The House of Representatives convened at 10:00 a.m. and was called to order by Paul Thissen, Speaker of the House.

Prayer was offered by the Reverend John Hierlinger, St. Timothy's Lutheran Church, Columbia Heights, Minnesota.

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

The roll was called and the following members were present:

Abeler    Dehn, R.    Hamilton    Lenczewski    Newberger    Selcer
Albright  Dettmer     Hansen      Lesch       Newton      Simon
Allen     Dill        Hausman     Liebling    Nornes      Simonson
Anderson, M. Dorholt     Hertaus     Lien        Norton      Slocum
Anderson, P. Drazkowski Hilstrom    Lillie       O'Driscoll  Sundin
Anderson, S. Erhardt     Holberg     Loeffler    O'Neil      Swedzinski
Anzelc    Erickson, R. Hoppe       Lohmer      Paymar      Theis
Atkins    Erickson, S. Hornstein  Mahoney     Pelowski    Torkelson
Barrett   Fabian       Hortman     Mariani     Peppin      Uglem
Beard     Falk         Howe        Marquart    Persell     Urdahl
Benson, J. Faust       Huntley     Masin       Poppe       Wagenius
Benson, M. Fischer     Isaacson    McDonald    Pugh        Ward, J.A.
Bernardy  FitzSimmons Johnson, B. McNamar    Quam       Ward, J.E.
Bly       Franson     Johnson, C. McNamara  Radinovich  Wills
Brynaert  Freiberg    Johnson, S. Melin       Rosenthal  Winkler
Carlson   Fritz       Kahn        Metsa       Runbeck     Yarusso
Clark     Garofalo    Kelly       Moran       Sanders     Zellers
Cornish   Green      Kieffer     Morgan     Savick      Zerwas
Daudt     Gruenhagen  Kiel        Murphy, E. Sawatzky  Spk. Thissen
Davids    Gunther     Kresha      Murphy, M. Schoen
Davnie    Hackbart   Laine       Myhra       Schomacker
Dean, M.  Halverson  Leidiger    Nelson     Scott
PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 29, 2013

The Honorable Paul Thissen
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Thissen:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State H. F. Nos. 748 and 283.

Sincerely,

MARK DAYTON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Paul Thissen
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2013 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:

<table>
<thead>
<tr>
<th>S. F. No.</th>
<th>H. F. No.</th>
<th>Session Laws</th>
<th>Time and Date Approved</th>
<th>Date Filed</th>
</tr>
</thead>
<tbody>
<tr>
<td>359</td>
<td>748</td>
<td>26</td>
<td>1:24 p.m. April 29</td>
<td>April 29</td>
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<tr>
<td></td>
<td>283</td>
<td>27</td>
<td>1:27 p.m. April 29</td>
<td>April 29</td>
</tr>
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</table>

Sincerely,

MARK RITCHIE
Secretary of State
REPORTS OF STANDING COMMITTEES AND DIVISIONS

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 92, A bill for an act relating to employment; regulating the minimum wage; amending Minnesota Statutes 2012, section 177.24, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2012, section 177.23, subdivision 7, is amended to read:

Subd. 7. Employee. "Employee" means any individual employed by an employer but does not include:

(1) two or fewer specified individuals employed at any given time in agriculture on a farming unit or operation who are paid a salary;

(2) any individual employed in agriculture on a farming unit or operation who is paid a salary greater than the individual would be paid if the individual worked \(48\) hours at the state minimum wage plus 17 hours at 1-1/2 times the state minimum wage per week;

(3) an individual under 18 who is employed in agriculture on a farm to perform services other than corn detasseling or hand field work when one or both of that minor hand field worker's parents or physical custodians are also hand field workers;

(4) for purposes of section 177.24, an individual under 18 who is employed as a corn detasseler;

(5) any staff member employed on a seasonal basis by an organization for work in an organized resident or day camp operating under a permit issued under section 144.72;

(6) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesperson who conducts no more than 20 percent of sales on the premises of the employer;

(7) any individual who renders service gratuitously for a nonprofit organization;

(8) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(9) any individual employed by a political subdivision to provide police or fire protection services or employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(10) any individual employed by a political subdivision who is ineligible for membership in the Public Employees Retirement Association under section 353.01, subdivision 2b, clause (1), (2), (4), or (9);

(11) any driver employed by an employer engaged in the business of operating taxicabs;

(12) any individual engaged in babysitting as a sole practitioner;
(13) for the purpose of section 177.25, any individual employed on a seasonal basis in a carnival, circus, fair, or ski facility;

(14) any individual under 18 working less than 20 hours per workweek for a municipality as part of a recreational program;

(15) any individual employed by the state as a natural resource manager 1, 2, or 3 (conservation officer);

(16) any individual in a position for which the United States Department of Transportation has power to establish qualifications and maximum hours of service under United States Code, title 49, section 31502;

(17) any individual employed as a seafarer. The term "seafarer" means a master of a vessel or any person subject to the authority, direction, and control of the master who is exempt from federal overtime standards under United States Code, title 29, section 213(b)(6), including but not limited to pilots, sailors, engineers, radio operators, firefighters, security guards, pursers, surgeons, cooks, and stewards;

(18) any individual employed by a county in a single-family residence owned by a county home school as authorized under section 260B.060 if the residence is an extension facility of that county home school, and if the individual as part of the employment duties resides at the residence for the purpose of supervising children as defined by section 260C.007, subdivision 4; or

(19) nuns, monks, priests, lay brothers, lay sisters, ministers, deacons, and other members of religious orders who serve pursuant to their religious obligations in schools, hospitals, and other nonprofit institutions operated by the church or religious order.

**EFFECTIVE DATE.** This section is effective August 1, 2013.

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Page 1, line 9, strike "$625,000" and insert "$500,000"

Page 1, line 13, strike "$625,000" and insert "$500,000"

Page 1, line 22, delete "$9.57" and insert "$8.00"

Page 1, line 23, delete "$9.76" and insert "$9.00"

Page 1, line 24, delete "$9.95" and insert "$9.50"

Page 2, line 3, delete "$7.45" and insert "$7.00"

Page 2, line 5, delete "$8.49" and insert "$8.50"

Page 2, line 12, delete "$6.96" and insert "$6.50"

Page 2, line 13, delete "$7.48" and insert "$7.50"

Page 2, line 14, delete "$7.93" and insert "$8.00"

Page 2, line 26, delete "the day following final enactment" and insert "August 1, 2013"
Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 2012, section 177.25, subdivision 1, is amended to read:

Subdivision 1. Compensation required. No employer may employ an employee for a workweek longer than 48 40 hours, unless the employee receives compensation for employment in excess of 48 40 hours in a workweek at a rate of at least 1-1/2 times the regular rate at which the employee is employed. The state of Minnesota or a political subdivision may grant time off at the rate of 1-1/2 hours for each hour worked in excess of 48 40 hours in a week in lieu of monetary compensation. An employer does not violate the overtime pay provisions of this section by employing any employees for a workweek in excess of 48 40 hours without paying the compensation for overtime employment prescribed (1) if the employee is employed under an agreement meeting the requirement of section 7(b)(2) of the Fair Labor Standards Act of 1938, as amended, or (2) if the employee is employed as a sugar beet hand laborer on a piece rate basis, provided that the regular rate of pay received per hour of work exceeds the applicable wage provided in section 177.24, subdivision 1, by at least 40 cents.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 4. Minnesota Statutes 2012, section 177.25, subdivision 5, is amended to read:

Subd. 5. Air carrier employees. Subdivision 1 does not apply to employees of air carriers subject to the provisions of title II of the Railway Labor Act, when the hours worked by an employee in excess of 48 40 in a workweek are not required by the carrier, but are arranged through a voluntary agreement among employees to trade scheduled work hours.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 5. Minnesota Statutes 2012, section 181.941, subdivision 1, is amended to read:

Subdivision 1. Six Twelve-week leave; birth or adoption. An employer must grant an unpaid leave of absence to an employee who is a natural or adoptive parent in conjunction with the birth or adoption of a child. The length of the leave shall be determined by the employee, but may not exceed six 12 weeks, unless agreed to by the employer.

