

STATE OF MINNESOTA

# Journal of the House

NINETIETH SESSION — 2017

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FORTY-SECOND DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 6, 2017

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

Prayer was offered by Imam Asad Zaman, Executive Director, Muslim American Society of Minnesota, St. Paul, 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:

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

A quorum was present.

Hamilton was excused until 1:30 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:

Dean, M., introduced:

H. F. No. 2585, A bill for an act relating to human services; increasing MinnesotaCare premiums; directing the commissioner of human services to seek federal waivers and approvals necessary to provide flexibility in the use of money in the state's basic health program trust fund; amending Minnesota Statutes 2016, section 256L.15, subdivision 2.

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

Grossell; Dean, M.; O'Neill; Baker; Hilstrom; Hoppe; Albright and Kresha introduced:

H. F. No. 2586, A bill for an act relating to health; requiring the commissioner of health to provide grants for prescription drug deactivation and disposal; appropriating money.

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

Loonan introduced:

H. F. No. 2587, A bill for an act relating to human services; requiring the commissioner of human services to report to the legislature on the receipt and use of federal opioid crisis grants; requiring certain funds to be used for opioid abuse prevention and other related initiatives.

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.

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

**CALENDAR FOR THE DAY**

S. F. No. 1937 was reported to the House.

Fenton moved to amend S. F. No. 1937, the unofficial engrossment, as follows:

Page 5, line 10, delete "(1)"

Page 5, delete lines 17 through 30

The motion prevailed and the amendment was adopted.

Barr, R., moved to amend S. F. No. 1937, the unofficial engrossment, as amended, as follows:

Page 151, after line 6, insert:

"Subd. 3. **Data.** Government data received by the commissioner pursuant to this section is nonpublic data or private data on individuals, as defined in section 13.02, subdivisions 9 and 12."

The motion prevailed and the amendment was adopted.

Loeffler was excused between the hours of 2:00 p.m. and 2:40 p.m.

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

Schultz moved to amend S. F. No. 1937, the unofficial engrossment, as amended, as follows:

Page 179, line 9, before the period, insert ", including, but not limited to, the costs of air emissions and water degradation"

A roll call was requested and properly seconded.

Hornstein offered an amendment to the Schultz amendment to S. F. No. 1937, the unofficial engrossment, as amended.

#### POINT OF ORDER

Newberger raised a point of order pursuant to rule 3.21(b) that the Hornstein amendment to the Schultz amendment was not in order. Speaker pro tempore Davids ruled the point of order well taken and the Hornstein amendment to the Schultz amendment out of order.

Pinto appealed the decision of Speaker pro tempore Davids.

A roll call was requested and properly seconded.

## CALL OF THE HOUSE

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

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

All members answered to the call and it was so ordered.

The vote recurred on the question "Shall the decision of Speaker pro tempore Davids stand as the judgment of the House?" and the roll was called. There were 75 yeas and 56 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen	Bly	Considine	Fischer	Halverson	Hortman
Applebaum	Carlson, A.	Davnie	Flanagan	Hansen	Johnson, C.
Becker-Finn	Carlson, L.	Dehn, R.	Franke	Hilstrom	Johnson, S.
Bernardy	Clark	Ecklund	Freiberg	Hornstein	Jurgens

Koegel	Mahoney	Moran	Pelowski	Sauke	Ward
Kunesh-Podein	Mariani	Murphy, E.	Pinto	Schultz	Youakim
Lesch	Marquart	Murphy, M.	Poppe	Slocum	
Liebling	Masin	Nelson	Pryor	Sundin	
Lien	Maye Quade	Olson	Rosenthal	Thissen	
Lillie	Metsa	Omar	Sandstede	Wagenius	

So it was the judgment of the House that the decision of Speaker pro tempore Davids should stand.

