

STATE OF MINNESOTA

Journal of the House

NINETIETH SESSION — 2017

THIRTY-NINTH DAY

SAINT PAUL, MINNESOTA, MONDAY, APRIL 3, 2017

The House of Representatives convened at 10:00 a.m. and was called to order by Tony Albright, Speaker pro tempore.

Prayer was offered by Pastor Jerry Goodmanson, Giving Waters Family Christian Church, River Falls, Wisconsin.

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:

Albright	Davids	Hamilton	Liebling	Nornes	Smith
Allen	Davnie	Hansen	Lien	O'Driscoll	Sundin
Anderson, P.	Dean, M.	Hausman	Lillie	Omar	Swedzinski
Anderson, S.	Dehn, R.	Heintzeman	Loeffler	O'Neill	Theis
Anselmo	Dettmer	Hertaus	Lohmer	Pelowski	Thissen
Applebaum	Drazkowski	Hilstrom	Loon	Peppin	Torkelson
Backer	Ecklund	Hornstein	Loonan	Petersburg	Uglem
Bahr, C.	Erickson	Hortman	Lucero	Peterson	Urdahl
Baker	Fabian	Howe	Lueck	Pierson	Vogel
Barr, R.	Fenton	Jessup	Mahoney	Pinto	Wagenius
Becker-Finn	Fischer	Johnson, B.	Mariani	Poston	Ward
Bennett	Flanagan	Johnson, C.	Marquart	Pryor	West
Bernardy	Franke	Johnson, S.	Masin	Pugh	Whelan
Bliss	Franson	Jurgens	Maye Quade	Quam	Wills
Bly	Freiberg	Knoblach	McDonald	Rarick	Youakim
Carlson, A.	Garofalo	Koegel	Miller	Rosenthal	Zerwas
Carlson, L.	Green	Koznick	Moran	Runbeck	Spk. Daudt
Christensen	Grossell	Kresha	Murphy, E.	Sandstede	
Clark	Gruenhagen	Kunesh-Podein	Nash	Sauke	
Considine	Gunther	Layman	Nelson	Schomacker	
Cornish	Haley	Lee	Neu	Schultz	
Daniels	Halverson	Lesch	Newberger	Slocum	

A quorum was present.

Olson, Poppe and Scott were excused.

Hoppe and Murphy, M., were excused until 12:40 p.m. Kiel was excused until 12:50 p.m. Metsa was excused until 1:10 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.

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INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Maye Quade; Slocum; Dehn, R.; Hortman; Davnie; Hilstrom; Moran; Applebaum; Wagenius; Mahoney; Schultz; Flanagan; Metsa; Lesch; Lien; Masin and Fischer introduced:

H. F. No. 2571, A bill for an act relating to education finance; increasing the basic formula allowance by 2.5 percent per year; appropriating money; amending Minnesota Statutes 2016, section 126C.10, subdivision 2.

The bill was read for the first time and referred to the Committee on Education Finance.

Pryor; Johnson, C.; Lee; Kunesh-Podein; Ward; Rosenthal; Freiberg; Poppe; Lillie; Omar; Thissen; Carlson, A.; Koegel; Olson; Sandstede; Mariani; Halverson; Marquart; Loeffler; Youakim; Becker-Finn; Sauke; Ecklund; Considine; Nelson; Sundin; Allen; Flanagan; Bly; Pinto; Bernardy; Hansen and Murphy, E., introduced:

H. F. No. 2572, A bill for an act relating to education finance; increasing the basic formula allowance by 2.5 percent per year; appropriating money; amending Minnesota Statutes 2016, section 126C.10, subdivision 2.

The bill was read for the first time and referred to the Committee on Education Finance.

Whelan; Lohmer; Knoblach; Dean, M.; Scott; Grossell; Miller; Pugh and Backer introduced:

H. F. No. 2573, A bill for an act relating to health; modifying the abortion data required to be reported by physicians or facilities; appropriating money; amending Minnesota Statutes 2016, section 145.4131, subdivision 1.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Dean, M.; Albright and Zerwas introduced:

H. F. No. 2574, A bill for an act relating to health; establishing an advisory council on rare diseases to advise the commissioner of health on issues related to rare diseases; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Jessup; Schomacker; Dean, M.; Albright and Kiel introduced:

H. F. No. 2575, A bill for an act relating to health; appropriating money to the commissioner of health to regulate health care and home care settings.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Franke; Schomacker; Dean, M.; Albright and Kiel introduced:

H. F. No. 2576, A bill for an act relating to health; requiring recommendations for safety and quality improvement practices for long-term services and supports; appropriating money.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Dean, M.; Albright and Zerwas introduced:

H. F. No. 2577, A bill for an act relating to health; modifying the physician residency expansion grant program; appropriating money; amending Minnesota Statutes 2016, section 144.1506.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Peppin 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 Davids.

Loeffler was excused between the hours of 12:40 p.m. and 1:20 p.m.

CALENDAR FOR THE DAY

H. F. No. 140 was reported to the House.

Erickson moved to amend H. F. No. 140, the fifth engrossment, as follows:

Page 4, line 17, delete the new language and insert "one staff member of a board-approved teacher preparation program provider:"

Page 4, line 18, before "secondary school" insert "principal that alternates each term between an elementary and a"

Page 5, line 20, delete everything after the period

Page 5, delete line 21

Page 5, line 22, delete everything before "The"

Page 5, line 25, delete "no" and insert "reasonable"

Page 18, line 27, delete "2010" and insert "1992" and delete "Model Core Teaching Standards." and insert "model standards for beginning teacher licensing and development."

Page 30, delete section 9

Page 32, line 18, after "state" insert ", as determined by the board"

Page 38, line 21, after the ";" insert "and"

Page 38, line 24, delete the new language

Page 38, delete line 25

Page 38, line 26, delete everything before the period

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker assumed the Chair.

Mariani moved to amend H. F. No. 140, the fifth engrossment, as amended, as follows:

Page 30, after line 25, insert:

"Sec. 10. Minnesota Statutes 2016, section 122A.18, is amended by adding a subdivision to read:

Subd. 12. **Vacancies.** A school district must fill a vacancy with a teacher with a Tier 3 or Tier 4 license to the extent possible before filling the vacancy with a teacher with a Tier 1 or Tier 2 license."

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 Mariani amendment and the roll was called. There were 59 yeas and 70 nays as follows:

Those who voted in the affirmative were:

Allen	Bernardy	Clark	Dehn, R.	Freiberg	Hilstrom
Applebaum	Bly	Considine	Ecklund	Halverson	Hornstein
Becker-Finn	Carlson, A.	Davids	Fischer	Hansen	Hortman
Bennett	Carlson, L.	Davnie	Flanagan	Hausman	Jessup

Johnson, C.	Lesch	Marquart	Nelson	Rosenthal	Thissen
Johnson, S.	Liebling	Masin	Omar	Sandstede	Urdahl
Jurgens	Lien	Maye Quade	Pelowski	Sauke	Wagenius
Koegel	Lillie	Moran	Pinto	Schultz	Ward
Kunesh-Podein	Mahoney	Murphy, E.	Pryor	Slocum	Youakim
Lee	Mariani	Murphy, M.	Quam	Sundin	

Those who voted in the negative were:

Albright	Dean, M.	Gunther	Layman	O'Driscoll	Swedzinski
Anderson, P.	Dettmer	Haley	Lohmer	O'Neill	Theis
Anderson, S.	Drazkowski	Hamilton	Loon	Peppin	Torkelson
Anselmo	Erickson	Heintzeman	Loonan	Petersburg	Uglem
Backer	Fabian	Hertaus	Lucero	Peterson	Vogel
Bahr, C.	Fenton	Hoppe	Lueck	Pierson	West
Baker	Franke	Howe	McDonald	Poston	Whelan
Barr, R.	Franson	Johnson, B.	Miller	Pugh	Wills
Bliss	Garofalo	Kiel	Nash	Rarick	Zerwas
Christensen	Green	Knoblach	Neu	Runbeck	Spk. Daudt
Cornish	Grossell	Koznick	Newberger	Schomacker	
Daniels	Gruenhagen	Kresha	Nornes	Smith	

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

H. F. No. 140, A bill for an act relating to education; restructuring Minnesota's teacher licensing system; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; providing for rulemaking; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 7a, 7c, 8, by adding subdivisions; 122A.19; 122A.20; 122A.22; 122A.23, subdivision 3; 122A.245, subdivisions 1, 2, 3, 5, 6, 9, 10; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5; 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1, 2; 122A.245, subdivisions 7, 8; 122A.25.

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:

Albright	Bennett	Drazkowski	Gruenhagen	Jessup	Lohmer
Anderson, P.	Bliss	Erickson	Gunther	Johnson, B.	Loon
Anderson, S.	Christensen	Fabian	Haley	Jurgens	Loonan
Anselmo	Cornish	Fenton	Hamilton	Kiel	Lucero
Backer	Daniels	Franson	Heintzeman	Knoblach	Lueck
Bahr, C.	Davids	Garofalo	Hertaus	Koznick	Mariani
Baker	Dean, M.	Green	Hoppe	Kresha	McDonald
Barr, R.	Dettmer	Grossell	Howe	Layman	Miller