EFFECTIVE DATE. This section is effective August 1, 2013.

Sec. 6. Minnesota Statutes 2012, section 181.943, is amended to read:

181.943 RELATIONSHIP TO OTHER LEAVE.

(a) The length of parental leave provided under section 181.941 may be reduced by any period of paid parental or disability leave, but not accrued sick leave, provided by the employer, so that the total leave does not exceed six 12 weeks, unless agreed to by the employer.

(b) Nothing in sections 181.940 to 181.943 prevents any employer from providing leave benefits in addition to those provided in sections 181.940 to 181.944 or otherwise affects an employee's rights with respect to any other employment benefit.

EFFECTIVE DATE. This section is effective August 1, 2013."

Renumber the sections in sequence
Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "modifying overtime and parental leave provisions;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 683, A bill for an act relating to water; creating Legislative Water Commission; modifying water use requirements; requiring a report on groundwater sustainability recommendations; amending Minnesota Statutes 2012, sections 103G.271, subdivisions 1, 4; 103G.287, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Page 1, delete subdivision 2, and insert:

"Subd. 2. Membership. (a) The Legislative Water Commission consists of 12 members appointed as follows:

(1) six members of the senate, including three majority party members appointed by the majority leader and three minority party members appointed by the minority leader; and

(2) six members of the house of representatives, including three majority party members appointed by the speaker of the house and three minority party members appointed by the minority leader.

(b) Members serve at the pleasure of the appointing authority and continue to serve until their successors are appointed. Vacancies shall be filled in the same manner as the original positions. Vacancies occurring on the commission do not affect the authority of the remaining members of the Legislative Water Commission to carry out the function of the commission.

(c) The first meeting of the commission shall be convened by the chair of the Legislative Coordinating Commission. Members shall elect a chair, vice chair, secretary, and other officers as determined by the commission. The chair may convene meetings as necessary to conduct the duties prescribed by this section."

Page 1, line 25, delete everything after the period

Page 2, delete lines 1 and 2

Page 2, line 13, after "Resources" insert ", the Clean Water Council,"

Page 2, line 14, after "commission" insert ", council,"

Page 2, after line 14, insert:

"(e) The commission shall coordinate with the Clean Water Council,"
Pages 2 and 3, delete sections 2 to 5 and insert:

"Sec. 2. **APPROPRIATION.**

$180,000 is appropriated from the general fund in fiscal year 2014 and $167,000 is appropriated from the general fund in fiscal year 2015 to the Legislative Coordinating Commission for the purposes of this act."

Amend the title as follows:

Page 1, line 2, delete "modifying water use"

Page 1, delete line 3 and insert "providing appointments; appropriating money;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 740, A bill for an act relating to state lands; modifying landowners' bill of rights; modifying land acquisition account; providing for school forests; providing for sale of certain tax-forfeited land within Fond du Lac Indian Reservation; adding to and deleting from state parks and forests; authorizing certain exchanges and sales of state lands; amending Minnesota Statutes 2012, sections 84.0274, subdivision 6; 89.41; 94.165; 282.01, subdivisions 1a, 1d.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 1451, A bill for an act relating to transportation; bridges; providing for disposition of remnant steel of I-35W bridge; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Page 1, line 22, delete everything after "recycled" and insert ". The first $22,000 of the proceeds from the disposal of the remaining steel shall be deposited in the trunk highway fund, and any additional proceeds shall”

With the recommendation that when so amended the bill pass.

The report was adopted.
Carlson from the Committee on Ways and Means to which was referred:

H. F. No. 1792, A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 92, 683, 740, 1451 and 1792 were read for the second time.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 677, A bill for an act relating to financing of state and local government; making changes to individual income, corporate franchise, property, sales and use, estate, mineral, liquor, tobacco, aggregate materials, local, and other taxes and tax-related provisions; restoring the school district current year aid payment shift percentage to 90; conforming to federal section 179 expensing allowances; imposing an income surcharge; allowing an up-front exemption for capital equipment; modifying the definition of income for the property tax refund; decreasing the threshold percentage for the homestead credit refund for homeowners and the property tax refund for renters; increasing the maximum refunds for renters; changing property tax aids and credits; imposing an insurance surcharge; modifying pension aids; providing pension funding; changing provisions of the Sustainable Forest Incentive Act; modifying definitions for property taxes; providing exemptions; creating joint entertainment facilities coordination; imposing a sports memorabilia gross receipts tax; changing tax rates on tobacco and liquor; providing reimbursement for certain property tax abatement; modifying the small business investment tax credit; expanding the definition of domestic corporation to include foreign corporations incorporated in or doing business in tax havens; making changes to additions and subtractions from federal taxable income; changing rates for individuals, estates, and trusts; providing for charitable contributions and veterans jobs tax credits; modifying estate tax exclusions for qualifying small business and farm property; imposing a gift tax; expanding the sales tax to include suite and box seat rentals; modifying the definition of sales and purchase; changing the tax rate and modifying provisions for the rental motor vehicle tax; modifying nexus provisions; providing for multiple points of use certificates; modifying exemptions; authorizing local sales taxes; authorizing economic development powers; providing authority, organization, powers, and duties for development of a Destination Medical Center; authorizing state infrastructure aid; imposing a tax on extraction and processing of fracturing sand; providing a taconite production tax grant for water supply improvements; authorizing taconite production tax bonds for grants to school districts; modifying and providing provisions for public finance; modifying the definition of market value for tax, debt, and other purposes; requiring labor peace agreements on certain qualifying projects; making conforming, policy, and technical changes to tax provisions; requiring studies and reports; appropriating money; amending...
JOURNAL OF THE HOUSE

subdivision 2, as amended; Laws 1988, chapter 645, section 3, as amended; Laws 1993, chapter 375, article 9, section 46, subdivisions 2, as amended, 5, as amended; Laws 1998, chapter 389, article 8, section 43, subdivisions 1, 3, as amended, 5, as amended; Laws 1999, chapter 243, article 6, section 11; Laws 2002, chapter 377, article 3, section 25, as amended; Laws 2005, First Special Session chapter 3, article 5, section 37, subdivisions 2, 4; Laws 2008, chapter 366, article 5, sections 26; 33; 34, as amended; article 7, section 19, subdivision 3, as amended; Laws 2010, chapter 216, section 55; Laws 2010, chapter 389, article 1, section 12; article 5, section 6, subdivisions 4, 6; Laws 2010, First Special Session chapter 1, article 13, section 4, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 116C; 287; 290; 290A; 292; 295; 297I; 403; 435; 469; proposing coding for new law as Minnesota Statutes, chapter 297J; repealing Minnesota Statutes 2012, sections 16A.725; 256.9658; 272.69; 273.11, subdivisions 1a, 22; 276A.01, subdivision 11; 289A.60, subdivision 31; 290.01, subdivision 6b; 290.06, subdivision 22a; 290.0672; 290.0921, subdivision 7; 383A.80, subdivision 4; 383B.80, subdivision 4; 428A.101; 428A.21; 473F.02, subdivision 13; 477A.011, subdivisions 2a, 19, 21, 29, 31, 32, 33, 36, 39, 40, 41, 42; 477A.013, subdivisions 11, 12; 477A.0133; 477A.0134; Laws 2006, chapter 259, article 11, section 3, as amended; Laws 2009, chapter 88, article 4, section 23, as amended.

