The House of Representatives convened at 9:00 a.m. and was called to order by Paul Thissen, Speaker of the House.

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

A quorum was present.

Atkins was excused until 5:05 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.
REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 863, A bill for an act relating to campaign finance; providing for additional disclosure; making various changes to campaign finance and public disclosure law; providing penalties; amending Minnesota Statutes 2012, sections 10A.01, subdivisions 10, 11, 27, 28, by adding subdivisions; 10A.02, subdivisions 9, 10, 11, 12, 15; 10A.025, subdivisions 2, 3; 10A.105, subdivision 1; 10A.12, subdivisions 1, 1a, 2; 10A.121; 10A.14, subdivision 1, by adding a subdivision; 10A.15, subdivisions 1, 2, 3; 10A.20, subdivisions 1, 2, 3, 5, 6, 7, by adding a subdivision; 10A.241; 10A.25, subdivisions 2, 2a, 3; 10A.257, subdivision 1; 10A.27, subdivisions 1, 10, 11, 13, 14, 15; 10A.323; 211B.32, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 10A; repealing Minnesota Statutes 2012, sections 10A.24; 10A.242; 10A.25, subdivision 6.

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. 1054, A bill for an act relating to marriage; providing for marriage between two persons; providing for exemptions based on religious association; amending Minnesota Statutes 2012, sections 363A.26; 517.01; 517.03, subdivision 1; 517.08, subdivision 1a; 517.09; 518.07; proposing coding for new law in Minnesota Statutes, chapter 517.

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:

S. F. No. 1234, A bill for an act relating to workers' compensation; making various policy and housekeeping changes; adopting advisory council recommendations; requiring a report; amending Minnesota Statutes 2012, sections 176.011, subdivisions 15, 16; 176.081, subdivisions 1, 7; 176.101, subdivision 1; 176.102, subdivisions 3a, 5, 10; 176.106, subdivisions 1, 3; 176.129, subdivision 13; 176.136, subdivision 1b; 176.138; 176.183, subdivision 4; 176.245; 176.521; 176.645; 176.83, subdivision 5.

Reported the same back with the following amendments:

Page 7, line 24, after "action" insert a comma

Page 9, line 16, after "action" insert a comma

With the recommendation that when so amended the bill pass.

The report was adopted.
SECOND READING OF HOUSE BILLS

H. F. Nos. 863 and 1054 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 1234 was read for the second time.

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.

Abeler was excused for the remainder of today’s session.

CALENDAR FOR THE DAY

H. F. No. 740 was reported to the House.

Johnson, C., moved to amend H. F. No. 740, the second engrossment, as follows:

Page 8, after line 8, insert:

"Sec. 6. Laws 1989, chapter 136, section 1, is amended to read:

Section 1. CONVEYANCE OF ST. PETER STATE HOSPITAL PROPERTY TO LEO A. HOFFMANN CENTER, INC.

(a) Notwithstanding Minnesota Statutes, sections 16B.24 and 94.09 to 94.16, the commissioner of administration may convey the land described in this section without consideration to Leo A. Hoffmann Center, Inc. of St. Peter, Minnesota.

(b) The conveyance must be conditioned that the real property, including buildings and other improvements, reverts to the state if the property is not used as a nonprofit treatment facility. The conveyance must be in a form approved by the attorney general.

(c) The land that may be conveyed is vacant property without buildings on the grounds of the St. Peter Regional Treatment Center containing 10.43 acres, more or less, in Nicollet County, Minnesota, described as:
That part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as:

Commencing at the North Quarter Corner of Section 29; thence South 89 degrees 54 minutes 24 seconds East (assumed bearing) along the North line of Section 29, a distance of 83.41 feet; thence South 00 degrees 34 minutes 17 seconds East on a line parallel to the centerline of Minnesota trunk highway marked No. 333 (Sheppard Drive), a distance of 107.33 feet to the South right-of-way of Minnesota trunk highway marked No. 99, also being the point of beginning; thence continuing South 00 degrees 34 minutes 17 seconds East, 600.00 feet; thence North 89 degrees 25 minutes 43 seconds East, 800.00 feet; thence North 00 degrees 34 minutes 17 seconds West, 427.95 feet to the southerly right-of-way line of Minnesota trunk highway marked No. 99; thence North 88 degrees 59 minutes 48 seconds West along the southerly right-of-way line of Minnesota trunk highway marked No. 99 a distance of 419.28 feet; thence North 01 degrees 00 minutes 12 seconds East along said right-of-way line 150.00 feet; thence North 88 degrees 59 minutes 48 seconds West along said right-of-way line 385.15 feet to the point of beginning.

(d) The property to be conveyed is surplus property of the St. Peter Regional Treatment Center and is not needed for state use. The property is needed by Leo A. Hoffmann Center, Inc. to construct a residential treatment facility. The property is adjacent to property presently used by Leo A. Hoffmann Center, Inc. under a lease agreement with the St. Peter Regional Treatment Center and the best interests of the state of Minnesota and of the Leo A. Hoffmann Center, Inc. would be served by continuing and expanding the present relationship between the state and Leo A. Hoffmann Center, Inc. by conveying the property.

(e) All construction plans and specifications for the residential treatment facility to be built on the site must be submitted to the commissioner of administration for review and approval.

(f) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.283, the Leo A. Hoffmann Center, Inc. may request the commissioner of administration to release the condition under paragraph (b) that the real property, including buildings and other improvements, reverts to the state if the property is not used as a nonprofit treatment facility. The state shall release the condition only upon payment of the appraised value of the land, plus any appraisal or other costs incurred by the state to process the requested sale, as determined by the commissioner of administration at the time of the sale of the property. The commissioner of administration may add conditions to the sale of the property deemed to be in the interest of the state. Upon receipt of full payment of the sale price, the commissioner of administration shall issue a quit claim deed for the property to the Leo A. Hoffmann Center, Inc., releasing the reverter condition. The money received from the sale shall be disposed of according to Minnesota Statutes, section 16B.287."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Drazkowski, Kelly, McNamara and Erickson, R., moved to amend H.F. No. 740, the second engrossment, as amended, as follows:

Page 17, after line 11, insert:

"Sec. 20. **PRIVATE SALE OF SURPLUS STATE LAND; GOODHUE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c)."
(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Goodhue County and is described as: That part of the Southwest Quarter of the Northeast Quarter of Section 36, Township 112 North, Range 15 West, Goodhue County, Minnesota described as follows: commencing at the northeast corner of said Southwest Quarter of the Northeast Quarter; thence West along the north line thereof a distance of 121.00 feet; thence South parallel with the east line of said Southwest Quarter of the Northeast Quarter a distance of 469.00 feet to the point of beginning of the land to be described; thence deflecting 74 degrees 05 minutes 35 seconds left a distance of 125.82 feet to a point on the east line of said Southwest Quarter of the Northeast Quarter; thence South along said east line of the Southwest Quarter of the Northeast Quarter a distance of 34.35 feet; thence deflecting 68 degrees 41 minutes 35 seconds right a distance of 192.41 feet; thence deflecting 21 degrees 34 minutes 56 seconds right, parallel with the north line of said Southwest Quarter of the Northeast Quarter, a distance of 274.27 feet; thence deflecting 17 degrees 18 minutes 00 seconds left a distance of 156.54 feet; thence deflecting 35 degrees 54 minutes 26 seconds right a distance of 343.33 feet to the southwest corner of the East 928.00 feet of the North 545.00 feet of said Southwest Quarter of the Northeast Quarter; thence East along the south line of the North 545.00 feet of said Southwest Quarter of the Northeast Quarter a distance of 807.00 feet to the east line of the West 128.00 feet of the North 545.00 feet of said Southwest Quarter of the Northeast Quarter; thence North, parallel with the east line of said Southwest Quarter of the Northeast Quarter, a distance of 76.00 feet to the point of beginning, containing 1.38 acres, more or less.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were conveyed to an adjacent landowner.

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Simon to the Chair.

McNamara, O'Driscoll and Erickson, R., moved to amend H. F. No. 740, the second engrossment, as amended, as follows:

Page 25, after line 6, insert:

"Sec. 31. EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources may, with the approval of the Land Exchange Board, as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy."
(c) The state lands that may be conveyed are located in St. Louis County and are described as:

(1) Section 6, Township 54, Range 17;

(2) Sections 1, 2, 11, and 12, Township 54, Range 18;

(3) Sections 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, and 33, Township 55, Range 17;

(4) Sections 1, 2, 10, 11, 12, 13, 15, 22, 24, 25, 27, and 36, Township 55, Range 18; and

(5) Sections 25, 26, 34, and 36, Township 56, Range 18.

(d) Prior to initiating a land exchange pursuant to Minnesota Statutes, section 94.343, the commissioner of natural resources shall consult with the Legislative Permanent School Fund Commission to obtain its advice on the proposed priority lands for exchange.”

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 McNamara et al amendment and the roll was called. There were 78 yeas and 53 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.
Hoppe was excused between the hours of 1:50 p.m. and 7:05 p.m.

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; Laws 1989, chapter 136, section 1.