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

Those who voted in the affirmative were:

Allen	Davnie	Hansen	Liebling	Nelson	Schultz
Anselmo	Dehn, R.	Hilstrom	Lien	Olson	Slocum
Applebaum	Ecklund	Hornstein	Lillie	Omar	Sundin
Baker	Fenton	Hortman	Loon	Pelowski	Theis
Barr, R.	Fischer	Jessup	Mahoney	Petersburg	Thissen
Becker-Finn	Flanagan	Johnson, C.	Mariani	Peterson	Urdahl
Bernardy	Franke	Johnson, S.	Marquart	Pinto	Wagenius
Bly	Freiberg	Knoblach	Masin	Poppe	Ward
Carlson, A.	Garofalo	Koegel	Maye Quade	Pryor	West
Carlson, L.	Gunther	Kresha	Metsa	Rosenthal	Wills
Clark	Halverson	Kunesh-Podein	Moran	Sandstede	Youakim
Considine	Hamilton	Lesch	Murphy, E.	Sauke	

Those who voted in the negative were:

Albright	Davids	Haley	Lohmer	O'Driscoll	Scott
Anderson, P.	Dean, M.	Heintzeman	Loonan	O'Neill	Smith
Anderson, S.	Dettmer	Hertaus	Lucero	Peppin	Swedzinski
Backer	Drazkowski	Hoppe	Lueck	Pierson	Torkelson
Bahr, C.	Erickson	Howe	McDonald	Poston	Uglem
Bennett	Fabian	Johnson, B.	Miller	Pugh	Vogel
Bliss	Franson	Jurgens	Nash	Quam	Whelan
Christensen	Green	Kiel	Neu	Rarick	Zerwas
Cornish	Grossell	Koznick	Newberger	Runbeck	Spk. Daudt
Daniels	Gruenhagen	Layman	Nornes	Schomacker	

The motion prevailed and the amendment was adopted.

Lesch moved to amend S. F. No. 1937, the unofficial engrossment, as amended, as follows:

Page 154, line 11, after the period, insert "No such telecommunication or Internet service provider shall refuse to provide its services to a customer on the grounds that the customer has not approved collection of the customer's personal information."

The motion prevailed and the amendment was adopted.

Thisssen moved to amend S. F. No. 1937, the unofficial engrossment, as amended, as follows:

Page 154, delete section 4 and insert:

"Sec. 4. **[237.417] PERSONAL INFORMATION; PROHIBITION.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given them.

(b) "Covered entity" means an entity, including a search engine service, social media, or other Web-based application, that collects personally identifiable information from a consumer by means of the Internet.

(c) "Express approval" means an affirmative act of the consumer provided in writing or by electronic means. The affirmative act providing express approval must be made in a separate document or form that contains no approval by a consumer of any other contractual provision.

(d) "Internet service provider" has the meaning given in section 325M.01, subdivision 3.

(e) "Minnesota facilities" means the facilities of a telecommunications or Internet service provider covered by or subject to a franchise agreement, right-of-way agreement, or other contract with the state of Minnesota or a political subdivision.

(f) "Personally identifiable information" means information that identifies:

(1) a consumer by physical or electronic address or telephone number;

(2) a consumer as having requested or obtained specific materials or services from an Internet service provider;

(3) Internet or online sites visited by a consumer; or

(4) any of the contents of a consumer's data-storage devices.

(g) "Telecommunications service provider" has the meaning given in section 237.01, subdivision 6b.

Subd. 2. **Service provider; prohibition.** A telecommunications or Internet service provider that has entered into a franchise agreement, right-of-way agreement, or other contract with the state of Minnesota or a political subdivision may not sell, share, or otherwise distribute personally identifiable information from a consumer, or use such information for direct advertising or other content, without express approval from the consumer.

Subd. 3. **Covered entity; prohibition.** A covered entity may not sell, share, or otherwise distribute personally identifiable information from any Minnesota consumer, or use such information for direct advertising, without express approval of the consumer if the covered entity used Minnesota facilities to obtain personally identifiable information from any Minnesota consumer, even if the covered entity was not a party to a contract with the state of Minnesota at the time the personally identifiable information was obtained. This provision applies to personally identifiable information obtained from any Minnesota consumer, even if the personally identifiable information was not obtained through the use of Minnesota facilities.

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

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Thissen amendment and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The motion prevailed and the amendment was adopted.

Thissen moved to amend S. F. No. 1937, the unofficial engrossment, as amended, as follows:

Page 154, after line 12, insert:

"Sec. 5. **[237.418] DIGITAL DEVICE MICROPHONE; CONDITIONS FOR REMOTE ACCESS.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this subdivision have the meanings given them.

(b) "Digital device" means a smartphone, tablet, television, computer, car, toy, home appliance, or any other device that contains a microphone that can be activated remotely by a private entity without the knowledge of the user and can transmit sound from the location of the digital device to a remote location where it can be recorded and stored.

(c) "Private entity" means any individual, partnership, corporation, limited liability company, association, or other group, however organized. "Private entity" does not include a state or local government agency.

(d) "User" means a person who purchases, leases, or otherwise regularly uses a digital device.

Subd. 2. **Digital device microphone; requirements for access.** No private entity may activate or enable, cause to be activated or enabled, or otherwise use a digital device's microphone to listen to, transmit, store, or disclose information unless it first:

(1) informs the user in writing that the microphone in the user's digital device will be activated, enabled, or used by the private entity;

(2) informs the user in writing of the frequency and length of time the microphone will be activated, enabled, or used by the private entity;

(3) informs the user in writing of the specific categories of information the microphone will be listening for, transmitting, and storing;

(4) informs the user in writing of the specific purpose for which the information will be collected, used, stored, and to whom it may be disclosed; and

(5) receives the informed, written consent of the user, including through electronic means, or the user's authorized agent, representative, or guardian, that:

(i) is in a form distinct and separate from any form setting forth other legal or financial obligations of the user;

(ii) is given in advance of the time the microphone is activated, enabled or used; and

(iii) runs for a specified period of time or until consent is withdrawn by the user, whichever is sooner.

Subd. 3. **Prohibitions.** The provisions of this section may not be waived by a user or private entity. Any agreement that does not comply with the applicable provisions of this section is void and unenforceable.

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

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Bly moved to amend S. F. No. 1937, the unofficial engrossment, as amended, as follows:

Page 194, delete lines 7 to 10 and insert:

"(c) Before adopting an interim ordinance that regulates, restricts, or prohibits a housing proposal, a statutory or home rule charter city must hold a public hearing"

A roll call was requested and properly seconded.

The question was taken on the Bly amendment and the roll was called. There were 50 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Allen	Bernardy	Clark	Ecklund	Haley	Hornstein
Anselmo	Bly	Considine	Fischer	Halverson	Hortman
Applebaum	Carlson, A.	Davnie	Flanagan	Hansen	Johnson, C.
Becker-Finn	Carlson, L.	Dehn, R.	Freiberg	Hilstrom	Johnson, S.



Koegel	Mahoney	Moran	Pinto	Slocum	Youakim
Kunesh-Podein	Mariani	Murphy, E.	Pryor	Sundin	
Lesch	Masin	Murphy, M.	Rosenthal	Thissen	
Liebling	Maye Quade	Olson	Sandstede	Wagenius	
Lien	Metsa	Omar	Schultz	Ward	

Those who voted in the negative were:

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

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

Garofalo moved to amend S. F. No. 1937, the unofficial engrossment, as amended, as follows:

Page 192, after line 15, insert:

"Sec. 43. **PIPELINE REPLACEMENT PROJECT; ROUTE.**

Notwithstanding Minnesota Statutes, section 216G.02, and Minnesota Rules, chapter 7852, an applicant may, at its sole discretion, construct, after July 1, 2017, own, and operate a 36-inch diameter, approximately 340 mile-long replacement pipeline, as defined in Minnesota Statutes, section 216B.243, subdivision 8, and associated facilities along the preferred route the applicant proposed to the Public Utilities Commission in Docket No. PL-9/PPL-15-137.

**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.

Bliss was excused between the hours of 3:10 p.m. and 3:50 p.m.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the amendment was adopted.

S. F. No. 1937, the unofficial engrossment, as amended, was read for the third time.

#### CALL OF THE HOUSE LIFTED

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

#### CALL OF THE HOUSE

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

Albright	Bahr, C.	Bly	Daniels	Ecklund	Franson
Allen	Baker	Carlson, A.	Davids	Erickson	Freiberg
Anderson, P.	Barr, R.	Carlson, L.	Davnie	Fabian	Garofalo
Anderson, S.	Becker-Finn	Christensen	Dean, M.	Fenton	Green
Anselmo	Bennett	Clark	Dehn, R.	Fischer	Grossell
Applebaum	Bernardy	Considine	Dettmer	Flanagan	Gruenhagen
Backer	Bliss	Cornish	Drazkowski	Franke	Gunther

Haley	Jurgens	Loonan	Nelson	Poston	Swedzinski
Halverson	Kiel	Lucero	Neu	Pryor	Theis
Hamilton	Knoblach	Lueck	Newberger	Pugh	Thissen
Hansen	Koegel	Mahoney	Nornes	Quam	Torkelson
Heintzeman	Koznick	Mariani	O'Driscoll	Rarick	Uglen
Hertaus	Kresha	Marquart	Olson	Rosenthal	Urdahl
Hilstrom	Kunesh-Podein	Masin	Omar	Runbeck	Vogel
Hoppe	Layman	Maye Quade	O'Neill	Sandstede	Wagenius
Hornstein	Lesch	McDonald	Pelowski	Sauke	Ward
Hortman	Liebling	Metsa	Peppin	Schomacker	West
Howe	Lien	Miller	Petersburg	Schultz	Whelan
Jessup	Lillie	Moran	Peterson	Scott	Wills
Johnson, B.	Loeffler	Murphy, E.	Pierson	Slocum	Youakim
Johnson, C.	Lohmer	Murphy, M.	Pinto	Smith	Zerwas
Johnson, S.	Loon	Nash	Poppe	Sundin	Spk. Daudt

All members answered to the call and it was so ordered.

#### CALL OF THE HOUSE LIFTED

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

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

The Speaker resumed the Chair.

S. F. No. 1937, A bill for an act relating to state government; appropriating money for commerce, energy, labor and industry, and employment and economic development; making policy and technical changes; modifying fees; requiring reports; amending regulation of municipal electric utilities and rural electric cooperatives; modifying telecommunications provisions; modifying the solar energy standard; amending resource planning requirements; establishing a task force; establishing a youth skills training program; modifying water conditioning installation requirements; modifying job creation fund requirements for certain businesses; providing a onetime exception to restrictions on use of Minnesota investment fund repayments; creating the getting to work grant program; amending Minnesota Statutes 2016, sections 45.0135, subdivision 6; 46.131, subdivision 7, by adding a subdivision; 53B.11, subdivision 1; 58.10, subdivision 1; 65B.84, subdivision 1; 80A.65, subdivision 2; 116J.395, subdivision 7; 116J.8731, subdivision 2, by adding a subdivision; 116J.8748, subdivisions 1, 3, 4, 6; 116L.17, subdivision 1; 116L.665; 116M.14, subdivision 4; 116M.17, subdivision 4; 116M.18, subdivisions 1a, 4, 4a, 8; 175.45; 216B.164, subdivisions 5, 9, by adding a subdivision; 216B.1691, subdivision 2f; 216B.1694, subdivision 3; 216B.2422, subdivisions 2, 4; 216B.62, subdivision 3b; 216C.435, by adding a subdivision; 237.01, by adding subdivisions; 237.295, by adding a subdivision; 239.101, subdivision 2; 297I.11, subdivision 2; 326B.092, subdivision 7; 326B.153, subdivision 1; 326B.37, by adding subdivisions; 326B.435, subdivision 2; 326B.50, subdivision 3, by adding subdivisions; 326B.55, subdivisions 2, 4; 326B.89, subdivisions 1, 5; Laws 2015, First Special Session chapter 1, article 1, sections 2, subdivision 6; 5, subdivision 2; Laws 2016, chapter 189, article 7, section 2, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 175; 237; 326B; repealing Minnesota Statutes 2016, sections 46.131, subdivision 5; 326B.89, subdivision 14; Minnesota Rules, parts 4355.0100; 4355.0200; 4355.0300; 4355.0400; 4355.0500.

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

Those who voted in the negative were:

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

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

Dehn, R., was excused between the hours of 7:20 p.m. and 8:20 p.m.

Mahoney was excused between the hours of 7:20 p.m. and 9:05 p.m.

Pursuant to rule 1.50, Peppin moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

The Speaker called Davids to the Chair.

S. F. No. 605 was reported to the House.

Anderson, S., moved to amend S. F. No. 605, the unofficial engrossment, as follows:

Page 4, after line 26, insert:

"No later than January 15, 2018, the legislative auditor must complete an assessment of the adequacy of the county audits performed by the state auditor in calendar year 2016. The

standards for conducting the assessment must be identical to those described in the report of the state auditor dated March 2017, titled "Assessing the Adequacy of 2015 County Audits Performed by Private CPA Firms."

A roll call was requested and properly seconded.

The question was taken on the Anderson, S., amendment and the roll was called. There were 91 yeas and 38 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen	Ecklund	Hortman	Loeffler	Olson	Thissen
Applebaum	Fischer	Johnson, C.	Mariani	Omar	Ward
Becker-Finn	Flanagan	Johnson, S.	Masin	Pinto	Youakim
Bernardy	Freiberg	Koegel	Metsa	Sandstede	
Bly	Hansen	Lesch	Murphy, E.	Schultz	
Clark	Hilstrom	Liebling	Murphy, M.	Slocum	
Considine	Hornstein	Lillie	Nelson	Sundin	

The motion prevailed and the amendment was adopted.

Anderson, S., moved to amend S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 74, after line 19, insert:

"Sec. 67. **WAITE PARK; HOTEL INSPECTION.**

(a) Notwithstanding any other law to the contrary and in addition to any other requirement in law, the city of Waite Park may adopt an ordinance to require a hotel, motel, or lodging establishment operating within the city's jurisdiction to have a valid license issued by the city. The license may prohibit the licensee from:

- (1) knowingly allowing a room to be occupied for purposes of sex trafficking;
- (2) knowingly allowing a room to be occupied for the purposes of illegal drug activity;
- (3) knowingly allowing a room to be occupied by a minor for the consumption of alcoholic beverages;
- (4) prohibiting the inspection of the licensed premises;
- (5) failing to report observed or suspected illegal activity to the police in a reasonable period of time; and
- (6) failure to maintain the licensed premises to all building, fire, mechanical, zoning or licensing codes.

The ordinance may provide for inspections related to the activities the license addresses. The city may collect a reasonable fee related to the cost of issuing the license and conducting inspections.

(b) "Hotel," "motel," and "lodging establishment" are as defined in Minnesota Statutes, section 157.15.

(c) The authority in this section does not replace or diminish the authority of the community health board to inspect and license any hotel, motel, or lodging establishment in the city.

**EFFECTIVE DATE.** This section is effective the day following final enactment without local approval, as provided in Minnesota Statutes, section 645.023, subdivision 1, paragraph (a)."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Fischer was excused between the hours of 7:40 p.m. and 9:25 p.m.

Hansen moved to amend S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 115, delete section 1

Page 118, delete sections 4 and 5

Page 119, delete sections 6 to 8

Page 120, delete section 9

Page 121, delete sections 10 to 12

Page 122, delete sections 13 and 14

Page 123, delete section 15

Page 124, delete sections 16 and 17

Page 126, delete section 18

Page 127, delete section 19

Page 129, delete section 20

Page 131, delete sections 21 and 22

Page 132, delete section 23

Page 133, delete section 24

Page 134, delete sections 25 and 26

Page 137, delete section 27

Page 138, delete sections 28 and 29

Page 139, delete section 30

Page 140, delete sections 31 and 32

Page 141, delete sections 33 to 35

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Murphy, E., moved to amend the Hansen amendment to S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 1, after line 1, insert:

"Page 65, delete section 53

Page 67, delete section 54"

A roll call was requested and properly seconded.

The question was taken on the Murphy, E., amendment to the Hansen amendment and the roll was called. There were 55 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Allen	Bernardy	Carlson, L.	Cornish	Ecklund	Freiberg
Applebaum	Bly	Clark	Davids	Flanagan	Halverson
Becker-Finn	Carlson, A.	Considine	Davnie	Franke	Hansen

Hilstrom	Liebling	Maye Quade	Omar	Sauke	Ward
Hornstein	Lien	Metsa	Pelowski	Schultz	Youakim
Johnson, C.	Lillie	Moran	Pinto	Slocum	
Johnson, S.	Loeffler	Murphy, E.	Poppe	Sundin	
Koegel	Mariani	Murphy, M.	Pryor	Thissen	
Kunesh-Podein	Marquart	Nelson	Rosenthal	Urdahl	
Lesch	Masin	Olson	Sandstede	Wagenius	

Those who voted in the negative were:

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

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

The Speaker resumed the Chair.

The question recurred on the Hansen amendment and the roll was called. There were 53 yeas and 76 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albright	Cornish	Garofalo	Howe	Loon	O'Driscoll
Anderson, P.	Daniels	Green	Jessup	Loonan	O'Neill
Anderson, S.	Dauids	Grossell	Johnson, B.	Lucero	Pelowski
Backer	Dean, M.	Gruenhagen	Jurgens	Lueck	Peppin
Bahr, C.	Drazkowski	Gunther	Kiel	McDonald	Petersburg
Baker	Erickson	Haley	Knoblach	Miller	Peterson
Barr, R.	Fabian	Hamilton	Koznick	Nash	Pierson
Bennett	Fenton	Heintzeman	Kresha	Neu	Poston
Bliss	Franke	Hertaus	Layman	Newberger	Pugh
Christensen	Franson	Hoppe	Lohmer	Nornes	Quam



Rarick	Scott	Theis	Urdahl	Whelan	Spk. Daudt
Runbeck	Smith	Torkelson	Vogel	Wills	
Schomacker	Swedzinski	Uglem	West	Zerwas	

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

Halverson offered an amendment to S. F. No. 605, the unofficial engrossment, as amended.

#### POINT OF ORDER

O'Neill raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Halverson amendment was not in order. The Speaker ruled the point of order well taken and the Halverson amendment out of order.

Hortman appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 73 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So it was the judgment of the House that the decision of the Speaker should stand.

Lillie moved to amend S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 74, after line 19, insert:

"Sec. 67. **LABOR AGREEMENT RATIFIED; MINNESOTA GOVERNMENT ENGINEERING COUNCIL.**

The arbitration award and labor agreement between the state of Minnesota and the Minnesota Government Engineering Council, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on July 28, 2016, and implemented as provided in Minnesota Statutes, section 3.855, subdivision 2, are ratified.

**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.

#### MOTION TO LAY ON THE TABLE

Considine moved that S. F. No. 605, the unofficial engrossment, as amended, be laid on the table. The motion did not prevail.

The question recurred on the Lillie amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albright	Cornish	Garofalo	Hoppe	Loon	Nornes
Anderson, P.	Daniels	Green	Howe	Loonan	O'Driscoll
Anderson, S.	Dauids	Grossell	Jessup	Lucero	O'Neill
Backer	Dean, M.	Gruenhagen	Johnson, B.	Lueck	Peppin
Baker	Drazkowski	Gunther	Jurgens	McDonald	Petersburg
Barr, R.	Erickson	Haley	Kiel	Miller	Peterson
Bennett	Fabian	Hamilton	Koznick	Nash	Pierson
Bliss	Fenton	Heintzeman	Kresha	Neu	Poston
Christensen	Franson	Hertaus	Lohmer	Newberger	Pugh

Quam	Schomacker	Swedzinski	Urdahl	Zerwas
Rarick	Scott	Torkelson	Vogel	Spk. Daudt
Runbeck	Smith	Uglen	Whelan	

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

Halverson moved to amend S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 39, line 5, after "and" insert "that the committee's use of the sale proceeds will be disclosed to the board as required by law. Additionally, the committee"

Anderson, S., moved to amend the Halverson amendment to S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 1, after line 1, insert:

"Page 38, line 28, after "services" insert "; loans and lines of credit"

Page 38, line 29, after "services" insert ", or receipt of a loan or line of credit from a financial institution"

Page 38, line 31, after "services" insert "or a loan or line of credit received from a financial institution"

Page 1, after line 3, insert:

"Page 39, after line 8, insert:

**EFFECTIVE DATE.** This section is effective the day following final enactment. Outstanding loans or lines of credit received by a political committee for a purpose prohibited by this section must be repaid to the financial institution or closed no later than July 1, 2017."

A roll call was requested and properly seconded.

#### POINT OF ORDER

Pinto raised a point of order pursuant to section 94, paragraph 1, of "Mason's Manual of Legislative Procedure," relating to Right of Member to Hold the Floor. The Speaker ruled the point of order not well taken.

#### POINT OF ORDER

Pinto raised a point of order pursuant to rule 3.21(b) that the Anderson, S., amendment to the Halverson amendment was not in order.

The Speaker submitted the following question to the House: "Is it the judgment of the House that the Pinto point of order is well taken?"

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

All members answered to the call and it was so ordered.

The vote was taken on the question "Is it the judgment of the House that the Pinto point of order is well taken?" and the roll was called. There were 57 yeas and 74 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

So it was the judgment of the House that the Pinto point of order was not well taken and the Anderson, S., amendment to the Halverson amendment to S. F. No. 605 was in order.

#### POINT OF ORDER

Liebling raised a point of order pursuant to Article I, Sec. 11 of the Constitution of the State of Minnesota. The Speaker ruled the point of order out of order.

The question recurred on the Anderson, S., amendment to the Halverson amendment and the roll was called. There were 70 yeas and 61 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

Halverson offered an amendment to the Halverson amendment, as amended, to S. F. No. 605, the unofficial engrossment, as amended.

## POINT OF ORDER

Peppin raised a point of order pursuant to rule 3.21(b) that the Halverson amendment to the Halverson amendment, as amended, was not in order. The Speaker ruled the point of order well taken and the Halverson amendment to the Halverson amendment, as amended, out of order.

Halverson appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called.

Thissen moved that those not voting be excused from voting. The motion did not prevail.

Peppin moved that those not voting be excused from voting. The motion prevailed.

There were 78 yeas and 52 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

So it was the judgment of the House that the decision of the Speaker should stand.

Wills was excused between the hours of 11:15 p.m. and 11:20 p.m.

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

Halverson withdrew her amendment, as amended, to S. F. No. 605, the unofficial engrossment, as amended.

Hornstein moved to amend S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 43, after line 30, insert:

"Sec. 29. Minnesota Statutes 2016, section 16B.04, subdivision 2, is amended to read:

Subd. 2. **Powers and duties, generally.** Subject to other provisions of this chapter, the commissioner is authorized to:

(1) supervise, control, review, and approve all state contracts and purchasing, provided that the commissioner may not approve a state contract with, or the purchase of goods from, a vendor who intentionally refuses to do business, or who intentionally discriminates in the basic terms, conditions, or performance of a contract or sale, on the basis of a person's national origin;

(2) provide agencies with supplies and equipment;

(3) investigate and study the management and organization of agencies, and reorganize them when necessary to ensure their effective and efficient operation;

(4) manage and control state property, real and personal;

(5) maintain and operate all state buildings, as described in section 16B.24, subdivision 1;

(6) supervise, control, review, and approve all capital improvements to state buildings and the capitol building and grounds;

(7) provide central mail facilities;

(8) oversee publication of official documents and provide for their sale;

(9) manage and operate parking facilities for state employees and a central motor pool for travel on state business;

(10) provide rental space within the capitol complex for a private day care center for children of state employees. The commissioner shall contract for services as provided in this chapter;

(11) settle state employee workers' compensation claims;

(12) purchase, accept, transfer, warehouse, sell, distribute, or dispose of surplus property in accordance with state and federal rules and regulations. The commissioner may charge a fee to cover any expenses incurred in connection with any of these acts; and

(13) provide and manage a central distribution center for federal and state surplus personal property, as defined in section 16B.2975, and may provide and manage a warehouse facility."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

#### CALL OF THE HOUSE LIFTED

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

Thissen moved to amend S. F. No. 605, the unofficial engrossment, as amended, as follows:

Page 16, line 25, delete "364,000" and insert "401,000" and delete "364,000" and insert "401,000"

Page 16, line 26, delete "386,000" and insert "401,000" and delete "386,000" and insert "401,000"

Page 25, after line 32, insert:

"Sec. 43. **REDUCTION IN PROFESSIONAL AND TECHNICAL SERVICES CONTRACT EXPENDITURES.**

During the biennium ending June 30, 2019, the commissioner of management and budget must reduce planned general fund expenditures by executive branch state agencies on contracts for professional or technical services by at least \$104,000. The commissioner must allocate this reduction among each executive branch state agency. For purposes of this section, "professional or technical services" has the meaning given in Minnesota Statutes, section 16C.08, subdivision 1, and "executive branch state agency" has the meaning given in Minnesota Statutes, section 16A.011, subdivision 12a, and includes the Minnesota State Colleges and Universities.

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 Garofalo to the Chair.

S. F. No. 605, A bill for an act relating to the operation of state government; appropriating money for the legislature, governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, retirement funds; cancellation of certain appropriations; precluding agencies from transferring money to the governor's office for services; constraining the state auditor's use of funds for litigation expenses; requiring the state auditor to reimburse Wright, Becker, and Ramsey Counties for litigation expenses; limiting the state auditor's rates for 2017; requiring legislative approval for certain rules; making an ALJ decision the final decision in contested cases; creating an affirmative defense to certain rule violations; modifying the employee gainsharing program;



requiring the Department of Administration to assess agencies for certain services; requiring the Office of MN.IT Services to report its project portfolio to the legislature; limiting severance pay for highly paid civil service employees; permitting state employees to opt out of insurance coverage under SEGIP; limiting public employer compensation under contracts to appropriated amounts; modifying uses for Support Our Troops account; requiring the Department of Veterans Affairs to develop a policy to grant free or reduced-cost burials in state veterans cemeteries to eligible indigent dependents of veterans; providing statutory appropriations to the Racing Commission in the event of a failure to pass a biennial appropriation; raising caps on Mighty Ducks grants; modifying expense calculation for the State Lottery; creating an advisory task force on fiscal notes; setting a deadline for consolidation of state information technology and for use of cloud-based solutions; creating a legislative commission to review consolidation of the state's information technology; establishing requirements for a grandfathered license for eyelash technicians; creating a working group for a rules status system; creating a grant program for election equipment; repealing the state auditor enterprise fund; repealing the campaign finance public subsidy program; repealing lottery payouts to people under 18; amending Minnesota Statutes 2016, sections 4.46; 6.481, subdivision 6; 6.56, subdivision 2; 6.581, subdivision 4; 14.18, subdivision 1; 14.27; 14.389, subdivision 3; 14.57; 16A.90; 16B.055, subdivision 1; 16B.371; 16B.4805, subdivisions 2, 4; 16E.0466; 43A.17, subdivision 11; 43A.24, by adding a subdivision; 155A.23, subdivisions 10, 15, 16, by adding a subdivision; 155A.29, subdivisions 1, 2; 155A.30, subdivisions 2, 5; 179A.20, by adding a subdivision; 190.19, subdivisions 2, 2a; 197.236, subdivision 9; 240.15, subdivision 6; 240.155, subdivision 1; 240A.09; 349A.08, subdivision 2; 349A.10, subdivision 6; Laws 2016, chapter 127, section 8; proposing coding for new law in Minnesota Statutes, chapters 6; 14; 16A; 240; repealing Minnesota Statutes 2016, sections 6.581, subdivision 1; 10A.30; 10A.31, subdivisions 1, 3, 3a, 4, 5, 5a, 6, 6a, 7, 7a, 10, 10a, 10b, 11; 10A.315; 10A.321; 10A.322, subdivisions 1, 2, 4; 10A.323; 155A.23, subdivision 8; 349A.08, subdivision 3.

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 75 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen	Clark	Freiberg	Johnson, S.	Loeffler	Moran
Applebaum	Considine	Halverson	Koegel	Mahoney	Murphy, E.
Becker-Finn	Davnie	Hansen	Kunesh-Podein	Mariani	Murphy, M.
Bernardy	Dehn, R.	Hilstrom	Lesch	Marquart	Nelson
Bly	Ecklund	Hornstein	Liebling	Masin	Olson
Carlson, A.	Fischer	Hortman	Lien	Maye Quade	Omar
Carlson, L.	Flanagan	Johnson, C.	Lillie	Metsa	Pelowski

Pinto	Rosenthal	Schultz	Thissen	Youakim
Poppe	Sandstede	Slocum	Wagenius	
Pryor	Sauke	Sundin	Ward	

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

### **MOTIONS AND RESOLUTIONS**

Dettmer moved that the name of Bahr, C., be added as an author on H. F. No. 462. The motion prevailed.

Rosenthal moved that the names of Theis and Kiel be added as authors on H. F. No. 2339. The motion prevailed.

Theis moved that the names of Schultz and Kiel be added as authors on H. F. No. 2528. The motion prevailed.

Lueck moved that the name of Hausman be added as an author on H. F. No. 2582. The motion prevailed.

### **ADJOURNMENT**

Peppin moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, April 7, 2017. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and Speaker pro tempore Garofalo declared the House stands adjourned until 10:00 a.m., Friday, April 7, 2017.

PATRICK D. MURPHY, Chief Clerk, House of Representatives