JOANNE M. ZOFF, Secretary of the Senate

Lenczewski moved that the House refuse to concur in the Senate amendments to H. F. No. 677, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 677:

Lenczewski; Davnie; Anzelc; Benson, J., and Norton.

Murphy, E., moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

Huntley was excused for the remainder of today's session.

MESSAGES FROM THE SENATE, Continued

The following message was received from the Senate:
Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 677, A bill for an act relating to financing of state and local government; making changes to individual income, corporate franchise, property, sales and use, estate, mineral, liquor, tobacco, aggregate materials, local, and other taxes and tax-related provisions; restoring the school district current year aid payment shift percentage to 90; conforming to federal section 179 expensing allowances; imposing an income surcharge; allowing an up-front exemption for capital equipment; modifying the definition of income for the property tax refund; decreasing the threshold percentage for the homestead credit refund for homeowners and the property tax refund for renters; increasing the maximum refunds for renters; changing property tax aids and credits; imposing an insurance surcharge; modifying pension aids; providing pension funding; changing provisions of the Sustainable Forest Incentive Act; modifying definitions for property taxes; providing exemptions; creating joint entertainment facilities coordination; imposing a sports memorabilia gross receipts tax; changing tax rates on tobacco and liquor; providing reimbursement for certain property tax abatement; modifying the small business investment tax credit; expanding the definition of domestic corporation to include foreign corporations incorporated in or doing business in tax havens; making changes to additions and subtractions from federal taxable income; changing rates for individuals, estates, and trusts; providing for charitable contributions and veterans jobs tax credits; modifying estate tax exclusions for qualifying small business and farm property; imposing a gift tax; expanding the sales tax to include suite and box seat rentals; modifying the definition of sales and purchase; changing the tax rate and modifying provisions for the rental motor vehicle tax; modifying nexus provisions; providing for multiple points of use certificates; modifying exemptions; authorizing local sales taxes; authorizing economic development powers; providing authority, organization, powers, and duties for development of a Destination Medical Center; authorizing state infrastructure aid; imposing a tax on extraction and processing of fracturing sand; providing a taconite production tax grant for water supply improvements; authorizing taconite production tax bonds for grants to school districts; modifying and providing provisions for public finance; modifying the definition of market value for tax, debt, and other purposes; requiring labor peace agreements on certain qualifying projects; making conforming, policy, and technical changes to tax provisions; requiring studies and reports; appropriating money; amending Minnesota Statutes 2012, sections 16A.152, subdivision 2; 16A.46; 38.18; 40A.15, subdivision 2; 69.011, subdivision 1; 69.021, subdivisions 7, 8, by adding a subdivision; 88.51, subdivision 3; 103B.102, subdivision 3; 103B.245, subdivision 3; 103B.251, subdivision 8; 103B.335; 103B.3369, subdivision 5; 103B.635, subdivision 2; 103B.691, subdivision 2; 103C.501, subdivision 4; 103D.905, subdivisions 2, 3, 8; 103F.405, subdivision 1; 116L.8737, subdivisions 1, 2, 8; 117.025, subdivision 7; 118A.04, subdivision 3; 118A.05, subdivision 5; 123A.455, subdivision 1; 123B.75, subdivision 5; 126C.48, subdivision 8; 127A.45, subdivision 2; 127A.48, subdivision 1; 138.053; 144F.01, subdivision 4; 161.11, subdivision 3; 162.07, subdivisions 1, 3, 8; 163.04, subdivision 3; 163.051; 163.06, subdivision 6; 165.10, subdivision 1; 168.012, subdivision 9; by adding a subdivision; 216C.436, subdivision 7; 237.52, subdivision 3, by adding a subdivision; 270.077; 270.41, subdivision 5; 270B.01, subdivision 5; 271.06, subdivision 4; 271.07, subdivision 1; 271C.38, subdivision 1; 271C.42, subdivision 2; 271C.56, subdivision 1; 271.06, by adding a subdivision; 272.01, subdivision 2; 272.02, subdivisions 39, 97, by adding subdivisions; 272.03, subdivision 9, by adding subdivisions; 273.032; 273.11, subdivision 1, by adding a subdivision; 273.114, subdivision 6; 273.124, subdivisions 3a, 13; 273.13, subdivisions 21b, 23, 25; 273.1398, subdivisions 3, 4; 273.19, subdivision 1; 273.372, subdivision 4; 273.39; 275.011, subdivision 1; 275.077, subdivision 2; 275.71, subdivision 4; 276.04, subdivision 2; 276A.01, subdivisions 10, 12, 13, 15; 276A.06, subdivision 10; 279.01, subdivision 1, by adding a subdivision; 279.02; 279.06, subdivision 1; 287.05, by adding a subdivision; 287.08; 287.20, by adding a subdivision; 287.23, subdivision 1; 287.385, subdivision 7; 289A.02, subdivision 7; 289A.08, subdivisions 1, 3, 7; 289A.10, subdivision 1, by adding a subdivision; 289A.12, subdivision 14, by adding a subdivision; 289A.18, by adding a subdivision; 289A.20, subdivisions 3, 4, by adding a subdivision; 289A.26, subdivisions 3, 4, 7, 9; 289A.55, subdivision 9; 289A.60, subdivision 4; 290.01, subdivisions 5, 19, as amended, 19a, 19b, 19c, 19d, 31, as amended, by adding subdivisions; 290.06, subdivisions 2c, 2d, by adding subdivisions; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0675, subdivision 1; 290.0677, subdivision 2; 290.068, subdivisions 3, 6a; 290.0681, subdivisions 1, 3, 4, 5; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 1; 290.17, subdivision 4; 290.21,
subdivision 4; 290.9705, subdivision 1; 290A.03, subdivisions 3, 15, as amended; 290A.04, subdivisions 2, 2a, 4; 290B.04, subdivision 2; 290C.02, subdivision 6; 290C.05; 290C.07; 291.005, subdivision 1; 291.03, subdivisions 1, 8, 9, 10, 11, by adding a subdivision; 296A.01, subdivision 19, by adding a subdivision; 296A.22, subdivisions 1, 3; 297A.61, subdivisions 3, 4, by adding a subdivision; 297A.64, subdivisions 1, 2; 297A.66, by adding a subdivision; 297A.665; 297A.668, by adding a subdivision; 297A.67, subdivision 7; 297A.68, subdivision 5; 297A.70, subdivisions 4, 8, by adding subdivisions; 297A.71, by adding subdivisions; 297A.75, subdivisions 1, 2, 3; 297A.815, subdivision 3; 297A.993, subdivisions 1, 2; 297B.11; 297E.021, subdivision 2; 297E.14, subdivision 7; 297F.01, subdivisions 3, 19, 23, by adding a subdivision; 297F.05, subdivisions 1, 3, 4, by adding a subdivision; 297F.09, subdivision 9; 297F.18, subdivision 7; 297F.24, subdivision 1; 297F.25, subdivision 1; 297G.03, subdivision 1, by adding a subdivision; 297G.04; 297G.09, subdivision 8; 297G.17, subdivision 7; 297I.05, subdivisions 7, 11, 12; 297I.30, subdivisions 1, 2; 297I.80, subdivision 1; 298.01, subdivisions 3, 3b, 4; 298.018; 298.227, as amended; 298.24, subdivision 1; 298.28, subdivisions 4, 6, 10; 298.75, subdivision 2; 325D.32, subdivision 2; 353G.08, subdivision 2; 365.025, subdivision 4; 366.095, subdivision 1; 366.27; 368.01, subdivision 23; 368.47; 370.01; 373.01, subdivisions 1, 3; 373.40, subdivisions 1, 2, 4; 375.167, subdivision 1; 375.18, subdivision 3; 375.555; 383A.80, subdivision 4; 383B.152; 383B.245; 383B.73, subdivision 1; 383D.41, by adding a subdivision; 383E.20; 383E.23; 385.31; 394.36, subdivision 1; 398A.04, subdivision 8; 401.05, subdivision 3; 403.02, subdivision 21, by adding subdivisions; 403.06, subdivision 1a; 403.11, subdivision 1, by adding a subdivision; 410.32; 412.221, subdivision 2; 412.301; 428A.02, subdivision 1; 430.102, subdivision 2; 447.10; 450.19; 450.25; 458A.10; 458A.31, subdivision 1; 465.04; 469.033, subdivision 6; 469.034, subdivision 2; 469.053, subdivisions 4, 4a, 6; 469.071, subdivision 5; 469.107, subdivision 1; 469.169, by adding a subdivision; 469.176, subdivisions 4c, 4g, 6; 469.177, by adding a subdivision; 469.180, subdivision 2; 469.187; 469.190, subdivision 7, by adding a subdivision; 469.206; 469.319, subdivision 4; 469.340, subdivision 4; 471.24; 471.571, subdivisions 1, 2; 471.73; 473.325, subdivision 2; 473.39, by adding a subdivision; 473.629; 473.661, subdivision 3; 473.667, subdivision 9; 473.711; 473.712, subdivision 2a; 473F.02, subdivisions 12, 14, 15, 23; 473F.08, subdivision 10, by adding a subdivision; 474A.04, subdivision 1a; 474A.062; 474A.091, subdivision 3a; 475.521, subdivisions 1, 2, 4; 475.53, subdivisions 1, 3, 4; 475.58, subdivisions 2, 3b; 475.73, subdivision 1; 477A.01, subdivisions 20, 30, 32, 34, 42, by adding subdivisions; 477A.0124; 477A.02, subdivision 2; 477A.013, subdivisions 8, 9, by adding a subdivision; 477A.015; 477A.03, subdivisions 2a, 2b, by adding a subdivision; 641.23; 641.24; 645.44, by adding a subdivision; Laws 1971, chapter 773, section 1, subdivision 2, as amended; Laws 1988, chapter 645, section 3, as amended; Laws 1993, chapter 375, article 9, section 46, subdivisions 2, as amended, 5, as amended; Laws 1998, chapter 389, article 8, section 43, subdivisions 1, 3, as amended, 5, as amended; Laws 1999, chapter 243, article 6, section 11; Laws 2002, chapter 377, article 3, section 25, as amended; Laws 2005, First Special Session chapter 3, article 5, section 37, subdivisions 2, 4; Laws 2008, chapter 366, article 5, sections 26; 33; 34, as amended; article 7, section 19, subdivision 3, as amended; Laws 2010, chapter 216, section 55; Laws 2010, chapter 389, article 1, section 12; article 5, section 6, subdivisions 4, 6; Laws 2010, First Special Session chapter 1, article 13, section 4, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 116C; 287; 290; 290A; 292; 295; 297I; 403; 435; 469; proposing coding for new law as Minnesota Statutes, chapter 293J; repealing Minnesota Statutes 2012, sections 16A.725; 256.9658; 272.69; 273.11, subdivisions 1a, 22; 276A.01, subdivision 11; 289A.60, subdivision 31; 290.01, subdivision 6b; 290.06, subdivision 22a; 290.0672; 290.0921, subdivision 7; 383A.80, subdivision 4; 383B.80, subdivision 4; 428A.101; 428A.21; 473F.02, subdivision 13; 477A.011, subdivisions 2a, 19, 21, 29, 31, 32, 33, 36, 39, 40, 41, 42; 477A.013, subdivisions 11, 12; 477A.0133; 477A.0134; Laws 2006, chapter 259, article 11, section 3, as amended; Laws 2009, chapter 88, article 4, section 23, as amended.