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 17 nays as follows:

Those who voted in the affirmative were:

Albright  Dorholt  Hertaus  Lohmer  Norton  Selcer
Allen  Drazkowski  Hilstrom  Loon  O’Driscoll  Simon
Anderson, M.  Erhardt  Holberg  Mack  O’Neill  Simonson
Anderson, P.  Erickson, R.  Hortman  Mahoney  Pelowski  Slocum
Anderson, S.  Erickson, S.  Howe  Mariani  Peppin  Sundin
Anzele  Fabian  Huntley  Marquart  Persell  Swedzinski
Barrett  Faust  Johnson, B.  Masin  Petersburg  Theis
Beard  Fischer  Johnson, C.  McDonald  Poppe  Torkelson
Benson, J.  FitzSimmons  Kelly  McNamar  Pugh  Uglen
Benson, M.  Franson  Kieffer  McNamara  Quam  Udahl
Bernardy  Freiberg  Kiel  Metsa  Radinovich  Ward, J.E.
Brynaert  Fritz  Kresha  Moran  Rosenthal  Wills
Carlson  Garofalo  Laine  Morgan  Runbeck  Winkler
Cornish  Green  Leidiger  Murphy, E.  Sanders  Woodard
Daudt  Gruenhagen  Lenczewski  Myhra  Savick  Yarusso
Davids  Gunther  Lesch  Nelson  Sawatzky  Zellers
Dean, M.  Hackathorn  Liebling  Newberger  Schoen  Zerwas
Dettmer  Halverson  Lien  Newton  Schomacker  Spk. Thissen
Dill  Hamilton  Lillie  Nornes  Scott

Those who voted in the negative were:

Bly  Dehn, R.  Hornstein  Kahn  Mullery  Wagenius
Clark  Hansen  Isaacson  Loeffler  Murphy, M.  Ward, J.A.
Davnie  Hausman  Johnson, S.  Melin  Paymar

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

H. F. No. 542, A bill for an act relating to state government; establishing expectations for classified employees as nonpartisan resources to all decision makers; providing additional whistleblower protection to state employees; amending Minnesota Statutes 2012, section 181.932, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 43A.

The bill was read for the third time 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 52 nays as follows:

Those who voted in the affirmative were:

Allen  Erhardt  Hortman  Mariani  Norton  Sundin
Anzelc  Erickson, R.  Huntley  Marquart  Paymar  Torkelson
Benson, J.  Falk  Isaacson  Masin  Pelowski  Uglem
Bernardy  Faust  Johnson, C.  McNamar  Persell  Wagenius
Bly  Fischer  Johnson, S.  McNamara  Poppe  Ward, J.A.
Brynaert  Freiberg  Kahn  Melin  Radinovich  Ward, J.E.
Carlson  Fritz  Laine  Merta  Rosenthal  Winkler
Clark  Gunther  Lenczewski  Moran  Savick  Yarusso
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Davids  Hamilton  Liebling  Mullery  Schoen  
Davnie  Hansen  Lien  Murphy, E.  Selcer  
Dehn, R.  Hausman  Lillie  Murphy, M.  Simon  
Dill  Hilstrom  Loeffler  Nelson  Simonson  
Dorholt  Hornstein  Mahoney  Newton  Slocum

Those who voted in the negative were:

Albright  Dettmer  Hackbarth  Leidiger  O'Neill  Swedzinski
Anderson, M.  Drazkowski  Hertaus  Lohmer  Peppin  Theis
Anderson, P.  Erickson, S.  Holberg  Loon  Petersburg  Urdahl
Anderson, S.  Fabian  Howe  Mack  Pugh  Wills
Barrett  FitzSimmons  Johnson, B.  McDonald  Quam  Woodard
Beard  Franson  Kelly  Myhra  Runbeck  Zellers
Benson, M.  Garofalo  Kieffer  Newberger  Sanders  Zerwas
Daudt  Green  Kiel  Nornes  Schomacker  
Dean, M.  Gruenhagen  Kresha  O'Driscoll  Scott  

The bill was passed and its title agreed to.

H. F. No. 80 was reported to the House.

Hilstrom moved to amend H. F. No. 80, the first engrossment, as follows:

Page 1, line 6, delete the first "an" and insert "a conciliation court or district court"
Page 2, line 2, delete everything after "or"
Page 2, line 3, delete everything before "in" and before the semicolon, insert ". proof that the party seeking the judgment used reasonable efforts to provide the court with the correct address for the debtor"
Page 2, line 5, delete everything after "cases" and insert a period
Page 2, delete line 6
Page 2, line 7, after "to" insert "requests, applications, and"
Page 2, line 8, before "filed" insert "and conciliation court cases"

The motion prevailed and the amendment was adopted.
H. F. No. 80, A bill for an act relating to judgments; regulating assigned consumer debt default judgments; proposing coding for new law in Minnesota Statutes, chapter 548.

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 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

S. F. No. 748, A bill for an act relating to commerce; regulating preneed funeral insurance; amending Minnesota Statutes 2012, sections 61A.258, by adding a subdivision; 72A.207.

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

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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The bill was passed and its title agreed to.

Persell 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 Speaker pro tempore Simon.

Lohmer was excused between the hours of 4:30 p.m. and 6:50 p.m.

Franson was excused between the hours of 4:30 p.m. and 7:45 p.m.

CALENDAR FOR THE DAY, Continued

H. F. No. 956 was reported to the House.

Hortman moved to amend H. F. No. 956, the third engrossment, as follows:

Page 4, delete lines 1 to 3 and insert "of financing or owning distributed generation equipment located on a customer's property, provided that all of the electricity produced by the generating equipment is delivered or sold to the utility that serves the customer."

Page 14, delete section 14

Page 27, delete section 31
Page 29, delete section 33

Page 38, line 10, after "commissioner" insert ", in consultation with Minnesota electric utilities and transmission companies."

Page 38, line 29, delete "December 1, 2013" and insert "November 1, 2014"

Page 39, delete section 45

Page 41, line 3, delete "50" and insert "46"

The motion prevailed and the amendment was adopted.

Hortman moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 12, line 8, after the period, insert "To qualify for aggregation under this subdivision, a meter must be owned by the customer requesting the aggregation, must be located on contiguous property owned by the customer requesting the aggregation, and the total capacity of all qualifying facilities attached to a customer's aggregated meters must not exceed the maximum capacity of qualifying facilities eligible to be governed under this section."

Page 12, line 32, delete "prohibited"

Page 12, line 33, delete "is prohibited from limiting" and insert "may limit"

Page 12, line 34, delete everything after "3" and insert a period

Page 13, delete lines 1 to 3 and insert "A public utility may request the commission to limit the cumulative generation of qualifying facilities under subdivision 3 upon a showing that such generation has reached three percent of the public utility's annual retail electricity sales."

Page 13, line 4, delete everything before "The"

The motion prevailed and the amendment was adopted.

Benson, J., moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 40, after line 16, insert:

"Sec. 48. **TRANSMISSION LINE; CERTIFICATE OF NEED REQUIRED AND EVIDENCE REQUIRED.**

(a) A high-voltage transmission line with a capacity of 100 kilovolts or more proposed to be located within a city in the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, for which a route permit application was filed between June 2011 and August 2011, and a certificate of need application was filed between June 2012 and August 2012, to rebuild approximately eight miles of 69 kilovolt transmission with a high-voltage transmission line to meet local area distribution needs, must be approved in a certificate of need proceeding conducted under Minnesota Statutes, section 216B.243. The certificate of need may be approved only if the commission finds by clear and convincing evidence that there is no feasible, cost-effective, and available distribution level alternative to the transmission line."
(b) Further proceedings regarding the routing of a high-voltage transmission line described in this section shall be suspended until the Public Utilities Commission has made a determination that the transmission line is needed.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to route permits and certificate of need applications pending on or after that date."

Page 41, line 3, before "Sections" insert "Unless otherwise specified."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Quam moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 14, delete section 15

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Quam moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 15, line 4, delete "must" and insert "may"

Page 15, line 5, delete everything after the period

Page 15, delete lines 6 to 9

A roll call was requested and properly seconded.

The question was taken on the Quam amendment and the roll was called. There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Albright</th>
<th>Cornish</th>
<th>Fabian</th>
<th>Hamilton</th>
<th>Kiel</th>
<th>Myhra</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, M.</td>
<td>Davdts</td>
<td>FitzSimmons</td>
<td>Hertaus</td>
<td>Kresha</td>
<td>Newberger</td>
</tr>
<tr>
<td>Anderson, P.</td>
<td>Dean, M.</td>
<td>Garofalo</td>
<td>Holberg</td>
<td>Leidiger</td>
<td>Nornes</td>
</tr>
<tr>
<td>Anderson, S.</td>
<td>Dettmer</td>
<td>Green</td>
<td>Howe</td>
<td>Loon</td>
<td>O'Driscoll</td>
</tr>
<tr>
<td>Barrett</td>
<td>Drazkowski</td>
<td>Gruenhagen</td>
<td>Johnson, B.</td>
<td>Mack</td>
<td>O'Neill</td>
</tr>
<tr>
<td>Beard</td>
<td>Erickson, S.</td>
<td>Gunther</td>
<td>Kelly</td>
<td>McDonald</td>
<td>Peppin</td>
</tr>
<tr>
<td>Benson, M.</td>
<td>Hackbarth</td>
<td>Kieffer</td>
<td>McNamara</td>
<td>Petersburg</td>
<td></td>
</tr>
</tbody>
</table>
Those who voted in the negative were:

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

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

Quam moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 24, line 31, delete "2.0" and insert "1.0"

Page 24, line 32, delete "4.0" and insert "2.0"

Page 25, line 1, delete "ten" and insert "five"

A roll call was requested and properly seconded.

The question was taken on the Quam amendment and the roll was called. There were 0 yeas and 129 nays as follows:

Those who voted in the negative were:

<table>
<thead>
<tr>
<th>Albright</th>
<th>Clark</th>
<th>Falk</th>
<th>Hilstrom</th>
<th>Laine</th>
<th>McNamar</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen</td>
<td>Cornish</td>
<td>Faust</td>
<td>Holberg</td>
<td>Leidiger</td>
<td>McNama</td>
</tr>
<tr>
<td>Anderson, M.</td>
<td>Daudt</td>
<td>Fischer</td>
<td>Hornstein</td>
<td>Lenczewski</td>
<td>Melin</td>
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<td>Anderson, P.</td>
<td>Davids</td>
<td>FitzSimmons</td>
<td>Hortman</td>
<td>Lesch</td>
<td>Mtsa</td>
</tr>
<tr>
<td>Anderson, S.</td>
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<td>Howe</td>
<td>Liebling</td>
<td>Moran</td>
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<td>Anzelc</td>
<td>Dean, M.</td>
<td>Fritz</td>
<td>Isaacsion</td>
<td>Lien</td>
<td>Morgan</td>
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<tr>
<td>Atkins</td>
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<td>Gruenhagen</td>
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<td>Mack</td>
<td>Myhra</td>
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<tr>
<td>Benson, J.</td>
<td>Dorholt</td>
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<tr>
<td>Brynaert</td>
<td>Erickson, S.</td>
<td>Hausman</td>
<td>Kiel</td>
<td>Moreno</td>
<td></td>
</tr>
<tr>
<td>Carlson</td>
<td>Fabian</td>
<td>Hertaus</td>
<td>Kresha</td>
<td>McDonald</td>
<td>Norton</td>
</tr>
</tbody>
</table>
The motion did not prevail and the amendment was not adopted.

Swedzinski moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 31, line 20, delete "and"

Page 31, line 25, before the period, insert:

";

(4) whose cost of material inputs that originate or are manufactured in Minnesota represent at least 51 percent of the solar photovoltaic modules' total cost of materials; and

(5) whose value added from manufacturing in Minnesota represents at least 51 percent of the sum of the value added from manufacturing in Minnesota plus the value added from the manufacture of all of the material inputs to the solar photovoltaic modules manufactured outside Minnesota.

For the purposes of this section, "value added" means the value of products shipped minus the cost of materials, supplies, containers, and purchased energy"

A roll call was requested and properly seconded.

Garofalo moved to amend the Swedzinski amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, after line 12, insert:

"Page 33, line 15, before the period, insert ", or if the commissioner determines that, during the manufacturing process, lead, cadmium, nitrogen trifluoride or other hazardous substance or hazardous waste defined in section 115B.02, subdivisions 9 or 10, are released to the environment"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 58 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albright Anderson, S. Benson, M. Davids Drazkowski FitzSimmons
Anderson, M. Barrett Cornish Dean, M. Erickson, S. Garofalo
Anderson, P. Beard Daudt Dettmer Fabian Green
The motion did not prevail and the amendment to the amendment was not adopted.

Garofalo moved to amend the Swedzinski amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, after line 12, insert:

"Page 36, after line 16, insert:

"Subd. 7. Suspension of payment. No incentive payment may be made to the owner of a solar photovoltaic device under this section if it increases electricity rates to the ratepayers of the utility to which the solar photovoltaic device is interconnected."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Those who voted in the negative were:

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

Garofalo moved to amend the Swedzinski amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, after line 12, insert:

"Page 36, after line 16, insert:

"Subd. 7. Suspension of payment. No incentive payment may be made to the owner of a solar photovoltaic device under this section if it increases electricity rates to the ratepayers of the utility to which the solar photovoltaic device is interconnected."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:
Those who voted in the negative were:

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

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

The question recurred on the Swedzinski amendment and the roll was called. There were 58 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albright  Dean, M.  Hackbarth  Kresha  O'Neill  Theis
Anderson, M.  Dettmer  Hamilton  Leidiger  Peppin  Torkelson
Anderson, P.  Drazkowski  Hansen  Loon  Petersburg  Uglen
Anderson, S.  Erickson, S.  Hertaus  Mack  Pugh  Urdaal
Barrett    Fabian  Holberg  McDonald  Quam  Wills
Beard      FitzSimmons  Howe  McNamar  Runbeck  Woodard
Benson, M.  Garofalo  Johnson, B.  Myhra  Sanders  Zellers
Cornish    Green  Kelly  Newberger  Schomacker  Zerwas
Dauudt      Gruenhagen  Kieffer  Nornes  Scott
Davids      Gunther  Kiel  O'Driscoll  Swedzinski

Those who voted in the negative were:

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

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

Quam moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 30, line 21, after "section" insert ", not to exceed the average wholesale rate"
Page 30, delete lines 22 to 29

Page 31, line 2, after "system" insert ", not to exceed the average wholesale rate."

A roll call was requested and properly seconded.

The question was taken on the Quam amendment and the roll was called. There were 56 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Albright  Dettmer  Hamilton  Loon  Petersburg  Uglem
Anderson, M.  Drazkowski  Hertaus  Mack  Pugh  Urda
Anderson, P.  Erickson, S.  Holberg  McDonald  Quam  Wills
Anderson, S.  Fabian  Howe  McNamara  Runbeck  Woodard
Barrett  FitzSimmons  Johnson, B.  Myhra  Sanders  Zellers
Beard  Garofalo  Kelly  Newberger  Schomacker  Zerwas
Benson, M.  Green  Kieffer  Nornes  Scott  
Cornish  Gruenhagen  Kiel  O'Driscoll  Swedzinski  
Daudt  Günther  Kresha  O'Neill  Theis  
Davids  Hackbarth  Leidiger  Peppin  Torkelson  

Those who voted in the negative were:

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

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

Quam moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 23, delete section 21

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 Quam amendment and the roll was called. There were 58 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Albright  
Anderson, M.  
Anderson, P.  
Anderson, S.  
Barrett  
Beard  
Benson, M.  
Cornish  
Daudt  
Davids  
Dean, M.  
Dettmer  
Drazkowski  
Erickson, S.  
Erickson, R.  
Erickson, S.  
Fabian  
Faust  
FitzSimmons  
Garofalo  
Gruenhagen  
Gunther  
Hackbarth  
Hamliton  
Hamilton  
Hertaas  
Holberg  
Howe  
Johnson, B.  
Kelly  
Kiel  
Kresha  
Kresider  
Kresha  
Kiel  
Leidiger  
Leidiger  
Leidiger  
Leidiger  
McDonald  
McNamara  
Myhra  
Newberger  
Nones  
O'Neil  
Peppin  
Petersburg  
Peppin  
Pough  
Quam  
Runbeck  
Sanders  
Schomacker  
Scott  
Swedzinski  
Swedzinski  
Torkelson  
Uglen  
Urdahl  
Wills  
Woodard  
Zellers  
Zerwas

Those who voted in the negative were:

Allen  
Anzelc  
Atkins  
Benson, J.  
Bernardy  
Bly  
Brynaert  
Carlson  
Clark  
Davnie  
Dehn, R.  
Dill  
Dorholt  
Erhardt  
Falk  
Fischer  
Freiberg  
Fritz  
Halverson  
Hansen  
Hauserman  
Hilstrom  
Hortman  
Huntley  
Isaacson  
Johnson, C.  
Johnson, S.  
Kahn  
Laine  
Lenczewski  
Lesch  
Liebling  
Lien  
Loeffler  
Loon  
Mahoney  
Mariani  
Marquart  
Masin  
McNamar  
McNamar  
Metsa  
Moran  
Morgan  
Mullery  
Murphy, M.  
Murphy, M.  
Nelson  
Newton  
Norton  
Simonson  
Slocum  
Sundin  
Wagenius  
Wagenius  
Ward, J.A.  
Ward, J.E.  
Winkler  
Yarusso  
Spk. Thissen

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

Quam moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 22, line 16, strike "with a capacity of less than 100 megawatts"

A roll call was requested and properly seconded.

The question was taken on the Quam amendment and the roll was called. There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright  
Anderson, M.  
Anderson, P.  
Anderson, S.  
Barrett  
Beard  
Benson, M.  
Cornish  
Daudt  
Davids  
Dean, M.  
Dettmer  
Drazkowski  
Erickson, S.  
Erickson, R.  
Erickson, S.  
Fabian  
Faust  
FitzSimmons  
Garofalo  
Gruenhagen  
Gunther  
Hackett  
Hamliton  
Hamilton  
Hertaas  
Holberg  
Howe  
Johnson, B.  
Kelly  
Kiel  
Kresha  
Kresha  
Kiel  
Leidiger  
Leidiger  
Leidiger  
Leidiger  
McDonald  
McNamara  
Myhra  
Newberger  
Nones  
O'Neil  
Peppin  
Petersburg  
Peppin  
Pough  
Quam  
Runbeck  
Sanders  
Schomacker  
Scott  
Swedzinski  
Swedzinski  
Torkelson  
Uglen  
Urdahl  
Wills  
Woodard  
Zellers  
Zerwas

Theis  
Torkelson  
Uglen  
Urdahl  
Wills  
Woodard  
Zellers  
Zerwas  
Spk. Thissen
Those who voted in the negative were:

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

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

Mahoney was excused between the hours of 6:40 p.m. and 10:30 p.m.

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:

Albright Dettmer Hansen Lesch Newberger Schomacker
Allen     Dill        Hausman Liebling Newton Scott
Anderson, M. Dorholt  Hertaus Lien Nornes Selcer
Anderson, P. Drazkowski Hilstrom Lillie Norton Simon
Anderson, S. Erhardt  Holberg Loeffler O'Driscoll Simonson
Anzelc    Erickson, R. Hornstein Lohmer O'Neill Slocum
Atkins    Erickson, S. Hortman Looon Paymar Sundin
Barrett   Fabian      Howe      Mack Pelowski Swedzinski
Beard     Falk        Huntley Marquart Peppin Theis
Benson, M. Faust      Isaacson Masin Newberger Schomacker
Bernardy Fischer    Johnson, B. McDonald Petersburg Uglen
Bly    FitzSimmons  Johnson, C. McNamar  Poppe Urda
Brynaert Freiberg  Johnson, S. McNamar  Pugh Wagenius
Carlson   Fritz      Kahn       Melin     Quam Ward, J.A.
Clark    Garofalo    Kelly      Moran  Radinovich Ward, J.E.
Comish   Green      Kieffer    Morgan Rosenthal Wills
Daudt    Gruenhagen  Kiel       Mullery Runbeck Winkler
Davids   Gunther    Kresha     Murphy, E. Sanders Woodard
Davnie   Hackbarth  Laine      Murphy, M. Savick Yarus
Dean, M. Halverson  Leidiger Myhra Sawatzky Zellers
Dehn, R. Hamilton  Lenczewski Nelson Schoen Zervas

Garofalo 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.

Gruenhagen moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 24, after line 4, insert:
"Sec. 22. Minnesota Statutes 2012, section 216B.1691, subdivision 2b. is amended to read:

Subd. 2b. **Modification or delay of standard.** (a) The commission, for a public utility, and the governing body, for a cooperative association or municipal utility, shall modify or delay the implementation of a standard obligation, in whole or in part, if the commission or governing body determines it is in the public interest to do so. The commission or governing body, when requested to modify or delay implementation of a standard, must consider:

(1) the impact of implementing the standard on its customers' utility costs, including the economic and competitive pressure on the utility's customers;

(2) the effects of implementing the standard on the reliability of the electric system;

(3) technical advances or technical concerns;

(4) delays in acquiring sites or routes due to rejection or delays of necessary siting or other permitting approvals;

(5) delays, cancellations, or nondelivery of necessary equipment for construction or commercial operation of an eligible energy technology facility;

(6) transmission constraints preventing delivery of service; and

(7) other statutory obligations imposed on the commission or a utility.

The commission or governing body may modify or delay implementation of a standard obligation under clauses (1) to (3) only if it finds implementation would cause significant rate impact, requires significant measures to address reliability, or raises significant technical issues. The commission or governing body may modify or delay implementation of a standard obligation under clauses (4) to (6) only if it finds that the circumstances described in those clauses were due to circumstances beyond an electric utility's control and make compliance not feasible.

(b) When considering whether to delay or modify implementation of a standard obligation, the commission or governing body must give due consideration to a preference for electric generation through use of eligible energy technology and to the achievement of the standards set by this section.

(c) An electric utility requesting a modification or delay in the implementation of a standard must file a plan to comply with its standard obligation in the same proceeding that it is requesting the delay.

(d) For the purposes of this section, "governing body" means:

(1) for a municipal electric utility, the city council of that municipality, or another body empowered by law or resolution of the city council or by its charter to establish and regulate rates for the distribution of electric energy within the service area of the city; or

(2) for an electric cooperative association, the board that governs the association."

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 Gruenhagen amendment and the roll was called.

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

There were 61 yeas and 67 nays as follows:

Those who voted in the affirmative were:

- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Barrett
- Beard
- Benson, M.
- Cornish
- Daudt
- Davids
- Dean, M.

Those who voted in the negative were:

- Allen
- Anzelc
- Atkins
- Benson, J.
- Bernardy
- Bly
- Brynaert
- Carlson
- Clark
- Davnie
- Dehn, R.
- Dorholt

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

Thissen was excused between the hours of 7:05 p.m. and 7:50 p.m.

Scott moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 24, after line 3, insert:

“(d) The standards under this subdivision and subdivision 2f are suspended until the legislature determines that a cost-effective and reliable technology exists to store energy generated from intermittent renewable energy sources in order to minimize the increased costs and inefficiencies resulting from the intermittent nature of wind and solar energy resources.”

A roll call was requested and properly seconded.
The question was taken on the Scott amendment and the roll was called.

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

There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Barrett
- Beard
- Benson, M.
- Cornish
- Daudt
- Davids
- Dean, M.
- Dettmer
- Erickson, S.
- FitzSimmons
- Garofalo
- Green
- Gruenhagen
- Hackbarth
- Hamilton
- Hertaus
- Holberg
- Hoppe
- Johnson, B.
- Kresha
- Leidiger
- Lohmer
- Mack
- McDonald
- Newberger
- Nolnes
- Peppin
- Petersburg
- Pugh
- Quam
- Runbeck
- Sanders
- Schomacker
- Scott
- O'Driscoll
- O'Neill
- O'Keeffe
- O'Neil
- Theis
- Torkelson
- Uglen
- Urdahl
- Wills
- Woodard
- Zellers
- Zerwas

Those who voted in the negative were:

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

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

**CALL OF THE HOUSE LIFTED**

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

Scott moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 24, after line 3, insert:

"(d) A utility is not required to meet a standard by the date indicated under this subdivision or subdivision 2f if, by the date by which the standard is to be met:

1. additional electricity is not needed to meet aggregate demand in the utility's Minnesota service area;

2. no generation facility owned by the utility that supplies electricity to the utility's Minnesota service area and is generated by a technology other than an eligible energy technology is scheduled to be retired; or

3. no contract to purchase energy generated by a technology other than an eligible energy technology that supplies electricity to the utility's Minnesota service area is scheduled to be terminated."

A roll call was requested and properly seconded.
The question was taken on the Scott amendment and the roll was called. There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

Albright  
Anderson, M.  
Anderson, P.  
Anderson, S.  
Barrett  
Beard  
Benson, M.  
Cornish  
Daudt  
Davids  
Dean, M.  
Dettmer  
Drazkowski  
Erickson, S.  
Fabian  
FitzSimmons  
Garofalo  
Gruenhagen  
Hackbarth  
Hamilton  
Hertz  
Hoppe  
Hoe  
Johnson, B.  
Krien  
Gunther  
Hackbarth  
Kresha  
Peppin  
Torkelson  
Petersburg  
Uglen  
Pugh  
Urdahl  
Quam  
Wills  
Runbeck  
Woodard  
Sanders  
Zellers  
Schumacher  
Zerwas  
Scott  
Mack  
McDonald  
McNamara  
Schomacker  
O'Neill  
Theis

Those who voted in the negative were:

Allen  
Anzelc  
Atkins  
Benson, J.  
Bernardy  
Bly  
Brynaert  
Carlson  
Clark  
Davnie  
Dehn, R.  
Dill  
Dorholt  
Erhardt  
Erickson, R.  
Erickson  
Falk  
Faust  
Fischer  
Fischberg  
Fritz  
Halverson  
Hansen  
Hausman  
Hilstrom  
Hornstein  
Hortman  
Huntley  
Isaacson  
Johnston  
Johnson, S.  
Kahn  
Kelly  
Kiel  
Lawson  
Lanson  
Lischke  
Lesch  
Lien  
Lillie  
Lofhrl  
Loon  
Mariani  
Marquart  
Masin  
McNamara  
Mellon  
Mehlum  
Morgan  
Mullery  
Murphy, E.  
Murphy, M.  
Nelson  
Newton  
Norton  
Paymar  
Pelowski  
Persell  
Poppe  
Radionovich  
Ries  
Rogers  
Roth  
Sawatzky  
Sawatzky  
Schoen  
Selcer  
Simon

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

Beard moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, delete section 1  
Page 2, delete section 2  
Page 3, delete section 3  
Page 4, delete sections 4 and 5  
Page 9, delete section 8  
Page 10, delete section 9  
Page 11, delete section 10  
Page 12, delete sections 11 and 12  
Page 13, delete section 13
A roll call was requested and properly seconded.
The question was taken on the Beard amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Albright</th>
<th>Dean, M.</th>
<th>Gunther</th>
<th>Kiel</th>
<th>Nornes</th>
<th>Scott</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson, M.</td>
<td>Dettmer</td>
<td>Hackbarth</td>
<td>Kresha</td>
<td>O'Driscoll</td>
<td>Swedzinski</td>
</tr>
<tr>
<td>Anderson, P.</td>
<td>Drazkowski</td>
<td>Hamilton</td>
<td>Leidiger</td>
<td>O'Neill</td>
<td>Theis</td>
</tr>
<tr>
<td>Anderson, S.</td>
<td>Erickson, R.</td>
<td>Hertaus</td>
<td>Lohmer</td>
<td>Peppin</td>
<td>Torkelson</td>
</tr>
<tr>
<td>Barrett</td>
<td>Erickson, S.</td>
<td>Holberg</td>
<td>Loon</td>
<td>Petersburg</td>
<td>Uglem</td>
</tr>
<tr>
<td>Beard</td>
<td>Fabian</td>
<td>Hoppe</td>
<td>Mack</td>
<td>Pugh</td>
<td>UrdaII</td>
</tr>
<tr>
<td>Benson, M.</td>
<td>FitzSimmons</td>
<td>Howe</td>
<td>McDonald</td>
<td>Quam</td>
<td>Wills</td>
</tr>
<tr>
<td>Cornish</td>
<td>Garofalo</td>
<td>Johnson, B.</td>
<td>McNamara</td>
<td>Runbeck</td>
<td>Woodard</td>
</tr>
<tr>
<td>Daudt</td>
<td>Green</td>
<td>Kelly</td>
<td>Myhra</td>
<td>Sanders</td>
<td>Zellers</td>
</tr>
<tr>
<td>Davids</td>
<td>Gruenhagen</td>
<td>Kieffer</td>
<td>Newberger</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>Hortman</th>
<th>Loeffler</th>
<th>Nelson</th>
<th>Selcer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anzelc</td>
<td>Erhardt</td>
<td>Huntley</td>
<td>Mariani</td>
<td>Newton</td>
<td>Simon</td>
</tr>
<tr>
<td>Atkins</td>
<td>Falk</td>
<td>Isaacson</td>
<td>Marquart</td>
<td>Norton</td>
<td>Simonson</td>
</tr>
<tr>
<td>Benson, J.</td>
<td>Faust</td>
<td>Johnson, C.</td>
<td>Masin</td>
<td>Paymar</td>
<td>Slocum</td>
</tr>
<tr>
<td>Bernardy</td>
<td>Fischer</td>
<td>Johnson, S.</td>
<td>McNamar</td>
<td>Pelowski</td>
<td>Sundin</td>
</tr>
<tr>
<td>Bly</td>
<td>Freiberg</td>
<td>Kahn</td>
<td>Melin</td>
<td>Persell</td>
<td>Wagenius</td>
</tr>
<tr>
<td>Brynaert</td>
<td>Fritz</td>
<td>Laine</td>
<td>Metsa</td>
<td>Poppe</td>
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<tr>
<td>Carlson</td>
<td>Halverson</td>
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<td>Moran</td>
<td>Radinovich</td>
<td>Ward, J.E.</td>
</tr>
<tr>
<td>Clark</td>
<td>Hansen</td>
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<td>Dehn, R.</td>
<td>Hilstrom</td>
<td>Lien</td>
<td>Murphy, E.</td>
<td>Sawatzky</td>
<td></td>
</tr>
<tr>
<td>Dill</td>
<td>Hornstein</td>
<td>Lillie</td>
<td>Murphy, M.</td>
<td>Schoen</td>
<td></td>
</tr>
</tbody>
</table>

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

Garofalo moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 10, delete section 9

Page 11, delete section 10

Page 13, delete section 13

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 Garofalo amendment and the roll was called. There were 60 yeas and 70 nays as follows:

Those who voted in the affirmative were:

<table>
<thead>
<tr>
<th>Albright</th>
<th>Dean, M.</th>
<th>Gunther</th>
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Those who voted in the negative were:

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<td>Dill</td>
<td>Hornstein</td>
<td>Lillie</td>
<td>Murphy, M.</td>
<td>Schoen</td>
<td></td>
</tr>
</tbody>
</table>

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

Gruenhagen moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 11, line 3, before the period, insert "except as provided in subdivision (e)"

Page 11, after line 14, insert:

"(e) A qualifying facility interconnected with a cooperative association or a municipal utility providing electric service that is located outside of a metropolitan county, as defined in section 473.121, may not be paid more than the interconnecting utility's wholesale cost of electricity for net input of electricity to the utility's system, or, for a cooperative association or municipal utility that generates electricity, the utility's marginal cost of generation."

A roll call was requested and properly seconded.

Gruenhagen moved to amend his amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, line 6, delete "wholesale cost of" and insert "avoided cost rate under paragraph (b) or subdivision 4, paragraph (b), as applicable."

Page 1, delete lines 7 and 8

The motion prevailed and the amendment to the amendment was adopted.
The question recurred on the Gruenhagen amendment, as amended, and the roll was called. There were 55 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Albright       Drazkowski       Hertaus       Mack          Quam          Udahl
Anderson, M.   Erickson, S.    Holberg       McDonald      Runbeck      Wills
Barrett        Fabian           Hoppe         Myhra         Sanders      Woodard
Beard          Franson          Howe          Newberger    Savick        Zellers
Benson, M.     Garofalo         Johnson, B.  Nornes        Schomaker    Zerwas
Comish         Green            Kelly          O'Driscoll    Scott
Daudt          Gruenhagen       Kieffer       O'Neill       Swedzinski
Davids         Gunther          Kiel          Peppin        Theis
Dean, M.       Hackbarth        Leidiger      Petersburg    Torkelson
Dettmer        Hamilton         Lohmer        Pugh          Urdahl

Those who voted in the negative were:

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

The motion did not prevail and the amendment, as amended, was not adopted.

The Speaker resumed the Chair.

Peppin moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 29, after line 3, insert:

"Sec. 33. Minnesota Statutes 2012, section 216B.243, subdivision 3b, is amended to read:

Subd. 3b. **Nuclear power plant; new construction prohibited; relicensing.** (a) The commission may not issue a certificate of need for the construction of a new nuclear powered electric generating plant.

(b) Any certificate of need for additional storage of spent nuclear fuel for a facility seeking a license extension shall address the impacts of continued operations over the period for which approval is sought.

**EFFECTIVE DATE.** This section is effective upon the commencement of operations to transport spent nuclear fuel from commercial nuclear electric generating plants to a federal repository for permanent storage.

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 Peppin amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, before line 2, insert:

"Page 26, after line 18, insert:

"Sec. 29. **[216B.1696] NUCLEAR POWER PLANT; COST RECOVERY.**

(a) The commission may not allow any of the following costs attributable to the construction of a nuclear generating plant begun after July 1, 2013, to be recovered from Minnesota ratepayers until the plant begins operating at a monthly load capacity factor of at least 85 percent:

(1) planning, design, safety, environmental, or engineering studies undertaken prior to construction; or

(2) the costs of obtaining regulatory approval, including permits, licenses and any other approval required prior to construction from federal, state and local authorities.

(b) The commission may not allow any of the following costs attributable to the construction of a nuclear generating plant begun after July 1, 2013, to be recovered from Minnesota ratepayers:

(1) any construction costs exceeding the projected construction cost of the generating plant and any ancillary facility constructed by the utility to temporarily or permanently store nuclear waste generated by the plant, as identified in the utility's certificate of need application submitted under section 216B.243;

(2) the costs of insuring the plant against accidents that exceed the cost of insurance for a fossil fuel plant of equivalent capacity; or

(3) contributions from the plant to provide and maintain local fire protection and emergency services to the plant in case of an accident.

(c) Except for regulatory costs of state agencies, no revenues from taxes or fees imposed by the state of Minnesota may be used to pay for any portion of the preconstruction, construction, maintenance, or operating costs of a nuclear generating plant, or to assume any financial risk associated with an accidental release of radioactivity from the generating plant or an ancillary facility constructed by the utility that owns the generating plant to temporarily or permanently store nuclear waste generated by the plant.

(d) A utility may recover from ratepayers costs incurred to research the following issues regarding future construction of a nuclear-powered electric generating plant:

(1) innovative plant designs and nuclear technologies;

(2) improved safety and integrity of back-up fuel systems to operate a plant in the event that routine electrical service is interrupted;

(3) construction and plant design methods to protect a plant against weather-related or other natural phenomena, including earthquakes, tornadoes and floods;

(4) construction and plant design methods and internal security measures to protect a plant against incidents of terrorism;

(5) innovative technologies that reduce the amount or toxicity of radioactive waste produced by a plant;
(6) innovative technologies for storing nuclear waste on site that reduce the risk of environmental exposure to radiation;

(7) improved systems to monitor the release of radioactivity outside the plant;

(8) improved emergency preparedness planning to evacuate plant workers and residents of communities surrounding a plant in the event of an accident;

(9) the impacts of financing, constructing, and operating a plant on ratepayers and the utility; and

(10) innovative financing mechanisms that minimize financial risks to ratepayers and taxpayers.

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

Page 1, after line 13, insert:

"Sec. 34. [216B.2442] NUCLEAR POWER PLANT; FILTERED VENTING SYSTEM.

The public utility that owns a nuclear electric generating plant in this state must, by December 31, 2014, install commercially available engineered filtered containment venting systems at each nuclear electric generating unit in this state with Mark I or Mark II containments.

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

Page 1, line 8, before "Any" insert "(a)"

Page 1, after line 10, insert:

"(b) The commission may not issue a certificate of need for additional storage of spent nuclear fuel from a nuclear electric generating plant that has operated for 60 years and receives a license extension authorizing it to continue operating."

Page 1, after line 13, insert:

"Page 37, after line 10, insert:

"Sec. 43. REPORT.

(a) By January 1, 2014, the Division of Homeland Security and Emergency Management in the Department of Public Safety shall submit a report to the chairs and ranking minority members of the senate and house committees with primary jurisdiction over energy policy and the commissioner of public safety on nuclear emergency planning that:

(1) obtains information from households located outside the ten-mile emergency planning zone but within a 25-mile or greater radius of a nuclear electric generating plant as to the level of public awareness regarding the location of evacuation routes and relocation centers in the event of a nuclear accident, the proportion of this population likely to evacuate in the event of a nuclear accident, and the routes evacuees would take;

(2) analyzes how the information obtained in clause (1) would affect evacuation routes and times from the emergency planning zone; and
(3) outlines a process to share this information with state and local agencies managing nuclear emergency preparedness efforts and to ensure that those agencies incorporate this information into state and local emergency preparedness plans and revise them accordingly.

(b) The costs of the report required under this section shall be assessed by the Department of Public Safety to the public utility that owns a nuclear electric generating plant in this state.

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.

The question was taken on the amendment to the amendment and the roll was called. There were 63 yees and 69 nays as follows:

Those who voted in the affirmative were:

Allen  Erhardt  Hornstein  Loeffler  Newton  Sundin
Atkins  Erickson, R.  Hortman  Mariani  Paymar  Urdahl
Benson, J.  Falk  Isaacson  Marquart  Persell  Wagenius
Bernardy  Faust  Johnson, C.  Masin  Petersburg  Ward, J.A.
Bly  Fischer  Johnson, S.  McNamar  Radinovich  Ward, J.E.
Brynaert  Freiberg  Kahn  Metsa  Rosenthal  Winkler
Carlson  Fritz  Laine  Moran  Savick  Yarussi
Clark  Halverson  Lenczewski  Morgan  Schoen  Spk. Thissen
Davnie  Hansen  Liebling  Mullery  Selcer
Dehn, R.  Hausman  Lien  Murphy, E.  Simon
Dorholt  Hilstrom  Lillie  Murphy, M.  Slocum

Those who voted in the negative were:

Albright  Dettmer  Hamilton  Lesch  O'Driscoll  Simonson
Anderson, M.  Dill  Hertaus  Lohmer  O'Neill  Swedzinski
Anderson, P.  Drazkowski  Holberg  Loon  Pelowski  Theis
Anderson, S.  Erickson, S.  Hoppe  Mack  Peppin  Torkelson
Anzelc  Fahian  Howe  McDonald  Poppe  Uglem
Barrett  FitzSimmons  Huntley  McNamara  Pugh  Wills
Beard  Franson  Johnson, B.  Melin  Quam  Woodard
Benson, M.  Garofalo  Kelly  Myhra  Runbeck  Zellers
Cornish  Green  Kieffer  Nelson  Sanders  Zerwas
Daught  Gruenhagen  Kiel  Newberger  Sawatzky
Davids  Gunther  Kresha  Nornes  Schomacker
Dean, M.  Hackbarth  Leidiger  Norton  Scott

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

Falk moved to amend the Peppin amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, line 8, after the stricken "(b)" insert "(a)"
Page 1, after line 10, insert:

"(b) Any certificate of need for a new nuclear-powered electric generating plant or additional storage of spent nuclear fuel shall require that the entity which owns or operates the nuclear-powered electric generating plant is solely responsible for all costs associated with the long-term storage of spent nuclear fuel, including any human health or environmental impacts, any necessary clean-up or remediation, and costs for the operation and monitoring of the storage facility. These costs are non-rate recoverable expenses, and shall not be paid by the utility ratepayers, or the taxpayers of the state of Minnesota."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 57 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Allen
Anzelc
Benson, J.
Bernardy
Bly
Brynaert
Carlson
Clark
Davnie
Dill
Falk
Freiberg
Fritz
Halverson
Hansen
Hausman
Hilstrom
Hornstein
Hortman
Isaacson
Johnson, C.
Johnson, S.
Kahn
Kainky
Lesch
Liebling
Lien
Loffler
Marquart
Martin
Masin
McNamara
Metcalf
Methot
Moe
Murphy, E.
Murphy, M.
Newton
Paulsen
Schoen
Selcer

Those who voted in the negative were:

Albright
Anderson, M.
Anderson, P.
Anderson, S.
Atkins
Barrett
Beard
Benson, M.
Cornish
Daudt
Davidson
Dean, M.
Dehn, R.
Dettmer
Drazkowski
Erhardt
Erickson, R.
Erickson, S.
Fabian
Faust
Fischer
FitzSimmons
Franson
Garofalo
Green
Gruden
Gunther
Hackbarth
Hamilton
Hertaus
Holberg
Hoppe
Howe
Huntley
Johnson, B.
Kieffer
Kiel
Kresha
Leidiger
Lillie
Loon
Mack
McDonald
McNamara
Myhra
Nelson
Newberger
Nernes
O'Neill
Pelowski
Peppin
Petersburg
Pughs
Quam
Wills
Runbeck
Sanders
Sanders
Sawatzky
Schomacker
Scott
Simon
Simonson
Sundin
Swedzinski
Theis
Torkelson
Uglen
Urdahl
Wills
Woodard
Zellers
Zerwas
Spk. Thissen

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

Garofalo moved to amend the Peppin amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, after line 1, insert:

"Page 2, after line 12, insert:
Sec. 2. Minnesota Statutes 2012, section 116C.779, subdivision 1, is amended to read:

Subdivision 1. **Renewable development account.** (a) The public utility that owns the Prairie Island nuclear generating plant must transfer to a renewable development account $3,000,000 each year for each dry cask containing spent fuel that is located at the Prairie Island power plant for each year the plant is in operation, and $7,500,000 each year the plant is not in operation if ordered by the commission pursuant to paragraph (c). The fund transfer must be made if nuclear waste is stored in a dry cask at the independent spent-fuel storage facility at Prairie Island for any part of a year.

(b) The public utility that owns the Monticello nuclear generating plant must transfer to the renewable development account $3,000,000 each year for each dry cask containing spent fuel that is located at the Monticello nuclear power plant for each year the plant is in operation, and $5,250,000 each year the plant is not in operation if ordered by the commission pursuant to paragraph (c). The fund transfer must be made if nuclear waste is stored in a dry cask at the independent spent-fuel storage facility at Monticello for any part of a year.

(c) After discontinuation of operation of the Prairie Island nuclear plant or the Monticello nuclear plant and each year spent nuclear fuel is stored in dry cask at the discontinued facility, the commission shall require the public utility to pay $7,500,000 for the discontinued Prairie Island facility and $5,250,000 for the discontinued Monticello facility for any year in which the commission finds, by the preponderance of the evidence, that the public utility did not make a good faith effort to remove the spent nuclear fuel stored at the facility to a permanent or interim storage site out of the state. This determination shall be made at least every two years.

(d) Funds in the account may be expended only for any of the following purposes:

1. to increase the market penetration within the state of renewable electric energy resources at reasonable costs;

2. to promote the start-up, expansion, and attraction of renewable electric energy projects and companies within the state;

3. to stimulate research and development within the state into renewable electric energy technologies; and

4. to develop near-commercial and demonstration scale renewable electric projects or near-commercial and demonstration scale electric infrastructure delivery projects if those delivery projects enhance the delivery of renewable electric energy.

The utility that owns a nuclear generating plant is eligible to apply for renewable development account grants.

(e) Expenditures authorized by this subdivision from the account may be made only after approval by order of the Public Utilities Commission upon a petition by the public utility. The commission may approve proposed expenditures, may disapprove proposed expenditures that it finds to be not in compliance with this subdivision or otherwise not in the public interest, and may, if agreed to by the public utility, modify proposed expenditures. The commission may approve reasonable and necessary expenditures for administering the account in an amount not to exceed five percent of expenditures. Commission approval is not required for expenditures required under subdivisions 2 and 3, section 116C.7791, or other law.

(f) The account shall be managed by the public utility but the public utility must consult about account expenditures with an advisory group that includes, among others, representatives of its ratepayers. The commission may require that other interests be represented on the advisory group. The advisory group must be consulted with respect to the general scope of expenditures in designing a request for proposal and in evaluating projects submitted in response to a request for proposals. In addition to consulting with the advisory group, the public utility must utilize an independent third-party expert to evaluate proposals submitted in response to a request for proposal,
including all proposals made by the public utility. A request for proposal for research and development under paragraph (d), clause (3), may be limited to or include a request to higher education institutions located in Minnesota for multiple projects authorized under paragraph (d), clause (3). The request for multiple projects may include a provision that exempts the projects from the third-party expert review and instead provides for project evaluation and selection by a merit peer review grant system. The utility should attempt to reach agreement with the advisory group after consulting with it but the utility has full and sole authority to determine which expenditures shall be submitted to the commission for commission approval. In the process of determining request for proposal scope and subject and in evaluating responses to request for proposals, the public utility must strongly consider, where reasonable, potential benefit to Minnesota citizens and businesses and the utility's ratepayers.

(g) Funds in the account may not be directly appropriated by the legislature by a law enacted after January 1, 2012, and unless appropriated by a law enacted prior to that date may be expended only pursuant to an order of the commission according to this subdivision.

(h) A request for proposal for renewable energy generation projects must, when feasible and reasonable, give preference to projects that are most cost-effective for a particular energy source.

(i) The public utility must annually, by February 15, report to the chairs and ranking minority members of the legislative committees with jurisdiction over energy policy on projects funded by the account for the prior year and all previous years. The report must, to the extent possible and reasonable, itemize the actual and projected financial benefit to the public utility's ratepayers of each project.

(j) A project receiving funds from the account must produce a written final report that includes sufficient detail for technical readers and a clearly written summary for nontechnical readers. The report must include an evaluation of the project's financial, environmental, and other benefits to the state and the public utility's ratepayers.

(k) Final reports, any mid-project status reports, and renewable development account financial reports must be posted online on a public Web site designated by the commission.

(l) All final reports must acknowledge that the project was made possible in whole or part by the Minnesota renewable development fund, noting that the fund is financed by the public utility's ratepayers.

(m) Any fees imposed on a public utility under this subdivision may not be recovered in utility rates paid by Minnesota ratepayers, but must be paid by the utility's shareholders.

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

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 3 yeas and 129 nays as follows:

Those who voted in the affirmative were:

Falk  Isaacson  Melin

Those who voted in the negative were:

Albright  Anderson, P.  Atkins  Benson, J.  Bly  Clark  
Allen  Anderson, S.  Barrett  Benson, M.  Brynaert  Cornish  
Anderson, M.  Anzelc  Beard  Bernardy  Carlson  Daudt
The motion did not prevail and the amendment to the amendment was not adopted.

The question recurred on the Peppin amendment and the roll was called. There were 65 yeas and 67 nays as follows:

Those who voted in the affirmative were:

Albright
Anderson, M.
Anderson, P.
Anderson, S.
Barrett
Beard
Benson, M.
Cornish
Daudt
Davids
Dean, M.
Dettmer
Dill
Dorholt
Drazkowski
Erhardt
Erickson, R.
Erickson, S.
Fabian
Faust
Fischer
FitzSimmons
Franson
Freiberg
Fritz
Garofalo

Those who voted in the negative were:

Allen
Anzelc
Atkins
Benson, J.
Bernardy
Bly
Brynaert
Carlson
Clark
Davnie
Dehn, R.
Dorholt

The motion did not prevail and the amendment was not adopted.
The Speaker called Winkler to the Chair.

Hortman moved to amend H. F. No. 956, the third engrossment, as amended, as follows:

Page 25, after line 2, insert:

"(d) For the purposes of calculating the total retail electric sales under this section of a public utility, there shall be excluded retail electric sales to customers that are:

(1) a mineral extraction or mineral processing facility or a paper mill that meets the definition of a "large customer facility" under section 216B.241, subdivision 1, paragraph (i); or

(2) an iron ore mining operation using over ten megawatts connected load and producing iron concentrate.

Those customers may not have included in the rates charged to them by the public utility any costs of satisfying the solar standard specified by this section."

A roll call was requested and properly seconded.

Hortman moved to amend her amendment to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, line 3, after "sales" insert "of a public utility" and delete "section of" and insert "subdivision and subdivision 2a, paragraph (c)"

Page 1, line 4, delete everything before the comma

Page 1, delete lines 5 to 9 and insert:

"(1) an iron mining extraction and processing facility, including a scram mining facility as defined in Minnesota Rules, part 6130.0100, subpart 16; or

(2) a paper mill, wood products manufacturer, sawmill, or oriented strand board manufacturer."

Page 1, line 11, delete "section" and insert "subdivision"

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 71 yeas and 60 nays as follows:

Those who voted in the affirmative were:

Allen
Anzelc
Benson, J.
Bernardy
Bly
Brynaert
Carlson
Clark
Dave
Deh, R.
Dill
Dorholt
Erhardt
Erickson, R.
Falk
Faust
Fischer
Freiberg
Fritz
Halverson
Hansen
Hausman
Hilstrom
Hornstein
Hortman
Huntley
Isaacson
Johnson, C.
Johnson, S.
Kahn
Those who voted in the negative were:

- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Atkins
- Barrett
- Beard
- Benson, M.
- Cornish
- Daught

The motion prevailed and the amendment to the amendment was adopted.

Garofalo moved to amend the Hortman amendment, as amended, to H. F. No. 956, the third engrossment, as amended, as follows:

Page 1, line 7, delete "or"

Page 1, line 9, delete the period and insert ": or"

Page 1, after line 9, insert:

"(3) a customer whose rate is increased as a result of the solar energy standard in this subdivision."

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment, as amended, and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

- Albright
- Dean, M.
- Dettmer
- Drazkowski
- Erickson, S.
- Fabian
- FitzSimmons
- Franson
- Garofalo
- Green

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Yarusso
- Spk. Thissen

- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Atkins
- Barrett
- Beard
- Benson, M.
- Cornish
- Daught

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Yarusso
- Spk. Thissen

- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Atkins
- Barrett
- Beard
- Benson, M.
- Cornish
- Daught

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Yarusso
- Spk. Thissen

- Albright
- Dean, M.
- Dettmer
- Drazkowski
- Erickson, S.
- Fabian
- FitzSimmons
- Franson
- Garofalo
- Green

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Yarusso
- Spk. Thissen

- Albright
- Anderson, M.
- Anderson, P.
- Anderson, S.
- Atkins
- Barrett
- Beard
- Benson, M.
- Cornish
- Daught

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Yarusso
- Spk. Thissen

- Albright
- Dean, M.
- Dettmer
- Drazkowski
- Erickson, S.
- Fabian
- FitzSimmons
- Franson
- Garofalo
- Green

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Yarusso
- Spk. Thissen

- Albright
- Dean, M.
- Dettmer
- Drazkowski
- Erickson, S.
- Fabian
- FitzSimmons
- Franson
- Garofalo
- Green

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Yarusso
- Spk. Thissen

- Albright
- Dean, M.
- Dettmer
- Drazkowski
- Erickson, S.
- Fabian
- FitzSimmons
- Franson
- Garofalo
- Green

- Andl
- Marquart
- Masin
- McNamar
- Melin
- Metsa
- Moran
- Morgan
- Mariani
- Murphy, E.
- Murphy, M.
- Nelson
- Newton
- Norton
- Pelowski
- Persell
- Poppe
- Radinovich
- Rosenthal
- Savick
- Sawatzky
- Schoen
- Selcer
- Simon
- Simonson
- Slocum
- Sundin
- Swedzinski
- Wagenius
- Ward, J.A.
- Ward, J.E.
Those who voted in the negative were:

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

The motion did not prevail and the amendment to the amendment, as amended, was not adopted.

The question recurred on the Hortman amendment, as amended, and the roll was called. There were 72 yeas and 59 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the amendment, as amended, was adopted.

The Speaker resumed the Chair.
H. F. No. 956, A bill for an act relating to energy; amending various provisions related to utilities; modifying provisions governing cogeneration and small power production; establishing a value of solar rate and related regulations; permitting community solar generating facilities; creating various renewable energy incentives; requiring studies; extending sunsets; making technical corrections; appropriating money; amending Minnesota Statutes 2012, sections 16C.144, subdivision 2; 116C.779, subdivision 3; 216B.02, subdivision 4; 216B.03; 216B.16, subdivision 7b, by adding a subdivision; 216B.1635; 216B.164, subdivisions 3, 4, 6, by adding subdivisions; 216B.1691, subdivisions 1, 2a, 2e, by adding a subdivision; 216B.1692, subdivisions 1, 8, by adding a subdivision; 216B.1695, subdivision 5, by adding a subdivision; 216B.23, subdivision 1a; 216B.241, subdivision 1e; 216B.2411, subdivision 3; 216C.436, subdivisions 7, 8; Laws 2005, chapter 97, article 10, section 3; proposing coding for new law in Minnesota Statutes, chapters 216B; 216C; repealing Minnesota Statutes 2012, section 216B.1637.

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 70 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albright     Dettmer     Hamilton     Lohmer       Peppin         Theis
Anderson, M. Drazkowski  Hertaas     Loon         Petersburg     Torkelson
Anderson, P. Erickson, R. Holberg     Mack         Pugh          Uglem
Anderson, S. Erickson, S. Hoppe       McDonald     Quam          Urdahl
Barrett      Fabian      Howe         McNamara     Runbeck       Wills
Beard        FitzSimmons Johnstone, B. Myhra        Sanders       Woodward
Benson, M.   Franson     Kelly        Newberger    Savick         Zellars
Cornish      Green      Kiefer       Nornes       Schomacker     Zerwas
Daudt        Gruenhagen  Kiel         O'Driscoll   Scott         "
Davids       Gunther     Kresha       O'Neil       Sundin         "
Dean, M.     Hackbarth   Leidiger     Pelowski     ""            ""
Sec. 2. TRANSMISSION LINE; CERTIFICATE OF NEED REQUIRED AND EVIDENCE REQUIRED.

(a) A high-voltage transmission line with a capacity of 100 kilovolts or more proposed to be located within a city in the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, for which a route permit application was filed between June 2011 and August 2011, and a certificate of need application was filed between June 2012 and August 2012, to rebuild approximately eight miles of 69 kilovolt transmission with a high-voltage transmission line to meet local area distribution needs, must be approved in a certificate of need proceeding conducted under Minnesota Statutes, section 216B.243. The certificate of need may be approved only if the commission finds by clear and convincing evidence that there is no feasible and available distribution level alternative to the transmission line. In making its findings the commission shall consider the factors provided in applicable law and rules including, without limitation, cost-effectiveness, energy conservation, and the protection or enhancement of environmental quality.

(b) Further proceedings regarding the routing of a high-voltage transmission line described in this section shall be suspended until the Public Utilities Commission has made a determination that the transmission line is needed.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to route permits and certificate of need applications pending on or after that date.

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 521, A bill for an act relating to energy; regulating a biomass mandate project; amending Minnesota Statutes 2012, section 216B.2424, subdivision 5a.

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 76 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albright  Barrett  Daudt  Dettmer  Fabian  Garofalo
Anderson, M.  Beard  Davids  Drazkowski  FitzSimmons  Green
Anderson, P.  Benson, M.  Dean, M.  Erickson, S.  Franson  Gunther
The bill was passed, as amended, and its title agreed to.

H. F. No. 854 was reported to the House.

Anderson, S., moved to amend H. F. No. 854 as follows:

Page 2, after line 27, insert:

“Sec. 2. TRANSMISSION LINE; CERTIFICATE OF NEED REQUIRED AND EVIDENCE REQUIRED.

(a) A high-voltage transmission line with a capacity of 100 kilovolts or more proposed to be located within a city in the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, for which a route permit application was filed between June 2011 and August 2011, and a certificate of need application was filed between June 2012 and August 2012, to rebuild approximately eight miles of 69 kilovolt transmission with a high-voltage transmission line to meet local area distribution needs, must be approved in a certificate of need proceeding conducted under Minnesota Statutes, section 216B.243. The certificate of need may be approved only if the commission finds by clear and convincing evidence that there is no feasible and available distribution level alternative to the transmission line. In making its findings the commission shall consider the factors provided in applicable law and rules including, without limitation, cost-effectiveness, energy conservation, and the protection or enhancement of environmental quality.

(b) Further proceedings regarding the routing of a high-voltage transmission line described in this section shall be suspended until the Public Utilities Commission has made a determination that the transmission line is needed.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to route permits and certificate of need applications pending on or after that date.”

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 854, A bill for an act relating to energy; regulating conservation improvement investments for low-income programs; requiring certificate of need approval for certain high-voltage transmission lines; amending Minnesota Statutes 2012, section 216B.241, subdivision 7.

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 118 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Albright  Dettmer  Hausman  Liebling  Newton  Simonson
Allen   Dill  Hilstrom  Lien  Nornes  Slocum
Anderson, M.  Dorholt  Holberg  Lillie  Norton  Sundin
Anderson, P.  Erhardt  Hoppe  Loeffler  O’Driscoll  Swedzinski
Anderson, S.  Erickson, R.  Hornstein  Loon  O’Neill  Theis
Atkins  Fabian  Hortman  Mack  Paymar  Torkelson
Barrett  Falk  Howe  Mahoney  Pelowski  Uglem
Beard  Faust  Huntley  Mariani  Persell  Urdaal
Benson, J.  Fischer  Isaacson  Marquart  Petersburg  Wagenius
Bernardy  FitzSimmons  Johnson, B.  Masin  Poppe  Ward, J.A.
Bly  Franson  Johnson, C.  McNamar  Quam  Ward, J.E.
Brynaert  Freiberg  Johnson, S.  McNamara  Radinovich  Wills
Carlson  Fritz  Kahl  Melin  Rosenthal  Winkler
Clark  Garofalo  Kelly  Metsa  Runbeck  Woodard
Cornish  Green  Kieffer  Moran  Sawatzky  Yarusso
Daudt  Gruenhagen  Kiel  Morgan  Schoen  Zellers
Davids  Gunther  Kresha  Mullery  Schomacker  Zerwas
Davnie  Halverson  Laine  Murphy, M.  Scott  Spk. Thissen
Dean, M.  Hamilton  Lenczewski  Myhra  Selcer
Dehn, R.  Hansen  Lesch  Nelson  Simons

Those who voted in the negative were:

Benson, M.  Erickson, S.  Hertaus  Lohmer  Newberger  Pugh
Drazkowski  Hackbarth  Leidiger  McDonald  Peppin  Sanders

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

Dill was excused for the remainder of today’s session.

H. F. No. 1000 was reported to the House.

Beard moved to amend H. F. No. 1000, the second engrossment, as follows:

Page 1, after line 5, insert:

"Section 1. Minnesota Statutes 2012, section 216B.1692, subdivision 1, is amended to read:

Subdivision 1. **Qualifying projects.** (a) Projects that may be approved for the emissions reduction-rate rider allowed in this section must:

(1) be installed on existing large electric generating power plants, as defined in section 216B.2421, subdivision 2, clause (1), that are located in the state and that are currently not subject to emissions limitations for new power plants under the federal Clean Air Act, United States Code, title 42, section 7401 et seq.;"
(2) not increase the capacity of the existing electric generating power plant more than ten percent or more than 100 megawatts, whichever is greater; and

(3) result in the existing plant either:

(i) complying with applicable new source review standards under the federal Clean Air Act; or

(ii) emitting air contaminants at levels substantially lower than allowed for new facilities by the applicable new source performance standards under the federal Clean Air Act; or

(iii) reducing emissions from current levels at a unit to the lowest cost-effective level when, due to the age or condition of the generating unit, the public utility demonstrates that it would not be cost-effective to reduce emissions to the levels in item (i) or (ii).

(b) Notwithstanding paragraph (a), a project may be approved for the emission reduction rate rider allowed in this section if the project is to be installed on existing large electric generating power plants, as defined in section 216B.2421, subdivision 2, clause (1), that are located outside the state and are needed to comply with state or federal air quality standards, but only if the project has received an advance determination of prudence from the commission under section 216B.1695.

Sec. 2. Minnesota Statutes 2012, section 216B.1692, is amended by adding a subdivision to read:

Subd. 1a. Exemption. Subdivisions 2, 4, and 5, paragraph (c), clause (1), do not apply to projects qualifying under subdivision 1, paragraph (b).

Sec. 3. Minnesota Statutes 2012, section 216B.1692, subdivision 8, is amended to read:

Subd. 8. Sunset. This section is effective until December 31, 2020, and applies to plans, projects, and riders approved before that date and modifications made to them after that date.

Sec. 4. Minnesota Statutes 2012, section 216B.1695, subdivision 5, is amended to read:

Subd. 5. Cost recovery. The utility may begin recovery of costs that have been incurred by the utility in connection with implementation of the project in the next rate case following an advance determination of prudence or in a rider approved under section 216B.1692. The commission shall review the costs incurred by the utility for the project. The utility must show that the project costs are reasonable and necessary, and demonstrate its efforts to ensure the lowest reasonable project costs. Notwithstanding the commission's prior determination of prudence, it may accept, modify, or reject any of the project costs. The commission may determine whether to require an allowance for funds used during construction offset.”

Renumber the sections in sequence

Correct the title numbers accordingly

Amend the title accordingly

The motion prevailed and the amendment was adopted.
Beard offered an amendment to H. F. No. 1000, the second engrossment, as amended.

POINT OF ORDER

Falk raised a point of order pursuant to rule 3.21 that the Beard amendment was not in order. The Speaker ruled the point of order well taken and the Beard amendment out of order.

H. F. No. 1000, A bill for an act relating to energy; modifying the emissions reductions-rate rider for certain projects; requiring the commissioner of commerce to make assessments to fund clean energy resource teams; amending Minnesota Statutes 2012, sections 216B.1692, subdivisions 1, 8, by adding a subdivision; 216B.1695, subdivision 5; 216B.241, subdivision 1e.

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 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

<table>
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<tr>
<th>Albright</th>
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<th>Hausman</th>
<th>Liebling</th>
<th>Nelson</th>
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<td>Lillie</td>
<td>Newton</td>
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<td>Anderson, P.</td>
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<td>Anzele</td>
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<td>Atkins</td>
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<td>Benson, J.</td>
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<td>Persell</td>
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<td>Bernardy</td>
<td>Franson</td>
<td>Johnson, C.</td>
<td>McDonald</td>
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<td>Bly</td>
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<td>Brynaert</td>
<td>Fritz</td>
<td>Kahn</td>
<td>McNamara</td>
<td>Pugh</td>
<td>Ward, J.A.</td>
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<td>Carlson</td>
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<td>Kelly</td>
<td>Melin</td>
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<td>Cornish</td>
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<td>Morgan</td>
<td>Runbeck</td>
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<td>Davids</td>
<td>Hackbarth</td>
<td>Laine</td>
<td>Mullery</td>
<td>Sanders</td>
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<td>Halverson</td>
<td>Leidiger</td>
<td>Murphy, E.</td>
<td>Savick</td>
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<td>Dean, M.</td>
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<td>Dehn, R.</td>
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<td>Myhra</td>
<td>Schoen</td>
<td>Spk. Thissen</td>
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</table>

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

H. F. No. 228, A bill for an act relating to public safety; creating increased penalties for wildfire arson that damages multiple buildings or dwellings, acreage, or crops or causes demonstrable bodily harm; adding restitution provisions; amending Minnesota Statutes 2012, section 609.5641, subdivisions 1, 3, by adding a subdivision.

The bill was read for the third time and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 19 nays as follows:

Those who voted in the affirmative were:

- Albright
- Anderson, M.
- Anderson, S.
- Atkins
- Barrett
- Beard
- Benson, J.
- Benson, M.
- Bernardy
- Brynaert
- Carlson
- Clark
- Cornish
- Daudt
- Davids
- Davnie
- Dean, M.
- Dettmer
- Dorholt
- Drazkowski
- Erickson, R.
- Erickson, S.
- Fabian
- Faust
- Fischer
- FitzSimmons
- Franson
- Freiberg
- Fritz
- Garofalo
- Green
- Gruenhagen
- Gunther
- Halverson
- Hamilton
- Hansen
- Hausman
- Hilstrom
- Hoppe
- Hornstein
- Hortman
- Howe
- Isaacson
- Johnson, B.
- Johnson, C.
- Johnson, S.
- Kelly
- Kiel
- Kresha
- Laine
- Leidiger
- Lenzewski
- Lesch
- Lien
- Lillie
- Loeffler
- Lohmer
- Loon
- Mack
- Mahoney
- Mariani
- Marquart
- Masin
- McDonald
- McNama
- McNamara
- Moran
- Morgan
- Murphy, E.
- Myhra
- Newberger
- Newton
- Nornes
- Norton
- O’Driscoll
- O’Neill
- Paymar
- Pelowski
- Persell
- Petersburg
- Poppe
- Pugh
- Quam
- Radinovich
- Rosenthal
- Runbeck
- Sanders
- Savick
- Sawatzky
- Schoen
- Schomacker
- Scott
- Selcer
- Simon
- Slocum
- Sundin
- Swedzinski
- Theis
- Torkelson
- Udahl
- Wagenius
- Ward, J.A.
- Ward, J.E.
- Wills
- Winkler
- Woodard
- Yarusso
- Zellers
- Zerwas

Those who voted in the negative were:

- Allen
- Anderson, P.
- Anzelc
- Bly
- Dehn, R.
- Erhardt
- Falk
- Hackbarth
- Hertaus
- Holberg
- Kahn
- Kieffer
- Hertaus
- Holberg
- Kahn
- Kieffer
- Liebling
- McNamar
- Melin
- Metsa
- Liebling
- McNamara
- Melin
- Metsa
- Nelson
- Peppin
- Spk. Thissen

The bill was passed and its title agreed to.

REPORT 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 bill to be placed on the Calendar for the Day for Thursday, May 9, 2013 and established a prefiling requirement for amendments offered to the following bill:

H. F. No. 1054.

MOTIONS AND RESOLUTIONS

Dehn, R., moved that the names of Newton, Fritz, Bly and Clark be added as authors on H. F. No. 276. The motion prevailed.

Mahoney moved that the name of McNamara be added as an author on H. F. No. 1359. The motion prevailed.
ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 10:00 a.m., Wednesday, May 8, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Wednesday, May 8, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives