

STATE OF MINNESOTA

# Journal of the Senate

NINETIETH LEGISLATURE

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NINETY-THIRD DAY

St. Paul, Minnesota, Tuesday, May 8, 2018

The Senate met at 10:30 a.m. and was called to order by the President.

## CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rev. Dr. Jeffrey Japinga.

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

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

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

The President declared a quorum present.

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

## EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

May 3, 2018

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Senator Fischbach:

The enclosed Notaries Public for 2017 are hereby respectfully submitted to the Senate for confirmation as required by Article V, Section 3 of the Minnesota Constitution.

Sincerely,  
Mark Dayton, Governor

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

May 3, 2018

The Honorable Michelle L. Fischbach  
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 108, S.F. No. 2484.

Sincerely,  
Mark Dayton, Governor

May 3, 2018

The Honorable Kurt L. Daudt  
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2018 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2018	Date Filed 2018
2484		108	11:17 a.m. May 3	May 3
	3551	109	11:18 a.m. May 3	May 3
	3224	110	11:19 a.m. May 3	May 3
	2391	111	11:20 a.m. May 3	May 3

Sincerely,  
Steve Simon  
Secretary of State

**MESSAGES FROM THE HOUSE**

Madam President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate in Joint Convention on Thursday, May 10, 2018, at 10:30 a.m., for the purpose of electing a member to the Board of Regents of the University of Minnesota.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 7, 2018

Senator Gazelka moved that the Senate accept the invitation of the House of Representatives to meet in Joint Convention in the House Chamber at 10:30 a.m, Thursday, May 10, 2018, to elect a member to the Board of Regents of the University of Minnesota. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following Senate Files, herewith returned: S.F. Nos. 3066, 2629, and 2865.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 7, 2018

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2746, 3196, 3015, 3689, 3763, and 2945.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 7, 2018

**FIRST READING OF HOUSE BILLS**

The following bills were read the first time.

**H.F. No. 2746:** A bill for an act relating to health; modifying the health professionals permitted to authorize prescription eyeglasses using old lenses or last prescription available; amending Minnesota Statutes 2017 Supplement, section 145.7131.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3318, now on General Orders.

**H.F. No. 3196:** A bill for an act relating to health insurance; establishing a step therapy protocol and override for prescription drug coverage; proposing coding for new law in Minnesota Statutes, chapter 62Q.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2897, now on General Orders.

**H.F. No. 3015:** A bill for an act relating to human services; modifying correction order posting requirements for child care licensing; amending Minnesota Statutes 2017 Supplement, section 245A.06, subdivision 8.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3508, now on General Orders.

**H.F. No. 3689:** A bill for an act relating to health; making changes to birth defect information system; amending Minnesota Statutes 2016, sections 144.2215, subdivision 1; 144.2216, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2662, now on General Orders.

**H.F. No. 3763:** A bill for an act relating to economic development; limiting use of funds in the Douglas J. Johnson economic protection trust fund; amending Minnesota Statutes 2017 Supplement, section 298.292, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2915, now on General Orders.

**H.F. No. 2945:** A bill for an act relating to human services; modifying requirements for intensive residential treatment and adult crisis response service provider entities; amending Minnesota Statutes 2016, sections 256B.0622, subdivision 4; 256B.0624, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2545, now on General Orders.

#### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Miller, Eichorn, Relph, Goggin, and Isaacson introduced--**

**S.F. No. 4071:** 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.

**Senator Ingebrigtsen introduced--**

**S.F. No. 4072:** A bill for an act relating to environment; establishing Clean Water Council in legislative branch; repealing existing council; providing appointments; amending Minnesota Statutes 2016, section 114D.15, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 114D; repealing Minnesota Statutes 2016, section 114D.30.

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

**MOTIONS AND RESOLUTIONS**

Senator Lang moved that the name of Senator Housley be added as a co-author to S.F. No. 2685. The motion prevailed.

Senator Laine moved that the names of Senators Marty and Dibble be added as co-authors to S.F. No. 2729. The motion prevailed.

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

Senator Pappas moved that the name of Senator Hoffman be added as a co-author to S.F. No. 2929. The motion prevailed.

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

Senator Draheim moved that the names of Senators Utke, Lang, and Johnson be added as co-authors to S.F. No. 4021. The motion prevailed.

**Senator Koran introduced --**

**Senate Resolution No. 251:** A Senate resolution congratulating Indiana Cole Smallman of Taylors Falls, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

**SPECIAL ORDERS**

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

H.F. No. 4157, S.F. Nos. 3102, 3143, 3000, 3001, and 1943.

**SPECIAL ORDER**

**H.F. No. 4157:** A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

H.F. No. 4157 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	Benson	Champion	Dahms	Eaton
Anderson, B.	Bigham	Clausen	Dibble	Eichorn
Anderson, P.	Carlson	Cohen	Draheim	Eken
Bakk	Chamberlain	Cwodzinski	Dziedzic	Fischbach

Franzen	Isaacson	Lang	Osmek	Sparks
Frentz	Jasinski	Limmer	Pappas	Tomassoni
Gazelka	Jensen	Lourey	Pratt	Torres Ray
Goggin	Johnson	Marty	Relph	Utke
Hall	Kent	Mathews	Rest	Weber
Hawj	Kiffmeyer	Miller	Rosen	Westrom
Hayden	Klein	Nelson	Ruud	Wiger
Hoffman	Koran	Newman	Senjem	Wiklund
Ingebrigtsen	Laine	Newton	Simonson	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 3102:** A bill for an act relating to health; changing isolation and quarantine provisions; amending Minnesota Statutes 2016, sections 144.419, subdivision 1; 144.4196, subdivisions 1, 2.

Senator Abeler moved to amend S.F. No. 3102 as follows:

Page 2, line 3, delete everything after "disease" and insert "included in the list of quarantinable communicable diseases as authorized by section 361(b) of the Public Health Service Act, United States Code, title 42, section 264(b)."

Page 2, delete line 4

The motion prevailed. So the amendment was adopted.

S.F. No. 3102 was read the third time, as amended, and placed on its final passage.

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

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

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

**S.F. No. 3143:** A bill for an act relating to human services; postponing the expiration date of the Traumatic Brain Injury Advisory Committee, the American Indian Advisory Council, the Formulary Committee, and the American Indian Child Welfare Advisory Council; amending

Minnesota Statutes 2016, sections 254A.035, subdivision 2; 256B.0625, subdivision 13c; 256B.093, subdivision 1; 260.835, subdivision 2.

Senator Utke moved to amend S.F. No. 3143 as follows:

Page 1, line 21, delete "2022" and insert "2023"

Page 3, line 11, delete "2022" and insert "2023"

The motion prevailed. So the amendment was adopted.

S.F. No. 3143 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 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

### SPECIAL ORDER

**S.F. No. 3000:** A bill for an act relating to the military; authorizing state active service and pay for armory rentals; amending Minnesota Statutes 2016, section 190.08, by adding a subdivision.

S.F. No. 3000 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	Clausen	Eken	Hoffman	Koran
Anderson, B.	Cohen	Fischbach	Ingebrigtsen	Laine
Anderson, P.	Cwodzinski	Franzen	Isaacson	Lang
Bakk	Dahms	Frentz	Jasinski	Limmer
Benson	Dibble	Gazelka	Jensen	Lourey
Bigham	Draheim	Goggin	Johnson	Marty
Carlson	Dziedzic	Hall	Kent	Mathews
Chamberlain	Eaton	Hawj	Kiffmeyer	Miller
Champion	Eichorn	Hayden	Klein	Nelson

Newman	Pratt	Ruud	Tomassoni	Westrom
Newton	Relph	Senjem	Torres Ray	Wiger
Osmek	Rest	Simonson	Utke	Wiklund
Pappas	Rosen	Sparks	Weber	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 3001:** A bill for an act relating to the military; authorizing rental of and rental terms for certain Military Department buildings; amending Minnesota Statutes 2016, section 190.16, subdivision 6a.

S.F. No. 3001 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	Dibble	Hayden	Limmer	Rosen
Anderson, B.	Draheim	Hoffman	Lourey	Ruud
Anderson, P.	Dziedzic	Ingebrigtsen	Marty	Senjem
Bakk	Eaton	Isaacson	Mathews	Simonson
Benson	Eichorn	Jasinski	Miller	Sparks
Bigham	Eken	Jensen	Nelson	Tomassoni
Carlson	Fischbach	Johnson	Newman	Torres Ray
Chamberlain	Franzen	Kent	Newton	Utke
Champion	Frentz	Kiffmeyer	Osmek	Weber
Clausen	Gazelka	Klein	Pappas	Westrom
Cohen	Goggin	Koran	Pratt	Wiger
Cwodzinski	Hall	Laine	Relph	Wiklund
Dahms	Hawj	Lang	Rest	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1943:** A bill for an act relating to local government; permitting appointment to the Central Iron Range Sanitary Sewer Board of members of the governing bodies of participating municipalities; amending Laws 2009, chapter 122, section 3, subdivisions 1, 2.

S.F. No. 1943 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 1, as follows:

Those who voted in the affirmative were:

Abeler	Bigham	Cohen	Dziedzic	Franzen
Anderson, B.	Carlson	Cwodzinski	Eaton	Frentz
Anderson, P.	Chamberlain	Dahms	Eichorn	Gazelka
Bakk	Champion	Dibble	Eken	Goggin
Benson	Clausen	Draheim	Fischbach	Hawj



Hayden	Kiffmeyer	Mathews	Relph	Torres Ray
Hoffman	Klein	Miller	Rest	Utke
Ingebrigtsen	Koran	Nelson	Rosen	Weber
Isaacson	Laine	Newman	Ruud	Westrom
Jasinski	Lang	Newton	Senjem	Wiger
Jensen	Limmer	Osmek	Simonson	Wiklund
Johnson	Lourey	Pappas	Sparks	
Kent	Marty	Pratt	Tomassoni	

Those who voted in the negative were:

Hall

So the bill passed and its title was agreed to.

#### **MEMBERS EXCUSED**

Senators Housley, Latz, and Little were excused from the Session of today. Senator Hoffman was excused from the Session of today from 10:55 to 11:00 a.m.

#### **ADJOURNMENT**

Senator Gazelka moved that the Senate do now adjourn until 10:30 a.m., Wednesday, May 9, 2018. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