The Senate has appointed as such committee:

Senators Skoe, Rest, Dziedzic, Koenen and Senjem.

Said House File is herewith returned to the House.

JOANNE M. ZOFF, Secretary of the Senate
The Speaker called Hortman to the Chair.

CALENDAR FOR THE DAY

S. F. No. 541 was reported to the House.

Atkins moved to amend S. F. No. 541, the second engrossment, as follows:

Page 11, after line 5, insert:

"Sec. 14. CITY OF MINNEAPOLIS; INTOXICATING MALT LIQUOR.

Notwithstanding any other requirements under Minnesota Statutes, section 340A.404, subdivision 5, the city of Minneapolis may authorize a holder of an on-sale wine license issued pursuant to Minnesota Statutes, section 340A.404, subdivision 5, who is also licensed to sell 3.2 percent malt liquors at on-sale pursuant to Minnesota Statutes, section 340A.411, to sell intoxicating malt liquors at on-sale without an additional license.

EFFECTIVE DATE. This section is effective upon approval by the Minneapolis City Council, and compliance with Minnesota Statutes, section 645.021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

CALL OF THE HOUSE

On the motion of Daudt and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler Abner Adams
Anzelc Atkins Atkinson
Barrett Beard Benson, M. Bernardy Bly
Carlson Clark Cornish Daudt Davids

Murphy, E., moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.
Simonson moved to amend S. F. No. 541, the second engrossment, as amended, as follows:

Page 11, after line 5, insert:

"Sec. 14. WHEELER FIELD; 3.2 MALT LIQUOR LICENSE.

Notwithstanding any law or ordinance to the contrary, the city of Duluth may issue an on-sale intoxicating liquor license for the premises known as Wheeler Field in addition to the number authorized by law. The license may authorize sales to persons attending softball games and other athletic events held at the premises. The license may authorize the sale and consumption of 3.2 malt liquor at the concession stand and approved dining area of the premises. The license may be issued to the city or to a person or corporation under contract or agreement with the city. The license authorizes sales on all days of the week. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the license under this section.

**EFFECTIVE DATE.** This section is effective upon approval by the Duluth City Council and compliance with Minnesota Statutes, section 645.021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Sundin moved to amend S. F. No. 541, the second engrossment, as amended, as follows:

Page 11, after line 5, insert:

"Sec. 14. CARLTON COUNTY; ON-SALE.

Notwithstanding Minnesota Statutes, section 340A.412, subdivision 4, clause (7), Carlton County, in accordance with Minnesota Statutes, section 340A.410, subdivision 1, may issue an on-sale wine license to a restaurant located at 3 Highway 61 East, in the town of Thomson. The license authorizes sales on all days of the week.

**EFFECTIVE DATE.** This section is effective upon approval by the Carlton County board and in compliance with Minnesota Statutes, section 645.021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Liebling, Kahn, Drazkowski and Pugh moved to amend S. F. No. 541, the second engrossment, as amended, as follows:

Page 8, after line 34, insert:

"Sec. 8. Minnesota Statutes 2012, section 340A.504, subdivision 4, is amended to read:
Subd. 4. **Intoxicating liquor; off-sale.** No sale of intoxicating liquor may be made by an off-sale licensee:

(1) on **Sundays**;

(2) before 8:00 a.m. or after 10:00 p.m. on Monday through **Saturday** Sunday; or

(3) on **Thanksgiving Day**;

(4) (2) on Christmas Day, December 25; or

(5) after 8:00 p.m. on Christmas Eve, December 24.

**EFFECTIVE DATE.** This section is effective the day following final enactment.”

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Kahn moved to amend the Liebling et al amendment to S. F. No. 541, the second engrossment, as amended, as follows:

Page 1, line 10, after the period, insert "An off-sale licensee must be closed one day in every week of operation, and may choose which day to be closed."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called.

Murphy, E., moved that those not voting be excused from voting. The motion prevailed.

There were 5 yeas and 122 nays as follows:

Those who voted in the affirmative were:

Anderson, S. Barrett Bly Franson Kahn

Those who voted in the negative were:

Abeler Benson, M. Dean, M. Fabian Gunther Hoppe
Albright Bernardy Dehn, R. Faust Hackbarth Hornstein
Allen Brynaert Dettmer Fischer Halverson Hortman
Anderson, M. Carlson Dill FitzSimmons Hamilton Howe
Anderson, P. Clark Durholt Freiberg Hansen Isaacson
Anzele Cornish Drazkowski Fritz Hausman Johnson, B.
Atkins Davids Erhardt Garofalo Hertaus Johnson, C.
Beard Erickson, R. Green Hilstrom Johnson, S.
Benson, J. Davnie Erickson, S. Gruenhagen Holberg Kelly
The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Liebling et al amendment and the roll was called.

Murphy, E., moved that those not voting be excused from voting. The motion prevailed.

There were 21 yeas and 106 nays as follows:

Those who voted in the affirmative were:

Anderson, S.    Freiberg    Hornstein    Liebling    Norton    Simonson
Drazkowski      Hausman     Kahn       Lien        Paymar     Paymar
Falk            Hertaus     Kieffer    Loeffler    Peppin     Paymar
FitzSimmons     Hilstrom    Lesch      Myhra      Pugh       Pugh

Those who voted in the negative were:

Abeler          Davids      Hackbarth   Lillie       Nornes     Slocum
Albright        Davnie      Halverson   Lohmer      O'Driscoll  Sundin
Allen           Dean, M.    Hamilton    Mahoney     O'Neil     Swedzinski
Anderson, M.    Dehn, R.    Hansen     Mariani     Pelowski   Theis
Anderson, P.    Dettmer     Holberg     Marquart    Persell    Torkelson
Anzlec          Dill        Hoppe      Masin       Poppe      Uglen
Atkins          Dorholt     Hortman    McDonald    Quam       Ward, J.A.
Barrett         Erhardt     Howe       McNamar    Radinovich Wagenius
Beard           Erickson, R. Isacson    McNamara    Rosenthal  Ward, J.E.
Benson, J.      Erickson, S. Johnson, B. Melin       Runbeck    Wagenius
Benson, M.      Fabian      Johnson, C. Metsa       Sanders    Will
Bernardy        Faust       Johnson, S. Moran       Savick     Yarusso
Bly             Fischer     Kelly       Morgan      Schoen     Zellers
Brynaert        Franson     Kiel       Murphy, E.  Schoen     Zersvas
Carlson         Garofalo    Kresha      Murphy, M.  Schomacker Spk. Thissen
Clark           Green       Laine      Nelson      Scott      Simon
Cornish         Gruenhagen  Leidiger    Newberger   Selcer      Ward, J.A.
Daudt           Gunther     Lenczewski Newton      Simon      Ward, J.E.

The motion did not prevail and the amendment was not adopted.
S. F. No. 541, A bill for an act relating to liquor; regulating alcohol sales and distribution; authorizing various licenses; amending Minnesota Statutes 2012, sections 340A.301, subdivisions 6b, 6c, 7, 7a, by adding a subdivision; 340A.4042; 340A.418; Laws 1999, chapter 202, section 13; Laws 2012, chapter 235, section 8.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pursuant to rule 2.05, Anderson, M., was excused from voting on the final passage of S. F. No. 541, as amended.

Murphy, E., moved that those not voting be excused from voting. The motion prevailed.

There were 103 yeas and 24 nays as follows:

Those who voted in the affirmative were:

Albright
Allen
Anderson, P.
Anderson, S.
Anzeng
Atkins
Beard
Benson, J.
Bernardy
Bly
Brynaert
Carlson
Clark
Cornish
Daunt
Davids
Davnie
Dean, M.
Dehn, R.
Dill
Dorholt
Erhardt
Erickson, R.
Erickson, S.
Falk
Faust
Fischer
Franson
Freiberg
Fritz
Gruenhagen
Gutowski
Hackbarth
Halverson
Hamilton
Hansen
Hausman
Hilstrom
Hoppe
Hortman
Hawe
Isaacson
Johnson, B.
Johnson, C.
Johnson, S.
Kelly
Kahn
Kieffer
Kresha
Laine
Lenczewski
Lesch
Lien
Leidiger
Lefler
Mahoney
Marian
Marquart
Masin
McNamara
Melin
Metsa
Moran
Morgan
Murphy, E.
Myhra
Nelson
Newton
Nornes
Norton
O'Driscoll
O'Neill
Paymar
Pelowski
Persell
Poppe
Pugh
Radinovich
Rosalthal
Runbeck
Sanders
Savick
Sawatzky
Selcer
Simon
Simonson
Slocum
Sundin
Swedzinski
Uglen
Urdahl
Wagenius
Ward, J.A.
Ward, J.E.
Wills
Winkler
Yarusso
Zellers
Zerwas
Spk. Thissen

Those who voted in the negative were:

Abeler
Barrett
Benson, M.
Dettmer
Drazkowski
Fabian
FitzSimmons
Garofalo
Green
Hertaus
Holberg
Kiel
Leidiger
Liebling
Lohmer
McDonald
Newberger
Peppin
Quam
Schoen
Schomacker
Scott
Theis
Torkelson

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

CALL OF THE HOUSE LIFTED

Murphy, E., moved that the call of the House be lifted. The motion prevailed and it was so ordered.

McDonald was excused for the remainder of today's session.
H. F. No. 1120 was reported to the House.

Fabian moved to amend H. F. No. 1120 as follows:

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 2012, section 15.471, is amended by adding a subdivision to read:

Subd. 3a. **Demand.** "Demand" means the express demand of the agency which led to the civil action or contested case proceeding but does not include a recitation by the agency of the maximum statutory penalty:

(1) in the administrative complaint; or

(2) elsewhere when accompanied by an express demand for a lesser amount.

**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to administrative or civil actions commenced on or after that date.

Sec. 3. Minnesota Statutes 2012, section 15.472, is amended to read:

**15.472 FEES AND EXPENSES; CIVIL ACTION OR CONTESTED CASE PROCEEDING INVOLVING STATE.**

(a) If a prevailing party other than the state, in a civil action or contested case proceeding other than a tort action, brought by or against the state, shows that the position of the state was not substantially justified, the court or administrative law judge shall award fees and other expenses to the party unless special circumstances make an award unjust.

(b) If, in a civil action or contested case proceeding arising from an agency action to enforce a party's compliance with a statutory or regulatory requirement, the demand by the agency is substantially in excess of the final decision of the administrative law judge or court and is unreasonable when compared with such decision under the facts and circumstances of the case, the administrative law judge or court shall award to the party the fees and other expenses related to defending against the excessive demand, unless the party has committed a willful violation of law or engaged in conduct that unduly and unreasonably protracted the final resolution of the matter in controversy, or special circumstances make an award unjust.

