who will be absent from the state during the entire filing period or who must leave the state for the remainder of the filing period and who certifies to the secretary of state that the circumstances constitute an emergency and were unforeseen, may submit a properly executed affidavit of candidacy by facsimile device or by transmitting electronically a scanned image of the affidavit to the secretary of state during the filing period. The candidate shall state in writing the specific reason for being unable to submit the affidavit by mail or by hand during the filing period or in person prior to the start of the filing period. The affidavit of candidacy, filing fee, if any, and any necessary petitions must be received by the secretary of state by 5:00 p.m. on the last day for filing. If the candidate is filing for a special district or county office, the secretary of state shall forward the affidavit of candidacy, filing fee, if any, and any necessary petitions to the appropriate filing officer.

Sec. 14. Minnesota Statutes 2016, section 204B.11, is amended to read:

204B.11 CANDIDATES; FILING FEES; PETITION IN PLACE OF FILING FEE.

Subdivision 1. **Amount; dishonored checks; consequences.** (a) Except as provided by subdivision 2, a filing fee shall be paid by each candidate who files an affidavit of candidacy. The fee shall be paid at the time the affidavit is filed. The amount of the filing fee shall vary with the office sought as follows:

(1) for the office of governor, lieutenant governor, attorney general, state auditor, secretary of state, representative in Congress, judge of the Supreme Court, judge of the Court of Appeals, or judge of the district court, \$300;

(2) for the office of senator in Congress, \$400;

(3) for office of senator or representative in the legislature or Metropolitan Council, \$100;

(4) for a county office, \$50; and

(5) for the office of soil and water conservation district supervisor, \$20.

(b) For the office of presidential elector, and for those offices for which no compensation is provided, no filing fee is required.

(c) The filing fees received by the county auditor shall immediately be paid to the county treasurer. The filing fees received by the secretary of state shall immediately be paid to the commissioner of management and budget.

(d) When an affidavit of candidacy has been filed with the appropriate filing officer and the requisite filing fee has been paid, the filing fee shall not be refunded. If a candidate's filing fee is paid with a check, draft, or similar negotiable instrument for which sufficient funds are not available or that is dishonored, notice to the candidate of the worthless instrument must be sent by the filing officer via registered mail no later than immediately upon the closing of the filing deadline with return receipt requested. The candidate will have five days from the time the filing officer receives proof of receipt to issue a check or other instrument for which sufficient funds are available. The candidate issuing the worthless instrument is liable for a service charge pursuant to section 604.113. If adequate payment is not made, the name of the candidate must not appear on any official ballot and the candidate is liable for all costs incurred by election officials in removing the name from the ballot.

Subd. 2. **Petition in place of filing fee.** At the time of filing an affidavit of candidacy, a candidate may present a petition in place of the filing fee. The petition may be signed by any individual eligible to vote for the candidate. A nominating petition filed pursuant to section 204B.07 is effective as a petition in place of a filing fee if the nominating petition includes a prominent statement informing the signers of the petition that it will be used for that purpose.

The number of signatures on a petition in place of a filing fee shall be as follows:

(a) for a state office voted on statewide, or for president of the United States, or United States senator, 2,000;

(b) for a congressional office, 1,000;

(c) for the Metropolitan Council, a county or legislative office, or for the office of district judge, 500; and

(d) for any other office which requires a filing fee as prescribed by law, municipal charter, or ordinance, the lesser of 500 signatures or five percent of the total number of votes cast in the municipality, ward, or other election district at the preceding general election at which that office was on the ballot.

An official with whom petitions are filed shall make sample forms for petitions in place of filing fees available upon request.

Sec. 15. Minnesota Statutes 2016, section 204B.135, subdivision 2, is amended to read:

Subd. 2. **Other election districts.** For purposes of this subdivision, "local government election district" means a county district, park and recreation district, school district, ~~or~~ soil and water conservation district, or Metropolitan Council district. Local government election districts, other than city wards covered by subdivision 1, may not be redistricted until precinct boundaries are reestablished under section 204B.14, subdivision 3, paragraph (c). Election districts covered by this subdivision must be redistricted within 80 days of the time when the legislature has been redistricted or at least 15 weeks before the state primary election in the year ending in two, whichever comes first.

Sec. 16. Minnesota Statutes 2016, section 204B.32, subdivision 2, is amended to read:

Subd. 2. **Allocation of election expenses.** The secretary of state shall develop procedures for the allocation of election expenses among counties, municipalities, ~~and~~ school districts, and the Metropolitan Council for elections that are held concurrently. The following expenses must be included in the procedures: salaries of election judges; postage for absentee ballots and applications; preparation of polling places; preparation and testing of electronic voting systems; ballot preparation; publication of election notices and sample ballots; transportation of ballots and election supplies; and compensation for administrative expenses of the county auditor, municipal clerk, or school district clerk.

Sec. 17. Minnesota Statutes 2016, section 204D.02, subdivision 1, is amended to read:

Subdivision 1. **Officers.** All elective state, Metropolitan Council, and county officers, justices of the Supreme Court, judges of the Court of Appeals and district court, state senators and state representatives, and senators and representatives in Congress shall be elected at the state general election held in the year before their terms of office expire. Presidential electors shall be chosen at the state general election held in the year before the expiration of a term of a president of the United States.

Sec. 18. Minnesota Statutes 2016, section 204D.08, subdivision 6, is amended to read:

Subd. 6. **State and county nonpartisan primary ballot.** The state and county nonpartisan primary ballot shall be headed "State and County Nonpartisan Primary Ballot." It shall be printed in the manner provided in the rules of the secretary of state. The names of candidates for nomination to the Supreme Court, Court of Appeals, district court, and all Metropolitan Council and county offices shall be placed on this ballot.

No candidate whose name is placed on the state and county nonpartisan primary ballot shall be designated or identified as the candidate of any political party or in any other manner except as expressly provided by law.

Sec. 19. [204D.265] VACANCY IN OFFICE OF METROPOLITAN COUNCIL MEMBER.

Subdivision 1. **Special election.** (a) Except as otherwise provided in subdivision 3, a vacancy in an office shall be filled by appointment by the Metropolitan Council until an election is held as provided in this subdivision. The appointee must reside in the district represented by the seat to be filled. In case of a tie vote in the Metropolitan Council, the chair shall make the appointment. If the vacancy occurs before the first day to file affidavits of candidacy for the next regular election and more than two years remain in the unexpired term, a special election shall be held at the next regular election and the appointed person shall serve until a successor is elected at a special election to fill the unexpired portion of the term. If the vacancy occurs on or after the first day to file affidavits of candidacy for the regular election or when less than two years remain in the unexpired term, there need not be a special election to fill the vacancy and the appointed person shall serve until the qualification of a successor.

(b) The person elected at the special election must take office immediately after receipt of the certificate of election and, upon taking the oath of office, must serve the remainder of the unexpired term.

(c) If the Metropolitan Council districts have been redrawn since the beginning of the term of the vacant office, the election must be based on the district as redrawn.

Subd. 2. **When victor seated immediately.** If a vacancy for which a special election is required occurs less than 60 days before the general election preceding the end of the term, the vacancy must be filled by the person elected at that election for the ensuing term and that person must take office immediately after receiving the certificate of election and taking the oath of office.

Subd. 3. **Inability or refusal to serve.** In addition to a vacancy arising under section 351.02, a vacancy in the office of a Metropolitan Council member may be declared by the Metropolitan Council when a member is unable to serve in the office or attend council meetings for a 90-day period because of illness, or absence from or refusal to attend council meetings for a 90-day period. If any of the conditions described or referred to in this subdivision occur, the council may, after the council by resolution has declared a vacancy to exist, appoint someone to fill the vacancy at a regular or special meeting for the remainder of the unexpired term or until the ill or absent member is again able to resume duties and attend council meetings, whichever is earlier. If the council determines that the original member is again able to resume duties and attend council meetings, the council must say so in a resolution and remove the appointed officeholder and restore the original member to office.

Sec. 20. Minnesota Statutes 2016, section 204D.27, is amended by adding a subdivision to read:

Subd. 13. **Special Metropolitan Council election.** (a) Except as provided in subdivision 4, the State Canvassing Board shall complete its canvass of a special election for a Metropolitan Council member and declare the results within four days after the returns of the county canvassing boards are certified to the secretary of state, excluding Sundays and legal holidays.

(b) In case of a contest of a special election for a Metropolitan Council member, the notice of contest must be filed within two days after the canvass is completed, excluding Sundays and legal holidays. In other respects, the contest must proceed in the manner provided by law for contesting elections.

(c) A certificate of election in a special election for a Metropolitan Council member must be issued by the county auditor or the secretary of state to the individual declared elected by the county or State Canvassing Board two days after the appropriate canvassing board finishes canvassing the returns for the election, excluding Sundays and legal holidays. In case of a contest, the certificate must not be issued until the district court decides the contest.

Sec. 21. Minnesota Statutes 2016, section 209.02, subdivision 1, is amended to read:

Subdivision 1. **General.** Any eligible voter, including a candidate, may contest in the manner provided in this chapter: (1) the nomination or election of any person for whom the voter had the right to vote if that person is declared nominated or elected to the senate or the house of representatives of the United States, or to a statewide, Metropolitan Council, county, legislative, municipal, school, or district court office; or (2) the declared result of a constitutional amendment or other question voted upon at an election. The contest may be brought over an irregularity in the conduct of an election or canvass of votes, over the question of who received the largest number of votes legally cast, over the number of votes legally cast in favor of or against a question, or on the grounds of deliberate, serious, and material violations of the Minnesota Election Law.

Sec. 22. Minnesota Statutes 2016, section 211A.01, subdivision 3, is amended to read:

Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or election to a county, municipal, school district, or other political subdivision office. This definition does not include an individual seeking a judicial office or a seat on the Metropolitan Council. For purposes of sections 211A.01 to 211A.05 and 211A.07, "candidate" also includes a candidate for the United States Senate or House of Representatives.

Sec. 23. Minnesota Statutes 2016, section 211B.01, subdivision 3, is amended to read:

Subd. 3. **Candidate.** "Candidate" means an individual who seeks nomination or election to a federal, statewide, Metropolitan Council, legislative, judicial, or local office including special districts, school districts, towns, home rule charter and statutory cities, and counties, except candidates for president and vice-president of the United States.

Sec. 24. Minnesota Statutes 2016, section 353D.01, subdivision 2, is amended to read:

Subd. 2. **Eligibility.** (a) Eligibility to participate in the defined contribution plan is available to:

(1) elected local government officials of a governmental subdivision who elect to participate in the plan under section 353D.02, subdivision 1, and who, for the elected service rendered to a governmental subdivision, are not members of the Public Employees Retirement Association within the meaning of section 353.01, subdivision 7;

(2) physicians who, if they did not elect to participate in the plan under section 353D.02, subdivision 2, would meet the definition of member under section 353.01, subdivision 7;

(3) basic and advanced life-support emergency medical service personnel who are employed by any public ambulance service that elects to participate under section 353D.02, subdivision 3;

(4) members of a municipal rescue squad associated with the city of Litchfield in Meeker County, or of a county rescue squad associated with Kandiyohi County, if an independent nonprofit rescue squad corporation, incorporated under chapter 317A, performing emergency management services, and if not affiliated with a fire department or ambulance service and if its members are not eligible for membership in that fire department's or ambulance service's relief association or comparable pension plan;

(5) employees of the Port Authority of the city of St. Paul who elect to participate in the plan under section 353D.02, subdivision 5, and who are not members of the Public Employees Retirement Association under section 353.01, subdivision 7;

(6) city managers who elected to be excluded from the general employees retirement plan of the Public Employees Retirement Association under section 353.028 and who elected to participate in the public employees defined contribution plan under section 353.028, subdivision 3, paragraph (b);

(7) volunteer or emergency on-call firefighters serving in a municipal fire department or an independent nonprofit firefighting corporation who are not covered by the public employees police

and fire retirement plan and who are not covered by a volunteer firefighters relief association and who elect to participate in the public employees defined contribution plan;

(8) elected county sheriffs who are former members of the police and fire plan and who are receiving a retirement annuity as provided under section 353.651; and

(9) persons who are excluded from membership under section 353.01, subdivision 2b, paragraph (a), clause (23).

(b) For purposes of this chapter, an elected local government official includes a person appointed to fill a vacancy in an elective office and a member of the Metropolitan Council. Service as an elected local government official only includes service for the governmental subdivision for which the official was elected by the public at large. Service as an elected local government official ceases and eligibility to participate terminates when the person ceases to be an elected official. An elected local government official does not include an elected county sheriff who must be a member of the police and fire plan as provided under chapter 353.

(c) Individuals otherwise eligible to participate in the plan under this subdivision who are currently covered by a public or private pension plan because of their employment or provision of services are not eligible to participate in the public employees defined contribution plan.

(d) A former participant is a person who has terminated eligible employment or service and has not withdrawn the value of the person's individual account.

Sec. 25. Minnesota Statutes 2016, section 473.123, subdivision 1, is amended to read:

Subdivision 1. **Creation.** A Metropolitan Council with jurisdiction in the metropolitan area is established as a public corporation and political subdivision of the state. Until the completion of redistricting following the 2020 census as required by subdivision 3a, it shall be under the supervision and control of 16 members and a chair, all of whom shall be residents of the metropolitan area are appointed by the governor. After the completion of redistricting following the 2020 census as required by subdivision 3a, it shall be under the supervision and control of 17 members, each elected from a district as provided in this section.

Sec. 26. Minnesota Statutes 2016, section 473.123, is amended by adding a subdivision to read:

Subd. 2b. **Terms.** Following each redistricting of council districts, as provided under subdivision 3a, council members must be elected from newly drawn districts. The terms of members are staggered as follows: members representing even-numbered districts have terms ending the first Monday in January of the year ending in the numeral "7;" and members representing odd-numbered districts have terms ending the first Monday in January of the year ending in the numeral "5." Thereafter the term of each member is four years, with terms ending the first Monday in January, except that all terms expire on the effective date of the next redistricting. A member shall continue to serve the member's district until a successor is elected and qualified; except that, following each redistricting, the member shall continue to serve at large until a successor is elected and qualified from each of the newly drawn council districts as provided under subdivision 3a, to serve terms as provided under this section.

Sec. 27. Minnesota Statutes 2016, section 473.123, is amended by adding a subdivision to read:

Subd. 2c. **Membership.** After the completion of redistricting following the 2020 census, as required by subdivision 3a, 17 members must be elected from districts defined by this section. Each council member must reside in the council district represented. Each council district must be represented by one member of the council.

Sec. 28. Minnesota Statutes 2016, section 473.123, subdivision 3a, is amended to read:

Subd. 3a. **Redistricting.** The legislature shall redraw the boundaries of the council districts after each decennial federal census so that each district has substantially equal population. Redistricting is effective in the year ending in the numeral "3." ~~Within 60 days after a redistricting plan takes effect, the governor shall appoint members from the newly drawn districts to serve terms as provided under subdivision 2a.~~ At the general election in the year ending in the numeral "4," members must be elected from each of the newly drawn districts.

Sec. 29. Minnesota Statutes 2016, section 473.123, subdivision 4, is amended to read:

Subd. 4. **Chair; ~~appointment, officers, and selection; duties and compensation.~~** (a) Until the completion of redistricting following the 2020 federal census as required by subdivision 3a, the chair of the Metropolitan Council shall be appointed by the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at the pleasure of the governor to represent the metropolitan area at large. Senate confirmation shall be as provided by section 15.066. After the completion of redistricting following the 2020 federal census as required by subdivision 3a, the chair shall be elected from the membership of the council by the members of the council for a two-year term.

The chair of the Metropolitan Council shall, if present, preside at meetings of the council, have the primary responsibility for meeting with local elected officials, serve as the principal legislative liaison, present to the governor and the legislature, after council approval, the council's plans for regional governance and operations, serve as the principal spokesperson of the council, and perform other duties assigned by the council or by law.

(b) The Metropolitan Council shall elect other officers as it deems necessary for the conduct of its affairs for a one-year term. A secretary and treasurer need not be members of the Metropolitan Council. Meeting times and places shall be fixed by the Metropolitan Council and special meetings may be called by a majority of the members of the Metropolitan Council or by the chair. The chair and each Metropolitan Council member shall be reimbursed for actual and necessary expenses.

(c) Each member of the council shall attend and participate in council meetings and meet regularly with local elected officials and legislative members from the council member's district. Each council member shall serve on at least one division committee for transportation, environment, or community development.

(d) In the performance of its duties the Metropolitan Council may adopt policies and procedures governing its operation, establish committees, and, when specifically authorized by law, make appointments to other governmental agencies and districts.

Sec. 30. Minnesota Statutes 2016, section 473.123, is amended by adding a subdivision to read:

Subd. 4a. **Compensation.** Each Metropolitan Council member must be paid as authorized by the Metropolitan Council. The chair and each Metropolitan Council member must be reimbursed for actual and necessary expenses.

Sec. 31. **TRANSITION.**

The terms of the appointed chair and members of the Metropolitan Council holding office on the effective date of this act, and any successors appointed to serve, continue until the first Monday in January 2019. A Metropolitan Council member must be elected for each council district in the 2018 general election. A member representing an odd-numbered district shall serve a two-year term and a member representing an even-numbered district shall serve a four-year term. Thereafter, the terms are as provided in Minnesota Statutes, section 473.123, subdivision 2a.

Sec. 32. **REPEALER.**

(a) Minnesota Statutes 2016, section 473.123, subdivisions 2a and 3, are repealed.

(b) Laws 1994, chapter 628, article 1, section 8, is repealed.

Sec. 33. **EFFECTIVE DATE; APPLICATION.**

This act is effective for the state primary in 2018 and thereafter. This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington."

Amend the title accordingly

CALL OF THE SENATE

Senator Pratt imposed a call of the Senate for the balance of the proceedings on S.F. No. 2809. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Dibble amendment.

The roll was called, and there were yeas 28 and nays 37, as follows:

Those who voted in the affirmative were:

Carlson	Eaton	Isaacson	Marty	Tomassoni
Clausen	Eken	Kent	Newton	Torres Ray
Cohen	Franzen	Klein	Pappas	Wiger
Cwodzinski	Frentz	Laine	Rest	Wiklund
Dibble	Hawj	Little	Simonson	
Dziedzic	Hayden	Lourey	Sparks	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Ruud
Anderson, B.	Fischbach	Jensen	Miller	Senjem
Anderson, P.	Gazelka	Johnson	Nelson	Utke
Benson	Goggin	Kiffmeyer	Newman	Weber
Bigham	Hall	Koran	Osmek	Westrom
Chamberlain	Hoffman	Lang	Pratt	
Dahms	Housley	Latz	Relph	
Draheim	Ingebrigtsen	Limmer	Rosen	

The motion did not prevail. So the amendment was not adopted.

Senator Newton moved to amend S.F. No. 2809 as follows:

Page 6, line 9, delete the new language and reinstate the stricken language and strike "17th" and insert "30th"

Page 6, lines 10 to 13, delete the new language and reinstate the stricken language

The motion did not prevail. So the amendment was not adopted.

Senator Newton moved to amend S.F. No. 2809 as follows:

Page 7, line 14, delete "paragraph" and insert "paragraphs" and before the first comma insert "and (c)"

Page 7, after line 18, insert:

"(c) The municipal committees for odd-numbered districts must not appoint members until January 1, 2020."

The motion did not prevail. So the amendment was not adopted.

Senator Newton moved to amend S.F. No. 2809 as follows:

Page 8, line 19, reinstate the stricken "(a)"

Page 9, after line 12, insert:

"(b) The council must establish a technical advisory committee to provide technical expertise to the council on transportation issues. The technical advisory committee must be composed of professional staff from local governments and agencies involved in transportation in the metropolitan area."

The motion prevailed. So the amendment was adopted.

S.F. No. 2809 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 36 and nays 27, as follows:

Those who voted in the affirmative were:

Abeler	Fischbach	Jensen	Nelson	Senjem
Anderson, B.	Gazelka	Johnson	Newman	Utke
Anderson, P.	Goggin	Kiffmeyer	Newton	Weber
Benson	Hall	Koran	Osmek	Westrom
Chamberlain	Hoffman	Lang	Pratt	
Dahms	Housley	Limmer	Relph	
Draheim	Ingebrigtsen	Mathews	Rosen	
Eichorn	Jasinski	Miller	Ruud	

Those who voted in the negative were:

Bigham	Dziedzic	Hayden	Little	Torres Ray
Carlson	Eaton	Isaacson	Marty	Wiger
Clausen	Eken	Kent	Pappas	Wiklund
Cohen	Franzen	Klein	Rest	
Cwodzinski	Frentz	Laine	Simonson	
Dibble	Hawj	Latz	Sparks	

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

SPECIAL ORDER

S.F. No. 327: A bill for an act relating to consumer protection; prohibiting the assignment of military pay or benefits; providing penalties and remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

S.F. No. 327 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 64 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	Senjem
Bigham	Fischbach	Jensen	Mathews	Simonson
Carlson	Franzen	Johnson	Miller	Sparks
Chamberlain	Frentz	Kent	Nelson	Torres Ray
Clausen	Gazelka	Kiffmeyer	Newman	Utke
Cohen	Goggin	Klein	Newton	Weber
Cwodzinski	Hall	Koran	Osmek	Westrom
Dahms	Hawj	Laine	Pappas	Wiger
Dibble	Hayden	Lang	Pratt	Wiklund
Draheim	Hoffman	Latz	Relph	

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 3461: A bill for an act relating to military veterans; recodifying certain GI Bill statutory language; making technical changes; amending Minnesota Statutes 2016, section 197.791, subdivision 6, by adding a subdivision; Minnesota Statutes 2017 Supplement, section 197.791, subdivisions 3, 5.

S.F. No. 3461 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	Anderson, B.	Anderson, P.	Benson	Bigham
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Carlson	Fischbach	Jasinski	Lourey	Rosen
Chamberlain	Franzen	Jensen	Marty	Ruud
Clausen	Frentz	Johnson	Mathews	Senjem
Cohen	Gazelka	Kent	Miller	Simonson
Cwodzinski	Goggin	Kiffmeyer	Nelson	Sparks
Dahms	Hall	Klein	Newman	Tomassoni
Dibble	Hawj	Koran	Newton	Torres Ray
Draheim	Hayden	Laine	Osmek	Utke
Dziedzic	Hoffman	Lang	Pappas	Weber
Eaton	Housley	Latz	Pratt	Westrom
Eichorn	Ingebrigtsen	Limmer	Relph	Wiger
Eken	Isaacson	Little	Rest	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 Orders of Business of Messages From the House and Introduction and First Reading of Senate Bills.

MESSAGES FROM THE HOUSE

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 5 members of the House, on the amendments adopted by the House to the following Senate File:

S.F. No. 3656: A bill for an act relating to state government; appropriating money for agriculture, rural development, housing, state government, public safety, transportation, environment, natural resources, energy, jobs, economic development, higher education, prekindergarten through grade 12 education, health, and human services; modifying agriculture, rural development, and housing provisions; specifying conditions of legislative ratification of proposed collective bargaining agreements; requiring proposed changes to state employee group insurance to be submitted separately to Legislative Coordinating Commission; requiring certain information about collective bargaining agreements and compensation plans be submitted to Legislative Coordinating Commission; creating transition period for Legislative Budget Office to take responsibility for coordinating fiscal notes and local impact notes; establishing Legislative Budget Office Oversight Commission; modifying the effective date of certain provisions governing preparation of fiscal notes; abolishing Office of MN.IT Services; establishing division of information technology within Department of Administration; permitting agencies more flexibility in contracting for information technology projects; requiring agencies to determine impact of proposed rule on cost of residential construction or remodeling; requiring notice to applicable legislative committees; precluding adoption of residential construction rules having certain cost until after next legislative session; exempting hair braiders from cosmetology registration requirements; prohibiting exclusive representative from charging fair share fee to nonmembers; investigating possible registration or voting by ineligible voters and reporting to law enforcement; increasing penalties for child pornography offenses; requiring reports on court-imposed stays of sentence or adjudication for sex offenses; restricting grounds that permit reunification of parents and children after parent sexually abuses child; increasing maximum penalty for certain invasion of privacy crimes involving minors; requiring predatory offender registration

for certain invasion of privacy crimes involving minors; requiring collection of information on connection between pornography and sex trafficking; expanding authorized prostitution penalty assessment to include additional crimes; expanding criminal sexual conduct offenses for persons in current or recent positions of authority over juveniles and for peace officers who engage in sexual activity with those in custody; extending sunset date for court technology fund; expanding list of prior offenses that support a conviction of first-degree driving while impaired; prohibiting Department of Human Rights from using federal funds to expand program; modifying various provisions governing transportation and public safety policy and finance; modifying certain loan programs; modifying energy provisions; modifying environment and natural resources provisions; adding to and deleting from state parks, recreation areas, and forests; modifying drainage law; creating accounts; providing for disposition of certain receipts; modifying renewable development account utility annual contribution; modifying solar energy incentive program; establishing pension rate base; establishing criteria for utility cost recovery of energy storage system pilot projects; establishing utility stakeholder group; requiring investor-owned utilities to include in integrated resource plans an assessment of energy storage systems; establishing solar energy grant program for school districts; extending expiration date for an assessment; requiring creation of an excavation notice system contact information database; requiring cost-benefit analysis of energy storage systems; modifying job training program requirements; limiting use of funds in Douglas J. Johnson economic protection trust fund; modifying youth skills training program; modifying accessibility requirements for public buildings; modifying fees for manufactured home installers; adopting recommendations of Workers' Compensation Advisory Council; adjusting basis for determining salary for judges of Workers' Compensation Court of Appeals; adopting recommendations of Unemployment Insurance Advisory Council; modifying certain higher education policy provisions; making clarifying and technical changes to loan forgiveness and research grant programs; providing for school safety, general education, education excellence, teachers, special education, facilities and technology, libraries, early education, and state agencies; making forecast adjustments; modifying provisions governing children and families, licensing, state-operated services, chemical and mental health, community supports and continuing care, and health care; modifying Department of Human Services administrative funds transfer; establishing Minnesota Health Policy Commission; repealing preferred incontinence program in medical assistance; increasing reimbursement rates for doula services; modifying telemedicine service limits; modifying EPSDT screening payments; modifying capitation payment delay; modifying provisions relating to wells and borings; adding security screening systems to ionizing radiation-producing equipment regulation; authorizing statewide tobacco cessation services; establishing an opioid reduction pilot program; establishing a low-value health services study; requiring coverage of 3D mammograms; requiring disclosure of facility fees; establishing a step therapy override process; requiring the synchronization of prescription refills; prohibiting a health plan company from preventing a pharmacist from informing a patient of a price differential; converting allied health professionals to a birth month renewal cycle; modifying temporary license suspensions and background checks for health-related professions; requiring a prescriber to access the prescription monitoring program before prescribing certain controlled substances; authorizing the Board of Pharmacy to impose a fee from a prescriber or pharmacist accessing prescription monitoring data through a service offered by the board's vendor; requiring administrative changes at the Office of Health Facility Complaints; providing access to information and data sharing; making technical changes; requiring rulemaking; requiring reports; amending Minnesota Statutes 2016, sections 3.3005, subdivision 8; 3.855, subdivisions 1a, 2, by adding a subdivision; 10A.01, subdivision 35; 13.64, by adding a subdivision; 16A.103, subdivisions 1, 1b, by adding a subdivision; 16A.88, subdivision 2; 16A.97; 16E.01, subdivision 1; 16E.015, by adding a subdivision; 16E.016; 16E.02;

16E.055; 16E.14; 16E.18, subdivisions 4, 6; 16E.21, subdivision 3; 17.117, subdivisions 1, 4; 17.494; 17.4982, by adding subdivisions; 18.83, subdivision 7; 18C.425, subdivision 6; 18C.80, subdivision 2; 21.89, subdivision 2; 41A.16, subdivisions 1, 2; 41A.17, subdivision 1; 62A.30, by adding a subdivision; 62D.115, subdivision 4; 80E.13; 84.0895, subdivision 2; 84.86, subdivision 1; 86B.005, subdivision 8a; 86B.532, subdivision 1; 88.10, by adding a subdivision; 88.75, subdivision 1; 89.551; 92.50, by adding a subdivision; 94.10, subdivision 2; 97A.051, subdivision 2; 97A.433, subdivisions 4, 5; 97B.015, subdivision 6; 97B.1055; 97C.345, subdivision 3a; 103B.3369, subdivisions 5, 9; 103B.801, subdivisions 2, 5; 103E.021, subdivision 6; 103E.071; 103E.351, subdivision 1; 103F.361, subdivision 2; 103F.363, subdivision 1; 103F.365, by adding a subdivision; 103F.371; 103F.373, subdivisions 1, 3, 4; 103G.2242, subdivision 14; 103H.275, subdivision 1; 103I.205, subdivision 9; 103I.301, subdivision 6; 114D.15, subdivisions 7, 11, 13, by adding subdivisions; 114D.20, subdivisions 2, 3, 5, 7, by adding subdivisions; 114D.26; 114D.35, subdivisions 1, 3; 115.03, subdivision 5, by adding a subdivision; 115.035; 115A.51; 115A.94, subdivisions 2, 4a, 4b, 4c, 4d, 5, by adding subdivisions; 116.07, subdivision 2, by adding a subdivision; 116.155, subdivision 1, by adding a subdivision; 116.993, subdivisions 2, 6; 116J.8747, subdivisions 2, 4; 119B.011, subdivision 19, by adding a subdivision; 119B.02, subdivision 7; 119B.03, subdivision 9; 120A.20, subdivision 2; 122A.63, subdivisions 1, 4, 5, 6, by adding a subdivision; 123B.595, by adding a subdivision; 123B.61; 124D.09, subdivisions 4, 22; 124D.151, subdivisions 2, 3; 124E.20, subdivision 1; 125B.26, subdivision 4, by adding a subdivision; 126C.10, subdivisions 2e, 24; 126C.17, subdivisions 1, 2, 5, 6, 7, 7a; 126C.40, subdivision 1; 126C.44; 127A.70, subdivision 2; 135A.15, subdivision 2; 136A.15, subdivision 8; 136A.16, subdivisions 1, 2, 5, 8, 9; 136A.162; 136A.1701, subdivision 7; 136A.1791, subdivision 8; 136A.1795, subdivision 2; 136A.64, subdivision 1; 136A.822, subdivision 10; 136A.901, subdivision 1; 144.121, subdivision 1a, by adding a subdivision; 144A.53, subdivision 2; 147.012; 147.02, by adding a subdivision; 147A.06; 147A.07; 147B.02, subdivision 9, by adding a subdivision; 147C.15, subdivision 7, by adding a subdivision; 147D.17, subdivision 6, by adding a subdivision; 147D.27, by adding a subdivision; 147E.15, subdivision 5, by adding a subdivision; 147E.40, subdivision 1; 147F.07, subdivision 5, by adding subdivisions; 147F.17, subdivision 1; 148.7815, subdivision 1; 151.065, by adding a subdivision; 151.214; 151.71, by adding a subdivision; 152.126, subdivisions 6, 10; 155A.25, subdivision 1a; 155A.28, by adding a subdivision; 161.088, subdivision 2; 161.115, subdivision 111; 161.14, by adding subdivisions; 161.32, subdivision 2; 168.013, subdivision 6; 168.101, subdivision 2a; 168.127, subdivisions 4, 6; 168.27, by adding subdivisions; 168.301, subdivision 3; 168.326; 168.33, subdivision 8a, by adding a subdivision; 168.346, subdivision 1; 168A.05, by adding a subdivision; 168A.12, subdivision 2; 168A.151, subdivision 1; 168A.17, by adding a subdivision; 168A.29, subdivision 1; 169.011, subdivision 60; 169.14, subdivision 5; 169.18, subdivisions 10, 11, 12; 169.20, by adding a subdivision; 169.26, subdivision 1; 169.28; 169.29; 169.71, subdivision 4; 169.81, subdivision 5, by adding a subdivision; 169.8261, subdivision 2; 169.92, subdivision 4; 169.974, subdivision 2; 169A.24, subdivision 1; 171.041; 171.16, subdivisions 2, 3; 171.18, subdivision 1; 174.12, subdivision 8; 174.37, subdivision 6; 174.66; 175A.05; 176.231, subdivision 9; 179A.06, subdivision 3; 201.022, by adding subdivisions; 205A.07, subdivision 2; 214.075, subdivisions 1, 4, 5, 6; 214.077; 214.10, subdivision 8; 216B.16, by adding a subdivision; 216B.1641; 216B.1645, by adding a subdivision; 216B.2422, subdivision 1, by adding a subdivision; 216D.03, by adding a subdivision; 216G.01, subdivision 3; 221.031, subdivision 2d; 221.0314, subdivision 9; 221.036, subdivisions 1, 3; 221.122, subdivision 1; 221.161, subdivision 1, by adding a subdivision; 221.171, subdivision 1; 243.166, subdivision 1b; 244.052, subdivision 4; 245.4889, by adding a subdivision; 245A.175; 245C.14; 245C.15, by adding a subdivision; 245C.22, by adding a subdivision; 245C.24, by adding a subdivision; 245D.071, subdivision 5; 245D.091, subdivisions 2, 3, 4; 254A.035, subdivision 2;

254B.02, subdivision 1; 254B.06, subdivision 1; 256.01, subdivision 14b, by adding a subdivision; 256B.04, subdivision 14; 256B.0625, subdivision 58, by adding subdivisions; 256B.0659, subdivisions 3a, 11, 21, 24, 28, by adding a subdivision; 256B.0915, subdivision 6; 256B.092, subdivisions 1b, 1g; 256B.093, subdivision 1; 256B.4914, subdivision 4; 256I.04, by adding subdivisions; 256K.45, subdivision 2; 256M.41, subdivision 3, by adding a subdivision; 256N.24, by adding a subdivision; 260.012; 260.835, subdivision 2; 268.035, subdivisions 4, 12; 268.044, subdivisions 2, 3; 268.047, subdivision 3; 268.051, subdivisions 2a, 3; 268.053, subdivision 1; 268.057, subdivision 5; 268.059; 268.066; 268.067; 268.069, subdivision 1; 268.085, subdivisions 3, 3a; 268.095, subdivision 6a; 268.105, subdivision 6; 268.145, subdivision 1; 299A.01, by adding a subdivision; 299A.705; 299A.707, by adding a subdivision; 299A.785, subdivision 1; 326B.106, subdivision 9; 326B.815, subdivision 1; 327.31, by adding a subdivision; 327B.041; 327C.095, subdivisions 4, 6, 12, 13, by adding a subdivision; 349A.05; 357.021, subdivision 2b; 360.013, by adding a subdivision; 360.017, subdivision 1; 360.021, subdivision 1; 360.062; 360.063, subdivisions 1, 3; 360.064, subdivision 1; 360.065, subdivision 1; 360.066, subdivision 1; 360.067, by adding a subdivision; 360.071, subdivision 2; 360.305, subdivision 6; 394.22, by adding a subdivision; 394.23; 394.231; 394.25, subdivision 3; 462.352, by adding a subdivision; 462.355, subdivision 1; 462.357, subdivision 9, by adding a subdivision; 462A.05, subdivision 14b; 462A.33, subdivisions 1, 2; 462A.37, subdivisions 1, 2; 473.13, by adding subdivisions; 473.149, subdivision 3; 473.3994, by adding a subdivision; 473.606, subdivision 5; 473.8441, subdivision 4; 474A.02, by adding subdivisions; 474A.03, subdivision 1; 474A.04, subdivision 1a; 474A.047, subdivision 2; 474A.061, subdivisions 1, 2a, 2b, 2c, 4, by adding subdivisions; 474A.062; 474A.091, subdivisions 1, 2, 3, 5, 6, by adding a subdivision; 474A.131, subdivisions 1, 1b, 2; 474A.14; 475.58, subdivision 4; 574.26, subdivision 1a; 609.3241; 609.341, subdivision 10; 609.342, subdivision 1; 609.343, subdivision 1; 609.344, subdivision 1; 609.345, subdivision 1; 609.746, subdivision 1; 617.246, subdivisions 2, 3, 4, 7; 617.247, subdivisions 3, 4, 9; 626.556, by adding a subdivision; Minnesota Statutes 2017 Supplement, sections 3.8853, subdivisions 1, 2, by adding subdivisions; 3.972, subdivision 4; 3.98, subdivisions 1, 4; 15A.083, subdivision 7; 16A.152, subdivision 2; 16E.0466, subdivision 1; 18C.70, subdivision 5; 18C.71, subdivision 4; 84.01, subdivision 6; 84.925, subdivision 1; 84.9256, subdivision 1; 84D.03, subdivisions 3, 4; 84D.108, subdivisions 2b, 2c; 85.0146, subdivision 1; 89.17; 97A.075, subdivision 1; 103G.222, subdivision 3; 103G.2242, subdivision 1; 103I.005, subdivisions 2, 8a, 17a; 103I.205, subdivisions 1, 4; 103I.208, subdivision 1; 103I.235, subdivision 3; 103I.601, subdivision 4; 116.0714; 116C.779, subdivision 1; 116C.7792; 119B.011, subdivision 20; 119B.025, subdivision 1; 119B.06, subdivision 1; 119B.09, subdivision 1; 119B.095, subdivision 2; 119B.13, subdivision 1; 122A.187, by adding a subdivision; 123B.03, subdivision 1; 124D.151, subdivisions 5, 6; 124D.68, subdivision 2; 124E.03, subdivision 2; 136A.1275, subdivisions 2, 3; 136A.1789, subdivision 2; 136A.646; 136A.672, by adding a subdivision; 136A.822, subdivision 6; 136A.8295, by adding a subdivision; 147.01, subdivision 7; 147A.28; 147B.08; 147C.40; 152.105, subdivision 2; 161.088, subdivision 5; 168.013, subdivision 1a; 169.18, subdivision 7; 169.829, subdivision 4; 171.06, subdivision 2; 175.46, subdivision 13; 216B.1691, subdivision 2f; 216B.241, subdivision 1d; 216B.62, subdivision 3b; 245.4889, subdivision 1; 245A.03, subdivision 7; 245A.06, subdivision 8; 245A.11, subdivision 2a; 245C.16, subdivision 1; 245D.03, subdivision 1; 256B.0625, subdivisions 3b, 17; 256B.0911, subdivisions 1a, 3a, 3f, 5; 256B.49, subdivision 13; 256B.4914, subdivisions 2, 3, 5, 10, 10a; 256I.03, subdivision 8; 256I.04, subdivision 2b; 256I.05, subdivision 3; 268.035, subdivisions 15, 20; 268.046, subdivision 1; 268.07, subdivision 1; 268.085, subdivision 13a; 268.095, subdivision 6; 268.18, subdivisions 2b, 5; 298.2215; 298.292, subdivision 2; 364.09; 462A.2035, subdivisions 1, 1b; 473.4051, subdivision 2; 473.4485, subdivision 2; 475.59, subdivision 1; 477A.03, subdivision 2b; Laws 2010, chapter 361, article 4, section 78; Laws 2014, chapter 312,

article 27, section 76; Laws 2015, First Special Session chapter 4, article 4, section 146, as amended; Laws 2016, chapter 189, article 3, sections 3, subdivision 5; 48; Laws 2017, chapter 88, article 1, section 2, subdivisions 2, 4; Laws 2017, chapter 89, article 1, section 2, subdivisions 18, 20, 29, 31, 32, 33, 34, 40; Laws 2017, chapter 94, article 1, sections 2, subdivisions 2, 3, 4, subdivision 5; 7, subdivision 7; 9; Laws 2017, First Special Session chapter 1, article 4, section 31; Laws 2017, First Special Session chapter 3, article 1, section 4, subdivisions 1, 2, 4; Laws 2017, First Special Session chapter 4, article 1, section 10, subdivision 1; article 2, sections 1; 3; 9; 58; Laws 2017, First Special Session chapter 5, article 1, section 19, subdivisions 2, 3, 4, 5, 6, 7, 9; article 2, sections 56; 57, subdivisions 2, 3, 4, 5, 6, 12, 21, 22, 23, 26, 34; article 4, section 12, subdivisions 2, as amended, 3, 4, 5; article 5, section 14, subdivisions 2, 3, 4; article 6, section 3, subdivisions 2, 3, 4; article 8, sections 9, subdivision 6; 10, subdivisions 5a, 6, 12; article 9, section 2, subdivision 2; article 10, section 6, subdivision 2; article 11, sections 9, subdivision 2; 12; Laws 2017, First Special Session chapter 6, article 1, section 52; article 3, section 49; article 4, section 61; article 10, section 144; proposing coding for new law in Minnesota Statutes, chapters 3; 11A; 14; 16A; 17; 62J; 62Q; 97A; 103B; 103F; 115; 115B; 116C; 120B; 123B; 124D; 136A; 144; 147A; 147B; 147C; 147D; 147E; 147F; 161; 168A; 176; 216C; 246; 256B; 260C; 299A; 327; 349A; 360; 383A; 609; repealing Minnesota Statutes 2016, sections 16A.98; 16E.145; 122A.63, subdivisions 7, 8; 126C.16, subdivisions 1, 3; 126C.17, subdivision 9a; 136A.15, subdivisions 2, 7; 136A.1701, subdivision 12; 155A.28, subdivisions 1, 3, 4; 168.013, subdivision 21; 214.075, subdivision 8; 221.161, subdivisions 2, 3, 4; 256B.0625, subdivision 18b; 256B.0705; 268.053, subdivisions 4, 5; 349A.16; 360.063, subdivision 4; 360.065, subdivision 2; 360.066, subdivisions 1a, 1b; Minnesota Statutes 2017 Supplement, section 256B.0625, subdivision 31c; Laws 2008, chapter 368, article 1, section 21, subdivision 2; Laws 2016, chapter 189, article 25, section 62, subdivision 16; Laws 2017, First Special Session chapter 4, article 2, section 59; Minnesota Rules, part 5600.0605, subparts 5, 8.

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

Knoblach, Loon, Torkelson, Garofalo and Pelowski.

Senate File No. 3656 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 7, 2018

Madam President:

I have the honor to announce that the House refuses to concur in the Senate amendments to House File No. 2899:

H.F. No. 2899: A bill for an act relating to insurance; requiring notification of the statutory prohibition against payment of rebates or deductibles by residential contractors; amending Minnesota Statutes 2016, section 325E.66, subdivision 1.

The House respectfully requests that a Conference Committee of 3 members be appointed thereon.

Howe, Nash and Loeffler have been appointed as such committee on the part of the House.

House File No. 2899 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 7, 2018

Senator Housley moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 2899, 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. 4385:

H.F. No. 4385: A bill for an act relating to taxation; making changes to conform with certain federal tax law changes; adopting federal adjusted gross income as the starting point for calculating individual income tax; making policy and technical changes to various tax-related provisions including provisions related to the individual income tax, corporate franchise tax, estate tax, sales and use tax, gross revenues tax, gross receipts tax, property tax, partnership tax, tobacco tax, minerals tax, and other miscellaneous tax provisions; making changes to the property tax refund program; providing for registration and taxation of unmanned aircraft; modifying provisions related to local government aid and credits; modifying referendum dates; appropriating money; amending Minnesota Statutes 2016, sections 116J.8737, subdivisions 5, 12; 123A.455, subdivision 1; 126C.01, subdivision 3; 138.053; 162.145, subdivision 3; 174.03, subdivision 1b; 197.603, subdivision 2; 216B.36; 237.19; 270.12, subdivisions 2, 3; 270.41, subdivision 3; 270.96, subdivision 1; 270A.03, subdivision 7; 270B.08, subdivision 2; 270C.85, subdivision 2; 270C.89, subdivision 2; 270C.91; 272.02, subdivisions 27, 49, 81, by adding a subdivision; 272.025, subdivision 3; 273.032; 273.061, subdivision 9; 273.11, subdivision 12; 273.1115, subdivision 2; 273.112, subdivision 6; 273.113, subdivision 3; 273.119, subdivision 2; 273.1231, subdivisions 3, 4; 273.124, subdivisions 1, 3a, 8, 9, 14, 17, 21, by adding a subdivision; 273.1245, subdivision 2; 273.125, subdivision 3; 273.128, subdivision 1; 273.13, subdivision 35, by adding a subdivision; 273.136, subdivision 2; 273.1384, subdivision 3; 273.18; 274.14; 274.16; 275.025, subdivision 3, by adding subdivisions; 276A.01, subdivision 4; 282.01, subdivision 6; 287.21, subdivision 1; 289A.08, subdivisions 1, 6, 7; 289A.25, subdivision 1; 289A.31, subdivision 2; 289A.37, subdivision 6; 289A.38, subdivisions 7, 10; 289A.42; 289A.50, subdivision 1; 289A.60, subdivision 24; 290.01, subdivisions 6, 22, by adding subdivisions; 290.0131, subdivisions 1, 3, by adding subdivisions; 290.0132, subdivisions 1, 7, by adding subdivisions; 290.0133, subdivision 6, by adding a subdivision; 290.0134, by adding subdivisions; 290.0136; 290.05, subdivision 3; 290.06, subdivisions 1, 2c, 2d, by adding a subdivision; 290.067, subdivision 2a; 290.0671, subdivision 7; 290.0672, subdivision 2; 290.0681, subdivisions 3, 4; 290.0685, subdivision 1, by adding a subdivision; 290.0802, subdivisions 2, 3; 290.091, subdivision 3; 290.0921, subdivision 8; 290.0922, subdivision 1; 290.095, subdivision 4; 290.21, by adding a subdivision; 290.34, by adding a subdivision; 290.92, subdivisions 1, 28; 290A.03, subdivisions 4, 12; 290A.04, subdivisions 2h, 4, by adding a subdivision; 290A.05; 290A.08; 290A.09; 290B.04, subdivision 1; 290B.09, subdivision 1; 291.03, subdivisions 8, 10; 295.50, subdivisions 4, 9b, by adding subdivisions; 297A.61, subdivision 18; 297A.67, subdivision 12, by adding subdivisions;

297A.68, subdivisions 17, 25, 29, 44; 297A.70, subdivisions 3, 7, 16, by adding subdivisions; 297A.71, subdivisions 22, 45, by adding subdivisions; 297A.77, by adding a subdivision; 297A.84; 297A.85; 297A.993, by adding a subdivision; 297B.01, subdivision 14; 297B.03; 297F.01, subdivisions 19, 23, by adding a subdivision; 297F.17, subdivision 6; 297G.16, subdivision 7; 298.225, subdivision 1; 298.28, subdivisions 3, 9a; 360.013, by adding subdivisions; 360.55, by adding a subdivision; 360.62; 412.221, subdivision 2; 426.19, subdivision 2; 447.045, subdivisions 2, 3, 4, 6, 7; 452.11; 455.24; 455.29; 469.171, subdivision 4; 469.177, subdivision 1; 469.1812, subdivision 1, by adding subdivisions; 469.190, subdivisions 1, 5; 469.316, subdivision 1; 469.317; 469.319, subdivision 4; 471.57, subdivision 3; 471.571, subdivision 3; 471.572, subdivision 4; 473F.02, subdivision 4; 473F.05; 473H.05, subdivision 1; 473H.08, subdivisions 1, 4, by adding a subdivision; 474A.02, subdivision 22b; 477A.013, subdivision 13; 477A.016; Minnesota Statutes 2017 Supplement, sections 126C.17, subdivision 9; 205.10, subdivision 3a; 205A.05, subdivision 1a; 270A.03, subdivision 5; 270C.445, subdivision 6; 270C.89, subdivision 1; 271.21, subdivision 2; 272.115, subdivision 1; 273.0755; 273.13, subdivisions 22, 23, 25, 34; 273.1384, subdivision 2; 273.1387, subdivision 3; 274.01, subdivision 1; 275.025, subdivision 1; 276.04, subdivision 3; 278.01, subdivision 1; 289A.02, subdivision 7; 289A.12, subdivision 14; 289A.31, subdivision 1; 289A.35; 289A.37, subdivision 2; 290.01, subdivisions 4a, 19, 31; 290.0131, subdivision 10; 290.0132, subdivisions 21, 26; 290.0133, subdivision 12; 290.0137; 290.05, subdivision 1; 290.067, subdivisions 1, 2b; 290.0671, subdivision 1; 290.0672, subdivision 1; 290.0681, subdivisions 1, 2; 290.0684, subdivisions 1, 2; 290.0686, subdivision 1; 290.091, subdivision 2; 290.17, subdivisions 2, 4; 290.31, subdivision 1; 290A.03, subdivisions 3, 8, 13, 15; 291.005, subdivision 1; 291.03, subdivisions 9, 11; 297A.61, subdivision 3; 297A.67, subdivisions 6, 34; 297A.70, subdivisions 4, 20; 297A.75, subdivisions 1, 2, 3; 297B.01, subdivision 16; 297E.02, subdivision 3; 298.227; 462D.03, subdivision 2; 462D.06, subdivisions 1, 2; 475.59, subdivision 2; 477A.015; 477A.03, subdivision 2a; Laws 1986, chapter 379, sections 1, subdivision 1; 2, subdivision 1; Laws 2008, chapter 366, article 5, sections 26, as amended; 33, as amended; Laws 2011, First Special Session chapter 7, article 4, section 10, subdivision 3; Laws 2017, First Special Session chapter 1, article 3, section 32; article 4, section 31; article 8, section 3; article 10, section 4; proposing coding for new law in Minnesota Statutes, chapters 16A; 16B; 117; 222; 289A; 290; 416; 459; 469; repealing Minnesota Statutes 2016, sections 10A.322, subdivision 4; 13.4967, subdivision 2; 273.1315; 275.29; 289A.38, subdivisions 7, 8, 9; 290.01, subdivision 29a; 290.0131, subdivisions 7, 11, 12, 13; 290.0132, subdivisions 8, 19, 20; 290.0133, subdivisions 13, 14; 290.06, subdivision 23; 290.0921, subdivisions 1, 2, 3a, 4, 6; 290.10, subdivision 2; 477A.085; Minnesota Statutes 2017 Supplement, sections 327C.01, subdivision 13; 327C.16; Minnesota Rules, part 4503.1400, subpart 4.

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

Davids, McDonald, Hertaus, Erickson and Marquart have been appointed as such committee on the part of the House.

House File No. 4385 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 7, 2018

Senator Chamberlain moved that the Senate accede to the request of the House for a Conference Committee on H.F. No. 4385, 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.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Little introduced--

S.F. No. 4068: A bill for an act relating to taxation; sales and use; providing an exemption for certain aggregate materials delivered by railroads; amending Minnesota Statutes 2017 Supplement, section 297A.61, subdivision 3.

Referred to the Committee on Taxes.

Senators Bakk and Clausen introduced--

S.F. No. 4069: A bill for an act relating to state government; ratifying certain labor agreements.

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

Senators Wiger, Kent, Pappas, Rosen, and Dahms introduced--

S.F. No. 4070: A bill for an act relating to retirement; termination and dissolution of the Maplewood Firefighters Relief Association.

Referred to the Committee on Finance.

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.

APPOINTMENTS

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. 4385: Senators Chamberlain; Dahms; Anderson, P.; Pratt; and Johnson.

Senator Gazelka moved that the foregoing appointments be approved. 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

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. 3280, and repassed said bill in accordance with the report of the Committee, so adopted.

House File No. 3280 is herewith transmitted to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 7, 2018

CONFERENCE COMMITTEE REPORT ON H. F. No. 3280

A bill for an act relating to environment; establishing findings and authorizing listing of wild-rice waters; nullifying and restricting the application of certain water quality standards; requiring a report; appropriating money; amending Laws 2015, First Special Session chapter 4, article 4, section 136, as amended.

May 3, 2018

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. 3280 report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendments.

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

House Conferees: Dale Lueck, Dan Fabian, Jason Metsa

Senate Conferees: Justin Eichorn, Bill Ingebrigtsen, David J. Tomassoni

Senator Eichorn moved that the foregoing recommendations and Conference Committee Report on H.F. No. 3280 be now adopted, and that the bill be repassed as amended by the Conference Committee.

Senator Simonson moved that the recommendations and Conference Committee Report on H.F. No. 3280 be rejected and that the bill be re-referred to the Conference Committee as formerly constituted for further consideration.

The question was taken on the adoption of the Simonson motion.

The roll was called, and there were yeas 29 and nays 36, as follows:

Those who voted in the affirmative were:

Abeler	Cwodzinski	Hawj	Latz	Rest
Anderson, P.	Dibble	Hayden	Little	Simonson
Bigham	Dziedzic	Isaacson	Lourey	Torres Ray
Carlson	Eaton	Kent	Marty	Wiger
Clausen	Franzen	Klein	Pappas	Wiklund
Cohen	Frentz	Laine	Pratt	

Those who voted in the negative were:

Anderson, B.	Gazelka	Johnson	Newman	Tomassoni
Benson	Goggin	Kiffmeyer	Newton	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Hoffman	Lang	Relph	Westrom
Draheim	Housley	Limmer	Rosen	
Eichorn	Ingebrigtsen	Mathews	Ruud	
Eken	Jasinski	Miller	Senjem	
Fischbach	Jensen	Nelson	Sparks	

The motion did not prevail.

The question recurred on the adoption of the Eichorn motion. The motion prevailed. So the recommendations and Conference Committee Report were adopted.

H.F. No. 3280 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 38 and nays 28, as follows:

Those who voted in the affirmative were:

Anderson, B.	Fischbach	Jensen	Miller	Simonson
Bakk	Gazelka	Johnson	Nelson	Sparks
Benson	Goggin	Kiffmeyer	Newman	Tomassoni
Chamberlain	Hall	Klein	Osmek	Utke
Dahms	Hoffman	Koran	Pratt	Weber
Draheim	Housley	Lang	Relph	Westrom
Eichorn	Ingebrigtsen	Limmer	Rosen	
Eken	Jasinski	Mathews	Senjem	

Those who voted in the negative were:

Abeler	Cwodzinski	Hawj	Little	Ruud
Anderson, P.	Dibble	Hayden	Lourey	Torres Ray
Bigham	Dziedzic	Isaacson	Marty	Wiger
Carlson	Eaton	Kent	Newton	Wiklund
Clausen	Franzen	Laine	Pappas	
Cohen	Frentz	Latz	Rest	

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

MEMBERS EXCUSED

Senator Champion was excused from the Session of today. Senator Rest was excused from the Session of today from 12:55 to 1:00 p.m. Senator Chamberlain was excused from the Session of today from 1:10 to 2:00 p.m. Senator Bakk was excused from the Session of today from 1:20 to 3:40 p.m. Senators Lourey and Tomassoni were excused from the Session of today from 3:05 to 3:15 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 10:30 a.m., Tuesday, May 8, 2018. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

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