Nash	O'Neill	Poston	Schomacker	Uglem	Wills
Neu	Peppin	Pugh	Smith	Urdahl	Zerwas
Newberger	Petersburg	Quam	Swedzinski	Vogel	Spk. Daudt
Nornes	Peterson	Rarick	Theis	West	
O'Driscoll	Pierson	Runbeck	Torkelson	Whelan	

Those who voted in the negative were:

Allen	Dehn, R.	Hornstein	Lillie	Nelson	Sundin
Applebaum	Ecklund	Hortman	Loeffler	Omar	Thissen
Becker-Finn	Fischer	Johnson, C.	Mahoney	Pelowski	Wagenius
Bernardy	Flanagan	Johnson, S.	Marquart	Pinto	Ward
Bly	Franke	Koegel	Masin	Pryor	Youakim
Carlson, A.	Freiberg	Kunesh-Podein	Maye Quade	Rosenthal	
Carlson, L.	Halverson	Lee	Metsa	Sandstede	
Clark	Hansen	Lesch	Moran	Sauke	
Considine	Hausman	Liebling	Murphy, E.	Schultz	
Davnie	Hilstrom	Lien	Murphy, M.	Slocum	

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

S. F. No. 803 was reported to the House.

Cornish moved to amend S. F. No. 803, the unofficial engrossment, as follows:

Page 3, line 14, delete "1,402,000" and insert "1,506,000" and delete "1,406,000" and insert "1,510,000"

Page 3, after line 14, insert:

"Case management system

"\$104,000 each year is for the case management system."

Page 12, line 14, delete "572,847,000" and insert "572,739,000" and delete "568,338,000" and insert "568,438,000"

Page 13, line 18, delete "129,883,000" and insert "129,983,000" and delete "131,794,000" and insert "131,894,000"

Page 14, line 7, delete "85,000" and insert "185,000" and delete the second "85,000" and insert "185,000"

Page 15, line 6, delete "26,074,000" and insert "25,866,000"

Page 15, delete lines 7 to 12

The motion prevailed and the amendment was adopted.

Hilstrom moved to amend S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 28, delete section 16

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 Hilstrom amendment and the roll was called. There were 56 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Allen	Davnie	Hornstein	Lillie	Murphy, M.	Slocum
Anselmo	Dehn, R.	Hortman	Loeffler	Nelson	Sundin
Applebaum	Ecklund	Johnson, C.	Mahoney	Omar	Thissen
Becker-Finn	Fischer	Johnson, S.	Mariani	Pelowski	Wagenius
Bernardy	Flanagan	Koegel	Marquart	Pinto	Ward
Bly	Freiberg	Kunesh-Podein	Masin	Pryor	Youakim
Carlson, A.	Halverson	Lee	Maye Quade	Rosenthal	
Carlson, L.	Hansen	Lesch	Metsa	Sandstede	
Clark	Hausman	Liebling	Moran	Sauke	
Considine	Hilstrom	Lien	Murphy, E.	Schultz	

Those who voted in the negative were:

Albright	Dean, M.	Haley	Layman	O'Neill	Theis
Anderson, P.	Dettmer	Hamilton	Lohmer	Peppin	Torkelson
Anderson, S.	Drazkowski	Heintzeman	Loon	Petersburg	Uglen
Backer	Erickson	Hertaus	Loonan	Peterson	Urdahl
Bahr, C.	Fabian	Hoppe	Lucero	Pierson	Vogel
Baker	Fenton	Howe	Lueck	Poston	West
Barr, R.	Franke	Jessup	McDonald	Pugh	Whelan
Bennett	Franson	Johnson, B.	Miller	Quam	Wills
Bliss	Garofalo	Jurgens	Nash	Rarick	Zerwas
Christensen	Green	Kiel	Neu	Runbeck	Spk. Daudt
Cornish	Grossell	Knoblach	Newberger	Schomacker	
Daniels	Gruenhagen	Koznick	Nornes	Smith	
Davids	Gunther	Kresha	O'Driscoll	Swedzinski	

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

The Speaker called Davids to the Chair.

Hilstrom moved to amend S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 33, line 16, delete "169.685, subdivision 4:"

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Hilstrom amendment and the roll was called. There were 64 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hertaus	Liebling	Moran	Schultz
Anderson, S.	Drazkowski	Hilstrom	Lien	Murphy, E.	Slocum
Applebaum	Ecklund	Hornstein	Lillie	Murphy, M.	Sundin
Becker-Finn	Fischer	Hortman	Loeffler	Nelson	Theis
Bernardy	Flanagan	Johnson, C.	Loon	Omar	Thissen
Bly	Franke	Johnson, S.	Mahoney	Pelowski	Urdahl
Carlson, A.	Freiberg	Knoblach	Mariani	Pinto	Wagenius
Carlson, L.	Haley	Koegel	Marquart	Pryor	Ward
Clark	Halverson	Kunesh-Podein	Masin	Rosenthal	Youakim
Considine	Hansen	Lee	Maye Quade	Sandstede	
Davnie	Hausman	Lesch	Metsa	Sauke	

Those who voted in the negative were:

Albright	Davids	Gunther	Layman	O'Driscoll	Schomacker
Anderson, P.	Dean, M.	Hamilton	Lohmer	O'Neill	Smith
Anselmo	Dettmer	Heintzeman	Loonan	Peppin	Swedzinski
Backer	Erickson	Hoppe	Lucero	Petersburg	Torkelson
Bahr, C.	Fabian	Howe	Lueck	Peterson	Uglen
Barr, R.	Fenton	Jessup	McDonald	Pierson	Vogel
Bennett	Franson	Johnson, B.	Miller	Poston	West
Bliss	Garofalo	Jurgens	Nash	Pugh	Whelan
Christensen	Green	Kiel	Neu	Quam	Wills
Cornish	Grossell	Koznick	Newberger	Rarick	Zerwas
Daniels	Gruenhagen	Kresha	Nornes	Runbeck	Spk. Daudt

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

Considine moved to amend S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 52, after line 3, insert:

"Sec. 13. Minnesota Statutes 2016, section 299A.55, subdivision 2, is amended to read:

Subd. 2. **Railroad and pipeline safety account.** (a) A railroad and pipeline safety account is created in the special revenue fund. The account consists of funds collected under subdivision 4 and funds donated, allotted, transferred, or otherwise provided to the account.

(b) ~~\$104,000~~ \$114,000 is annually appropriated from the railroad and pipeline safety account to the commissioner of the Pollution Control Agency for environmental protection activities related to railroad discharge preparedness under chapter 115E.

(c) \$500,000 is annually appropriated from the railroad and pipeline safety account to the commissioner of the Department of Transportation for improving safety at railroad grade crossings.

(d) Following the appropriation in ~~paragraph~~ paragraphs (b) and (c), the remaining money in the account is annually appropriated to the commissioner of public safety for the purposes specified in subdivision 3.

Sec. 14. Minnesota Statutes 2016, section 299A.55, subdivision 4, is amended to read:

Subd. 4. **Assessments.** (a) The commissioner of public safety shall annually assess \$2,500,000 to railroad and pipeline companies based on the formula specified in paragraph (b). The commissioner shall deposit funds collected under this subdivision in the railroad and pipeline safety account under subdivision 2.

(b) The assessment for each railroad is 50 percent of the total annual assessment amount, divided in equal proportion between applicable rail carriers based on route miles operated in Minnesota. The assessment for each pipeline company is 50 percent of the total annual assessment amount, divided in equal proportion between companies based on the yearly aggregate gallons of oil and hazardous substance transported by pipeline in Minnesota.

~~(c) The assessments under this subdivision expire July 1, 2017."~~

Adjust agency, fund, and bill totals accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Cornish moved to amend the Considine amendment to S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 1, line 17, after "(a)" insert "If the account balance in the railroad and pipeline safety account is below \$1,000,000 at any point during a fiscal year." and strike "annually"

Page 1, line 19, after the period, insert "By June 1 annually, the commissioner must notify railroad and pipeline companies regarding the next fiscal year's assessment."

Page 2, line 3, restore the stricken language and strike "2017" and before the period, insert "2019, and after July 1, 2017, and the commissioner of the Office of Management and Budget confirms that sufficient funds are available in the railroad and pipeline safety account, a supplemental appropriation of \$100,000 shall be made annually pursuant to the requirements of subdivision 2, paragraph (c)"

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

The question recurred on the Considine amendment, as amended, to S. F. No. 803, the unofficial engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Hilstrom moved to amend S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 4, line 22, delete "fire safety" and insert "railroad and pipeline safety"

Page 4, line 31, delete "fire safety" and insert "railroad and pipeline safety"

Page 5, delete lines 14 and 15

Page 52, after line 3, insert:

"Sec. 13. Minnesota Statutes 2016, section 299A.55, subdivision 2, is amended to read:

Subd. 2. **Railroad and pipeline safety account.** (a) A railroad and pipeline safety account is created in the special revenue fund. The account consists of funds collected under subdivision 4 and funds donated, allotted, transferred, or otherwise provided to the account.

(b) ~~\$104,000~~ \$114,000 is annually appropriated from the railroad and pipeline safety account to the commissioner of the Pollution Control Agency for environmental protection activities related to railroad discharge preparedness under chapter 115E.

(c) Following the appropriation in paragraph (b), the remaining money in the account is annually appropriated to the commissioner of public safety for the purposes specified in subdivision 3.

Sec. 14. Minnesota Statutes 2016, section 299A.55, subdivision 3, is amended to read:

Subd. 3. **Allocation of funds.** (a) Subject to funding appropriated for this subdivision, the commissioner shall provide funds for training and response preparedness related to (1) derailments, discharge incidents, or spills involving trains carrying oil or other hazardous substances, and (2) pipeline discharge incidents or spills involving oil or other hazardous substances.

(b) The commissioner shall allocate available funds as follows:

(1) ~~\$100,000~~ \$1,586,000 annually for emergency response teams and hazmat and chemical assessment teams; and

(2) the remaining amount to the Board of Firefighter Training and Education under section 299N.02 and the Division of Homeland Security and Emergency Management.

(c) Prior to making allocations under paragraph (b), the commissioner shall consult with the Fire Service Advisory Committee under section 299F.012, subdivision 2.

(d) The commissioner and the entities identified in paragraph (b), clause (2), shall prioritize uses of funds based on:

(1) firefighter training needs;

(2) community risk from discharge incidents or spills;

(3) geographic balance; and

(4) recommendations of the Fire Service Advisory Committee.

(e) The following are permissible uses of funds provided under this subdivision:

(1) training costs, which may include, but are not limited to, training curriculum, trainers, trainee overtime salary, other personnel overtime salary, and tuition;

(2) costs of gear and equipment related to hazardous materials readiness, response, and management, which may include, but are not limited to, original purchase, maintenance, and replacement;

(3) supplies related to the uses under clauses (1) and (2); and

(4) emergency preparedness planning and coordination.

(f) Notwithstanding paragraph (b), clause (2), from funds in the railroad and pipeline safety account provided for the purposes under this subdivision, the commissioner may retain a balance in the account for budgeting in subsequent fiscal years.

Sec. 15. Minnesota Statutes 2016, section 299A.55, subdivision 4, is amended to read:

Subd. 4. **Assessments.** (a) The commissioner of public safety shall annually assess \$2,500,000 to railroad and pipeline companies based on the formula specified in paragraph (b). The commissioner shall deposit funds collected under this subdivision in the railroad and pipeline safety account under subdivision 2.

(b) The assessment for each railroad is 50 percent of the total annual assessment amount, divided in equal proportion between applicable rail carriers based on route miles operated in Minnesota. The assessment for each pipeline company is 50 percent of the total annual assessment amount, divided in equal proportion between companies based on the yearly aggregate gallons of oil and hazardous substance transported by pipeline in Minnesota.

~~(c) The assessments under this subdivision expire July 1, 2017."~~

Adjust agency, fund, and bill totals accordingly

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Cornish moved to amend the Hilstrom amendment to S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 2, line 25, after "(a)" insert "If the account balance in the railroad and pipeline safety account is below \$1,000,000 at any point during a fiscal year," and strike "annually"

Page 2, line 27, after the period, insert "By June 1 annually, the commissioner must notify railroad and pipeline companies regarding the next fiscal year's assessment."

Page 3, line 4, restore the stricken language and strike "2017" and before the period, insert "2019"

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

The question recurred on the Hilstrom amendment, as amended, and the roll was called. There were 129 yeas and 2 nays as follows:

Those who voted in the affirmative were:

Albright	Davids	Hansen	Lesch	Nelson	Schomacker
Allen	Davnie	Hausman	Liebling	Neu	Schultz
Anderson, P.	Dean, M.	Heintzeman	Lien	Newberger	Slocum
Anderson, S.	Dehn, R.	Hertaus	Lillie	Nornes	Smith
Anselmo	Dettmer	Hilstrom	Loeffler	O'Driscoll	Sundin
Applebaum	Drazkowski	Hoppe	Lohmer	Omar	Swedzinski
Backer	Ecklund	Hornstein	Loon	O'Neill	Theis
Bahr, C.	Erickson	Hortman	Loonan	Pelowski	Thissen
Baker	Fabian	Howe	Lucero	Peppin	Uglem
Barr, R.	Fenton	Jessup	Lueck	Petersburg	Urdahl
Becker-Finn	Fischer	Johnson, B.	Mahoney	Peterson	Vogel
Bennett	Flanagan	Johnson, C.	Mariani	Pierson	Wagenius
Bernardy	Franke	Johnson, S.	Marquart	Pinto	Ward
Bliss	Franson	Jurgens	Masin	Poston	West
Bly	Freiberg	Kiel	Maye Quade	Pryor	Whelan
Carlson, A.	Green	Knoblach	McDonald	Pugh	Wills
Carlson, L.	Grossell	Koegel	Metsa	Quam	Youakim
Christensen	Gruenhagen	Koznick	Miller	Rarick	Zerwas
Clark	Gunther	Kresha	Moran	Rosenthal	Spk. Daudt
Considine	Haley	Kunesh-Podein	Murphy, E.	Runbeck	
Cornish	Halverson	Layman	Murphy, M.	Sandstede	
Daniels	Hamilton	Lee	Nash	Sauke	

Those who voted in the negative were:

Garofalo Torkelson

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

Becker-Finn moved to amend S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 72, delete section 17

Page 75, delete section 20

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

CALL OF THE HOUSE

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

Albright	Anderson, S.	Backer	Barr, R.	Bernardy	Carlson, A.
Allen	Anselmo	Bahr, C.	Becker-Finn	Bliss	Carlson, L.
Anderson, P.	Applebaum	Baker	Bennett	Bly	Christensen

Clark	Garofalo	Johnson, S.	Lucero	O'Driscoll	Schomacker
Considine	Green	Jurgens	Lueck	Omar	Schultz
Cornish	Grossell	Kiel	Mahoney	O'Neill	Slocum
Daniels	Gruenhagen	Knoblach	Mariani	Pelowski	Sundin
Davids	Gunther	Koegel	Marquart	Peppin	Swedzinski
Davnie	Haley	Koznick	Masin	Petersburg	Theis
Dehn, R.	Halverson	Kresha	Maye Quade	Peterson	Thissen
Dettmer	Hansen	Kunesh-Podein	McDonald	Pierson	Uglen
Drazkowski	Hausman	Layman	Metsa	Pinto	Urdahl
Ecklund	Heintzeman	Lee	Miller	Poston	Vogel
Erickson	Hertaus	Lesch	Moran	Pryor	Wagenius
Fabian	Hilstrom	Liebling	Murphy, E.	Pugh	Ward
Fenton	Hoppe	Lien	Murphy, M.	Quam	West
Fischer	Hornstein	Lillie	Nash	Rarick	Whelan
Flanagan	Hortman	Loeffler	Nelson	Rosenthal	Youakim
Franke	Howe	Lohmer	Neu	Runbeck	Zerwas
Franson	Jessup	Loon	Newberger	Sandstede	Spk. Daudt
Freiberg	Johnson, C.	Loonan	Nornes	Sauke	

Peppin 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.

The question recurred on the Becker-Finn amendment and the roll was called. There were 56 yeas and 75 nays as follows:

Those who voted in the affirmative were:

Allen	Davnie	Hausman	Liebling	Murphy, E.	Slocum
Anselmo	Dehn, R.	Hilstrom	Lien	Murphy, M.	Sundin
Applebaum	Ecklund	Hornstein	Lillie	Nelson	Thissen
Becker-Finn	Fischer	Hortman	Loeffler	Omar	Wagenius
Bernardy	Flanagan	Johnson, C.	Mahoney	Pinto	Ward
Bly	Franke	Johnson, S.	Mariani	Pryor	Youakim
Carlson, A.	Freiberg	Koegel	Masin	Rosenthal	
Carlson, L.	Halverson	Kunesh-Podein	Maye Quade	Sandstede	
Clark	Hamilton	Lee	Metsa	Sauke	
Considine	Hansen	Lesch	Moran	Schultz	

Those who voted in the negative were:

Albright	Dean, M.	Heintzeman	Loon	Pelowski	Theis
Anderson, P.	Dettmer	Hertaus	Loonan	Peppin	Torkelson
Anderson, S.	Drazkowski	Hoppe	Lucero	Petersburg	Uglen
Backer	Erickson	Howe	Lueck	Peterson	Urdahl
Bahr, C.	Fabian	Jessup	Marquart	Pierson	Vogel
Baker	Fenton	Johnson, B.	McDonald	Poston	West
Barr, R.	Franson	Jurgens	Miller	Pugh	Whelan
Bennett	Garofalo	Kiel	Nash	Quam	Wills
Bliss	Green	Knoblach	Neu	Rarick	Zerwas
Christensen	Grossell	Koznick	Newberger	Runbeck	Spk. Daudt
Cornish	Gruenhagen	Kresha	Nornes	Schomacker	
Daniels	Gunther	Layman	O'Driscoll	Smith	
Davids	Haley	Lohmer	O'Neill	Swedzinski	

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

The Speaker resumed the Chair.

Hilstrom moved to amend S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 15, delete lines 7 to 12

Page 34, delete section 2

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 Hilstrom amendment and the roll was called. There were 57 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hilstrom	Lien	Murphy, E.	Schultz
Applebaum	Ecklund	Hornstein	Lillie	Murphy, M.	Slocum
Becker-Finn	Fischer	Hortman	Loeffler	Nelson	Sundin
Bernardy	Flanagan	Johnson, C.	Mahoney	Omar	Thissen
Bly	Franke	Johnson, S.	Mariani	Pelowski	Wagenius
Carlson, A.	Freiberg	Koegel	Marquart	Pinto	Ward
Carlson, L.	Halverson	Kunesh-Podein	Masin	Pryor	Youakim
Clark	Hamilton	Lee	Maye Quade	Rosenthal	
Considine	Hansen	Lesch	Metsa	Sandstede	
Davnie	Hausman	Liebling	Moran	Sauke	

Those who voted in the negative were:

Albright	Davids	Haley	Lohmer	Peppin	Torkelson
Anderson, P.	Dean, M.	Heintzeman	Loon	Petersburg	Uglen
Anderson, S.	Dettmer	Hertaus	Loonan	Peterson	Urdahl
Anselmo	Drazkowski	Hoppe	Lucero	Pierson	Vogel
Backer	Erickson	Howe	Lueck	Poston	West
Bahr, C.	Fabian	Jessup	McDonald	Pugh	Whelan
Baker	Fenton	Johnson, B.	Miller	Quam	Wills
Barr, R.	Franson	Jurgens	Nash	Rarick	Zerwas
Bennett	Garofalo	Kiel	Neu	Runbeck	Spk. Daudt
Bliss	Green	Knoblach	Newberger	Schomacker	
Christensen	Grossell	Koznick	Nornes	Smith	
Cornish	Gruenhagen	Kresha	O'Driscoll	Swedzinski	
Daniels	Gunther	Layman	O'Neill	Theis	

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

Hilstrom moved to amend S. F. No. 803, the unofficial engrossment, as amended, as follows:

Page 15, delete lines 7 to 12

Page 34, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2016, section 241.01, subdivision 3a, is amended to read:

Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the following powers and duties:

(a) To accept persons committed to the commissioner by the courts of this state for care, custody, and rehabilitation.

(b) To determine the place of confinement of committed persons in a correctional facility or other facility of the Department of Corrections and to prescribe reasonable conditions and rules for their employment, conduct, instruction, and discipline within or outside the facility. After July 1, 2017, the commissioner shall not allow inmates to be housed in facilities that are not owned and operated by the state, a local unit of government, or a group of local units of government. Inmates shall not exercise custodial functions or have authority over other inmates.

(c) To administer the money and property of the department.

(d) To administer, maintain, and inspect all state correctional facilities.

(e) To transfer authorized positions and personnel between state correctional facilities as necessary to properly staff facilities and programs.

(f) To utilize state correctional facilities in the manner deemed to be most efficient and beneficial to accomplish the purposes of this section, but not to close the Minnesota Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without legislative approval. The commissioner may place juveniles and adults at the same state minimum security correctional facilities, if there is total separation of and no regular contact between juveniles and adults, except contact incidental to admission, classification, and mental and physical health care.

(g) To organize the department and employ personnel the commissioner deems necessary to discharge the functions of the department, including a chief executive officer for each facility under the commissioner's control who shall serve in the unclassified civil service and may, under the provisions of section 43A.33, be removed only for cause.

(h) To define the duties of these employees and to delegate to them any of the commissioner's powers, duties and responsibilities, subject to the commissioner's control and the conditions the commissioner prescribes.

(i) To annually develop a comprehensive set of goals and objectives designed to clearly establish the priorities of the Department of Corrections. This report shall be submitted to the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory committees.

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

Page 40, after line 10, insert:

"Sec. 6. **[243.95] PRIVATE PRISON CONTRACTS PROHIBITED.**

The commissioner may not contract with privately owned and operated prisons for the care, custody, and rehabilitation of offenders committed to the custody of the commissioner.

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

Page 42 after line 14, insert:

"Sec. 11. **[641.015] PLACEMENT IN PRIVATE PRISONS PROHIBITED.**

Subdivision 1. **Placement prohibited.** After August 1, 2017, a sheriff shall not allow inmates committed to the custody of the sheriff to be housed in facilities that are not owned and operated by a local government, or a group of local units of government.

Subd. 2. **Contracts prohibited.** The county board may not authorize the sheriff to contract with privately owned and operated prisons for the care, custody, and rehabilitation of offenders committed to the custody of the sheriff.

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

Re-number 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 Hilstrom amendment and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Allen	Dehn, R.	Hilstrom	Lesch	Metsa	Sandstede
Applebaum	Ecklund	Hornstein	Liebling	Moran	Sauke
Becker-Finn	Fischer	Hortman	Lien	Murphy, E.	Schultz
Bernardy	Flanagan	Jessup	Lillie	Murphy, M.	Slocum
Bly	Franke	Johnson, C.	Loeffler	Nelson	Sundin
Carlson, A.	Freiberg	Johnson, S.	Mahoney	Omar	Theis
Carlson, L.	Halverson	Knoblach	Mariani	Pelowski	Thissen
Clark	Hamilton	Koegel	Marquart	Pinto	Wagenius
Considine	Hansen	Kunesh-Podein	Masin	Pryor	Ward
Davnie	Hausman	Lee	Maye Quade	Rosenthal	Youakim

Those who voted in the negative were:

Albright	Backer	Bennett	Daniels	Drazkowski	Franson
Anderson, P.	Bahr, C.	Bliss	Dauids	Erickson	Garofalo
Anderson, S.	Baker	Christensen	Dean, M.	Fabian	Green
Anselmo	Barr, R.	Cornish	Dettmer	Fenton	Grossell

Gruenhagen	Jurgens	Lucero	O'Driscoll	Quam	Urdahl
Gunther	Kiel	Lueck	O'Neill	Rarick	Vogel
Haley	Koznick	McDonald	Peppin	Runbeck	West
Heintzeman	Kresha	Miller	Petersburg	Schomacker	Whelan
Hertaus	Layman	Nash	Peterson	Smith	Wills
Hoppe	Lohmer	Neu	Pierson	Swedzinski	Zerwas
Howe	Loon	Newberger	Poston	Torkelson	Spk. Daudt
Johnson, B.	Loonan	Nornes	Pugh	Uglem	

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

S. F. No. 803, A bill for an act relating to public safety; appropriating money for public safety, courts, corrections, Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial Standards, Board of Public Defense, Sentencing Guidelines, Peace Officer Standards and Training (POST) Board, Private Detective Board, and Human Rights; lowering certain court-related fees; amending Minnesota Statutes 2016, sections 13.69, subdivision 1; 271.21, subdivision 2; 357.021, subdivision 2; 609.748, subdivision 3a.

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 94 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Albright	Daniels	Haley	Kresha	Nornes	Sauke
Anderson, P.	Dauids	Halverson	Layman	O'Driscoll	Schomacker
Anderson, S.	Dean, M.	Hamilton	Lien	O'Neill	Smith
Anselmo	Dettmer	Heintzeman	Lohmer	Pelowski	Swedzinski
Applebaum	Drazkowski	Hertaus	Loon	Peppin	Theis
Backer	Ecklund	Hilstrom	Loonan	Petersburg	Torkelson
Bahr, C.	Erickson	Hoppe	Lucero	Peterson	Uglem
Baker	Fabian	Howe	Lueck	Pierson	Urdahl
Barr, R.	Fenton	Jessup	Marquart	Pinto	Vogel
Becker-Finn	Franke	Johnson, B.	Maye Quade	Poston	West
Bennett	Franson	Johnson, C.	McDonald	Pryor	Whelan
Bliss	Garofalo	Jurgens	Miller	Pugh	Wills
Carlson, A.	Green	Kiel	Murphy, M.	Quam	Zerwas
Christensen	Grossell	Knoblach	Nash	Rarick	Spk. Daudt
Considine	Gruenhagen	Koegel	Neu	Rosenthal	
Cornish	Gunther	Koznick	Newberger	Runbeck	

Those who voted in the negative were:

Allen	Fischer	Johnson, S.	Mahoney	Omar	Ward
Bernardy	Flanagan	Kunesh-Podein	Mariani	Sandstede	Youakim
Bly	Freiberg	Lee	Masin	Schultz	
Carlson, L.	Hansen	Lesch	Metsa	Slocum	
Clark	Hausman	Liebling	Moran	Sundin	
Davnie	Hornstein	Lillie	Murphy, E.	Thissen	
Dehn, R.	Hortman	Loeffler	Nelson	Wagenius	

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

**REPORT FROM THE COMMITTEE ON RULES
AND LEGISLATIVE ADMINISTRATION**

Peppin from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Wednesday, April 5, 2017 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 1545 and 1717; and S. F. No. 780.

MOTIONS AND RESOLUTIONS

Erickson moved that the name of Kiel be added as an author on H. F. No. 140. The motion prevailed.

Fabian moved that the names of Lee and Thissen be added as authors on H. F. No. 1535. The motion prevailed.

Freiberg moved that the name of Ward be added as an author on H. F. No. 2526. The motion prevailed.

Omar moved that the name of Hausman be added as an author on H. F. No. 2558. The motion prevailed.

Becker-Finn moved that the name of Lien be added as an author on H. F. No. 2570. The motion prevailed.

CALL OF THE HOUSE LIFTED

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

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 10:00 a.m., Tuesday, April 4, 2017. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Tuesday, April 4, 2017.

PATRICK D. MURPHY, Chief Clerk, House of Representatives