(c) A party seeking an award of fees and other expenses shall, within 30 days of final judgment in the action, submit to the court or administrative law judge an application for fees and other expenses which shows that the party is a prevailing party and is eligible to receive an award, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing on behalf of the party stating the actual time expended and the rate at which fees and other expenses were computed. The party shall also allege that the position of the state was not substantially justified.

(d) The court or administrative law judge may reduce the amount to be awarded under this section, or deny an award, to the extent that the prevailing party during the proceedings engaged in conduct that unduly and unreasonably protracted the final resolution of the matter in controversy. The decision of an administrative law judge under this section must be made a part of the record containing the final decision of the agency and must include written findings and conclusions.
This section does not preclude a party from recovering costs, disbursements, fees, and expenses under other applicable law.

**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to administrative or civil actions commenced on or after that date."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Fabian amendment and the roll was called. There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Abeler
Albright
Anderson, M.
Anderson, P.
Anderson, S.
Anzelc
Barrett
Beard
Benson, M.
Cornish
Daudt
Davids
Dean, M.
Dettmer
Drazkowski
Erickson, R.
Erickson, S.
Fabian
FitzSimmons
Franson
Garofalo
Green
Gruenhagen
Gunther
Kiel
Kieffer
Kresha
Kiel
Leidiger
Lohmer
McNamara
Holberg
Hoppe
Myhra
Newberger
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The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 16 nays as follows:

Those who voted in the affirmative were:


Albright  Dean, M.  Erickson, S.  Garofalo  Leidiger  Quam  Benson, M.  Detmer  FitzSimmons  Holberg  Newberger  Davids  Drazkowski  Franson  Hoppe  Pugh  The bill was passed and its title agreed to.

S. F. No. 887 was reported to the House.

Laine moved to amend S. F. No. 887, the fifth engrossment, as follows:

Page 25, delete lines 29 and 30
Correct the title numbers

The motion prevailed and the amendment was adopted.

Pursuant to rule 3.34, Dean, M., moved that S. F. No. 887, the fifth engrossment, as amended, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.
The question was taken on the Dean, M., motion and the roll was called. There were 56 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Abeler  Davids  Gruenhagen  Kieffer  O'Neill  Torkelson
Albright  Dean, M.  Gunther  Kiel  Peppin  Uglen
Anderson, M.  Dettmer  Hackbarth  Kresha  Pugh  Urdahl
Anderson, P.  Drazkowski  Hamilton  Leidiger  Quam  Wills
Anderson, S.  Erickson, S.  Hertaus  Lohmer  Runbeck  Zellers
Barrett  Fabian  Holberg  McNamara  Sanders  Zerwas
Beard  FitzSimmons  Hoppe  Myhra  Schomacker
Benson, M.  Franson  Howe  Newberger  Scott
Cornish  Garofalo  Johnson, B.  Nornes  Swedzinski
Daudt  Green  Kelly  O'Driscoll  Theis

Those who voted in the negative were:

Allen  Dorholt  Hornstein  Loeffler  Nelson  Selcer
Anzelc  Erhardt  Hortman  Mahoney  Newton  Simon
Atkins  Erickson, R.  Isaacson  Mariani  Norton  Simonson
Benson, J.  Falk  Johnson, C.  Marquart  Paymar  Stocum
Bernardy  Faust  Johnson, S.  Masin  Pelowski  Sundin
Bly  Fischer  Kahn  McNamara  Persell  Wagenius
Brynaert  Freiberg  Laine  Melin  Poppe  Ward, J.A.
Carlson  Fritz  Lenczewski  Metsa  Radinovich  Ward, J.E.
Clark  Halverson  Lesch  Moran  Rosenthal  Winkler
Davnie  Hansen  Liebling  Morgan  Savick  Yarusso
Dehn, R.  Hausman  Lien  Murphy, E.  Sawatzky  Spk. Thissen
Dill  Hilstrom  Lillie  Murphy, M.  Schoen

The motion did not prevail.

Laine moved to amend S. F. No. 887, the fifth engrossment, as amended, as follows:

Page 4, line 3, delete "subdivision 2" and insert "subdivision 4"

The motion prevailed and the amendment was adopted.

S. F. No. 887, A bill for an act relating to health; classifying criminal history record data on Minnesota Responds Medical Reserve Corps volunteers; requiring certain interviews for investigation of vulnerable adult complaints against HMO; enacting the Minnesota Radon Awareness Act; requiring radon education disclosure for residential real property; changing provisions for tuberculosis standards; changing adverse health events reporting requirements; modifying a poison control provision; providing liability coverage for certain volunteer medical personnel and permitting agreements to conduct criminal background studies; changing provisions for body art establishments and body art technicians; defining occupational therapy practitioners; changing provisions for occupational therapy; amending prescribing authority for legend drugs; providing penalties; amending Minnesota Statutes 2012, sections 13.381, by adding a subdivision; 62Q.106; 144.1501, subdivision 4; 144.50, by adding a subdivision; 144.55, subdivision 3; 144.56, by adding a subdivision; 144.7065, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 144A.04, by adding a subdivision; 144A.45, by adding a subdivision; 144A.53, subdivision 2;
144A.752, by adding a subdivision; 144D.08; 145.93, subdivision 3; 145A.04, by adding a subdivision; 145A.06, subdivision 7; 146B.02, subdivisions 2, 8; 146B.03, by adding a subdivision; 146B.07, subdivision 5; 148.6402, by adding a subdivision; 148.6440; 151.37, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 144; 145A; 513; repealing Minnesota Statutes 2012, sections 144.1487; 144.1488; 144.1489; 144.1490; 144.1491; 146B.03, subdivision 10; 148.7808, subdivision 2; 148.7813; 325F.814; 609.2246.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 79 yeas and 47 nays as follows:

Those who voted in the affirmative were:

Abeler
Allen
Anderson, P.
Anderson, S.
Anzelc
Atkins
Benson, J.
Bernardy
Bly
Brynaert
Carlson
Clark
Davnie
Dehn, R.

Those who voted in the negative were:

Albright
Anderson, M.
Barrett
Beard
Benson, M.
Cornish
Daudt
Davids
Dean, M.
Dettmer
Drazkowski
Erickson, S.
Fabian
FitzSimmons
Franson
Garofalo
Green
Gruenhagen
Gunther
Hackbarth
Hamilton
Hertaus
Holberg
Hoppe

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

H. F. No. 947 was reported to the House.

Dean, M., moved to amend H. F. No. 947, the first engrossment, as follows:

Page 2, line 3, delete "9" and insert "10"

Page 9, line 16, delete "4" and insert "3"

The motion did not prevail and the amendment was not adopted.
H. F. No. 947 was read for the third time.

Daudt moved that H. F. No. 947, the first engrossment, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Daudt motion and the roll was called. There were 55 yeas and 71 nays as follows:

Those who voted in the affirmative were:

- Abeler
- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Barrett
- Beard
- Benson, M.
- Cornish
- Daudt
- Davids
- Gruenhagen
- Kiel
- Peppin
- Uglem
- Dean, M.
- Dettmer
- Drazkowski
- Erickson, S.
- Fabian
- FitzSimmons
- Franson
- Garofalo
- Green
- Hackbarth
- Hamilton
- Heritau
- Holberg
- Hoppe
- Howe
- Johnson, B.
- Kelly
- Kieffer
- Nelson
- Selcer
- Hackbarth
- Leidiger
- Lohmer
- McNamara
- Myhra
- Newberger
- Nornes
- O'Driscoll
- O'Neill
- Peppin
- Pugh
- Quam
- Runbeck
- Sanders
- Zellers
- Rudge
- Sanders
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- Sanders

Those who voted in the negative were:

- Allen
- Anzelc
- Atkins
- Benson, J.
- Bernardy
- Bly
- Brynaert
- Carlson
- Clark
- Davnie
- Dehn, R.
- Dill
- Dorholt
- Hornstein
- Loeffler
- Nelson
- Selcer
- Erhardt
- Hortman
- Mahoney
- Newton
- Simon
- Erickson, R.
- Isaacson
- Mariani
- Norton
- Simonson
- Falk
- Johnson, C.
- Marquart
- Paymar
- Slocum
- Faust
- Johnson, S.
- Masin
- Pelowski
- Sundin
- Fischer
- Kahn
- McNamar
- Persell
- Wagenius
- Freiberg
- Laine
- Melin
- Poppe
- Ward, J.A.
- Fritz
- Lenczewski
- Metsa
- Radinovich
- Ward, J.E.
- Halverson
- Lesch
- Moran
- Rosenthal
- Winkler
- Hansen
- Liebling
- Morgan
- Savick
- Yarusso
- Hausman
- Lien
- Murphy, E.
- Sawatzky
- Spk. Thissen
- Hilstrom
- Lillie
- Murphy, M.
- Schoen

The motion did not prevail.

H. F. No. 947, A bill for an act relating to human services; distinguishing and clarifying law regarding civil commitment of sexually dangerous persons and persons with sexual psychopathic personalities from other civil commitments; amending Minnesota Statutes 2012, sections 253B.02, subdivisions 18a, 24; 253B.03, subdivision 1a; 253B.045, subdivision 1a; 253B.092, subdivision 1; 253B.17, subdivision 1; 253B.185; 253B.19, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 253D.

The bill was placed upon its final passage and the roll was called. There were 76 yeas and 50 nays as follows:

Those who voted in the affirmative were:

- Abeler
- Atkins
- Bly
- Clark
- Dehn, R.
- Erhardt
- Benson, J.
- Brynaert
- Cornish
- Dill
- Erickson, R.
- Bernardy
- Carlson
- Davnie
- Dorholt
- Falk
The bill was passed and its title agreed to.

H. F. No. 1113 was reported to the House.

Wagenius moved to amend H. F. No. 1113, the second engrossment, as follows:

Page 6, line 35, delete "..." and insert "natural resources"

Page 27, line 29, delete "and"

Page 27, line 32, delete the period and insert a semicolon

Page 27, after line 32, insert:

"(9) Laws 2010, chapter 362, section 2, subdivision 3, paragraph (i), Ecosystem Services in Agricultural Watersheds;

(10) Laws 2010, chapter 362, section 2, subdivision 3, paragraph (a), County Geologic Atlases and Related Hydrogeologic Research; and

(11) Laws 2010, chapter 362, section 2, subdivision 7, paragraph (a), Algae for Fuels Pilot Project."

Page 29, line 27, after the period, insert "The commission shall ensure that the expenditures and outcomes described in the work plan for appropriations funded by the environment and natural resources trust fund are met."

Page 32, line 33, after "value" insert "and most recent tax statement"
Page 32, line 34, after the period, insert "Conservation easements to be held by the Board of Water and Soil Resources are not subject to the requirements of this section. The board shall keep a record of the tax assessed value of the real property at the time of acquisition and the most recent tax statement."

The motion prevailed and the amendment was adopted.

H. F. No. 1113, A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying provisions for Legislative-Citizen Commission on Minnesota Resources; modifying requirements for land acquisition with trust fund money; amending Minnesota Statutes 2012, sections 116P.05, subdivisions 1, 2, 116P.09, subdivision 2; 116P.15; 116P.16; 116P.17; proposing coding for new law in Minnesota Statutes, chapter 116P.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Dean, M.  Dehn, R.  Dettmer  Dill    Doehlert  Erhardt  Erickson, R.  Erickson, S.  Fabian  Falk  Faust  Fischer  Franson  Freiberg  Fritz  Green  Gunther  Hack Barth  Halverson
Hamilton  Hansen  Hausman  Hertaus  Hilstrom  Hoppe  Hornstein  Hortman  Howe  Isacson  Johnson, B.  Johnson, C.  Johnson, S.  Kahn  Kelly  Kiel  Kresha  Laine  Lenczewski
Lesch    Liebling  Lien  Lillie  Loeffler  Lohmer  Mahoney  Mariani  Marquart  Masin  McNamara  Melin  Metsa  Moran  Morgan  Murphy, E.  Murphy, M.  Myhra
Simon    Simonson  Slocum  Sundin  Swedzinski  Torkelson  Uglen  Udahl  Wagenius  Ward, J.A.  Ward, J.E.  Wills  Winkler  Yarusso  Zellers  Zerwas  Spk. Thissen

Those who voted in the negative were:

Albright  FitzSimmons  Holberg  Newberger  Sanders  Daudt  Garofalo  Kieffer  Quam  Schomacker  Drazkowski  Gruenhagen  Leidiger  Runbeck

The bill was passed, as amended, and its title agreed to.
H. F. No. 681 was reported to the House.

Simon moved to amend H. F. No. 681, the second engrossment, as follows:

Page 2, after line 19, insert:

"(c) Under paragraph (b), the liability of any municipality, as that term is defined in Minnesota Statutes, section 466.01, shall not exceed the amount of valid and collectible insurance, including, where applicable, proceeds from the Minnesota Insurance Guaranty Association, which covers the claim."

A roll call was requested and properly seconded.

The question was taken on the Simon amendment and the roll was called. There were 67 yeas and 58 nays as follows:

Those who voted in the affirmative were:


Those who voted in the negative were:


The motion prevailed and the amendment was adopted.

Gunther was excused for the remainder of today's session.

Simon moved to amend H. F. No. 681, the second engrossment, as amended, as follows:

Page 2, line 7, delete "based" and insert "for"
Page 2, line 8, delete "on"

Page 2, line 15, delete "conduct alleged to" and insert "alleged sexual abuse of"

Page 2, line 16, delete "constitute sexual abuse against" and delete "claim" and insert "action"

Page 2, line 18, delete "a claim for injury based on that conduct" and insert "an action for damages"

Page 2, line 19, after the period, insert "This paragraph does not apply to an action for vicarious liability or respondeat superior."

The motion prevailed and the amendment was adopted.

Peppin was excused for the remainder of today's session.

Liebling moved to amend H. F. No. 681, the second engrossment, as amended, as follows:

Page 1, line 13, reinstate the stricken language

Page 1, line 14, delete the new language and reinstate the stricken language

Page 1, line 15, reinstate the stricken language and delete the new language and insert "The standard to determine if the plaintiff had knowledge of the injury caused by sexual abuse is a subjective standard and unique to the individual plaintiff. There is no presumption under the law that a plaintiff had knowledge of an injury or reason to know of an injury caused by sexual abuse at the time the abuse occurred."

Page 1, delete lines 16 to 21

Page 1, line 24, reinstate the stricken language

Page 2, line 1, reinstate the stricken "(d)" and delete "(c)"

Page 2, delete lines 7 to 12

Page 2, line 19, after the period, insert "This paragraph does not apply to claims for vicarious liability or respondeat superior."

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

Holberg moved that H. F. No. 681, the second engrossment, as amended, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.
The question was taken on the Holberg motion and the roll was called. There were 54 yeas and 70 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Davids</th>
<th>Green</th>
<th>Kelly</th>
<th>Newberger</th>
<th>Scott</th>
</tr>
</thead>
<tbody>
<tr>
<td>Albright</td>
<td>Dean, M.</td>
<td>Gruenhagen</td>
<td>Kieffer</td>
<td>Nornes</td>
<td>Swedzinski</td>
</tr>
<tr>
<td>Anderson, M.</td>
<td>Dettmer</td>
<td>Hackbarth</td>
<td>Kiel</td>
<td>O'Driscoll</td>
<td>Theis</td>
</tr>
<tr>
<td>Anderson, P.</td>
<td>Drazkowski</td>
<td>Hamilton</td>
<td>Kresha</td>
<td>O'Neill</td>
<td>Torkelson</td>
</tr>
<tr>
<td>Barrett</td>
<td>Erickson, S.</td>
<td>Hertaus</td>
<td>Leidiger</td>
<td>Pugh</td>
<td>Uglem</td>
</tr>
<tr>
<td>Beard</td>
<td>Fabian</td>
<td>Holberg</td>
<td>Liebling</td>
<td>Quam</td>
<td>Urdahl</td>
</tr>
<tr>
<td>Benson, M.</td>
<td>FitzSimmons</td>
<td>Hoppe</td>
<td>Lohmer</td>
<td>Runbeck</td>
<td>Wills</td>
</tr>
<tr>
<td>Cornish</td>
<td>Franson</td>
<td>Howe</td>
<td>McNamara</td>
<td>Sanders</td>
<td>Zellers</td>
</tr>
<tr>
<td>Daudt</td>
<td>Garofalo</td>
<td>Johnson, B.</td>
<td>Myhra</td>
<td>Schomacker</td>
<td>Zerwas</td>
</tr>
</tbody>
</table>

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Allen</th>
<th>Dorholt</th>
<th>Hornstein</th>
<th>Mahoney</th>
<th>Newton</th>
<th>Simon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anzelc</td>
<td>Erhardt</td>
<td>Hortman</td>
<td>Mariani</td>
<td>Norton</td>
<td>Simonson</td>
</tr>
<tr>
<td>Atkins</td>
<td>Erickson, R.</td>
<td>Isaacson</td>
<td>Marquart</td>
<td>Paymar</td>
<td>Slocum</td>
</tr>
<tr>
<td>Benson, J.</td>
<td>Falk</td>
<td>Johnson, C.</td>
<td>Masin</td>
<td>Pelowski</td>
<td>Sundin</td>
</tr>
<tr>
<td>Bernardy</td>
<td>Faust</td>
<td>Johnson, S.</td>
<td>McNamar</td>
<td>Persell</td>
<td>Wagenius</td>
</tr>
<tr>
<td>Bly</td>
<td>Fischer</td>
<td>Kahn</td>
<td>Melin</td>
<td>Poppe</td>
<td>Ward, J.A.</td>
</tr>
<tr>
<td>Brynaert</td>
<td>Freiberg</td>
<td>Laine</td>
<td>Metsa</td>
<td>Radinovich</td>
<td>Ward, J.E.</td>
</tr>
<tr>
<td>Carlson</td>
<td>Fritz</td>
<td>Lenczewski</td>
<td>Moran</td>
<td>Rosenthal</td>
<td>Winkler</td>
</tr>
<tr>
<td>Clark</td>
<td>Halverson</td>
<td>Lesch</td>
<td>Morgan</td>
<td>Savick</td>
<td>Yarusso</td>
</tr>
<tr>
<td>Davnie</td>
<td>Hansen</td>
<td>Lien</td>
<td>Murphy, E.</td>
<td>Sawatzky</td>
<td>Spk. Thissen</td>
</tr>
<tr>
<td>Dehn, R.</td>
<td>Hausman</td>
<td>Lillie</td>
<td>Murphy, M.</td>
<td>Schoen</td>
<td></td>
</tr>
<tr>
<td>Dill</td>
<td>Hilstrom</td>
<td>Loeffler</td>
<td>Nelson</td>
<td>Selcer</td>
<td></td>
</tr>
</tbody>
</table>

The motion did not prevail.

H. F. No. 681, A bill for an act relating to civil actions; changing the limitation period for civil actions involving sexual abuse; amending Minnesota Statutes 2012, section 541.073.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 115 yeas and 7 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Abeler</th>
<th>Bly</th>
<th>Dill</th>
<th>Fritz</th>
<th>Hortman</th>
<th>Laine</th>
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<tr>
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<td>Howe</td>
<td>Lenczewski</td>
</tr>
<tr>
<td>Anderson, M.</td>
<td>Carlson</td>
<td>Erhardt</td>
<td>Gruenhagen</td>
<td>Isaacson</td>
<td>Lesch</td>
</tr>
<tr>
<td>Anderson, P.</td>
<td>Clark</td>
<td>Erickson, R.</td>
<td>Hamilton</td>
<td>Johnson, B.</td>
<td>Lien</td>
</tr>
<tr>
<td>Anderson, S.</td>
<td>Cornish</td>
<td>Erickson, S.</td>
<td>Johnson, C.</td>
<td>Johnson, S.</td>
<td>Lillie</td>
</tr>
<tr>
<td>Anzelc</td>
<td>Daudt</td>
<td>Fabian</td>
<td>Halverson</td>
<td>Johnson, M.</td>
<td>Loeffler</td>
</tr>
<tr>
<td>Atkins</td>
<td>Davids</td>
<td>Falk</td>
<td>Hansen</td>
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<td>Davnie</td>
<td>Faust</td>
<td>Hausman</td>
<td>Kelly</td>
<td>Mariani</td>
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<tr>
<td>Benson, J.</td>
<td>Dean, M.</td>
<td>Fischer</td>
<td>Hilstrom</td>
<td>Kieffer</td>
<td>Marquart</td>
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<td>Franson</td>
<td>Hoppe</td>
<td>Kiel</td>
<td>Masin</td>
</tr>
<tr>
<td>Bernardy</td>
<td>Dettmer</td>
<td>Freiberg</td>
<td>Hornstein</td>
<td>Kresha</td>
<td></td>
</tr>
</tbody>
</table>
The bill was passed, as amended, and its title agreed to.

REPORTS FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Murphy, E., from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Thursday, May 2, 2013 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 1390 and 195; S. F. No. 1270; H. F. Nos. 590 and 1284; and S. F. Nos. 510, 825 and 843.

Murphy, E., from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Friday, May 3, 2013 and established a prefiling requirement for amendments offered to the following bills:

H. F. No. 92; S. F. No. 489; H. F. Nos. 902, 634, 694, 1117 and 1136; and S. F. No. 380.

MOTIONS AND RESOLUTIONS

Dettmer moved that his name be stricken as an author on H. F. No. 690. The motion prevailed.

Dehn, R., moved that the name of FitzSimmons be added as an author on H. F. No. 1221. The motion prevailed.

Kahn moved that the name of Kieffer be added as an author on House Resolution No. 4. The motion prevailed.

Anderson, P.; Gunther; Hamilton and Poppe introduced:

House Resolution No. 6, A House resolution recognizing Minnesota State Grassland Month.

The resolution was referred to the Committee on Rules and Legislative Administration.
ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, May 2, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and Speaker pro tempore Hortman declared the House stands adjourned until 10:00 a.m., Thursday, May 2, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives