

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION — 2013

 FIFTY-FIRST DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 7, 2013

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

Prayer was offered by Sharon Day, Indigenous People's Task Force, Minneapolis, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Atkins was excused until 5:05 p.m.

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

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

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

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

The report was adopted.

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

H. F. No. 1054, A bill for an act relating to marriage; providing for marriage between two persons; providing for exemptions based on religious association; amending Minnesota Statutes 2012, sections 363A.26; 517.01; 517.03, subdivision 1; 517.08, subdivision 1a; 517.09; 518.07; proposing coding for new law in Minnesota Statutes, chapter 517.

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

The report was adopted.

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

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

Reported the same back with the following amendments:

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

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

With the recommendation that when so amended the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

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

SECOND READING OF SENATE BILLS

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

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

RECESS

RECONVENED

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

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

CALENDAR FOR THE DAY

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

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

Page 8, after line 8, insert:

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

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

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

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

(c) The land that may be conveyed is vacant property without buildings on the grounds of the St. Peter Regional Treatment Center containing 10.43 acres, more or less, in Nicollet County, Minnesota, described as:

That part of the Northwest Quarter of the Northeast Quarter of Section 29, Township 110 North, Range 26 West, Nicollet County, Minnesota, described as:

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

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

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

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

Page 17, after line 11, insert:

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

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Goodhue County and is described as: That part of the Southwest Quarter of the Northeast Quarter of Section 36, Township 112 North, Range 15 West, Goodhue County, Minnesota described as follows: commencing at the northeast corner of said Southwest Quarter of the Northeast Quarter; thence West along the north line thereof a distance of 121.00 feet; thence South parallel with the east line of said Southwest Quarter of the Northeast Quarter a distance of 469.00 feet to the point of beginning of the land to be described; thence deflecting 74 degrees 05 minutes 35 seconds left a distance of 125.82 feet to a point on the east line of said Southwest Quarter of the Northeast Quarter; thence South along said east line of the Southwest Quarter of the Northeast Quarter a distance of 34.35 feet; thence deflecting 68 degrees 41 minutes 35 seconds right a distance of 192.41 feet; thence deflecting 21 degrees 34 minutes 56 seconds right, parallel with the north line of said Southwest Quarter of the Northeast Quarter, a distance of 274.27 feet; thence deflecting 17 degrees 18 minutes 00 seconds left a distance of 156.54 feet; thence deflecting 35 degrees 54 minutes 26 seconds right a distance of 343.33 feet to the southwest corner of the East 928.00 feet of the North 545.00 feet of said Southwest Quarter of the Northeast Quarter; thence East along the south line of the North 545.00 feet of said Southwest Quarter of the Northeast Quarter a distance of 807.00 feet to the east line of the West 7.00 feet of the East 128.00 feet of the North 545.00 feet of said Southwest Quarter of the Northeast Quarter; thence North, parallel with the east line of said Southwest Quarter of the Northeast Quarter, a distance of 76.00 feet to the point of beginning, containing 1.38 acres, more or less.

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

The Speaker called Simon to the Chair.

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

Page 25, after line 6, insert:

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

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

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The state lands that may be conveyed are located in St. Louis County and are described as:

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

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

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

(4) Sections 1, 2, 3, 10, 11, 12, 13, 15, 22, 24, 25, 27, and 36, Township 55, Range 18; and

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

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the McNamara et al amendment and the roll was called. There were 78 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Garofalo	Kiel	Norton	Scott
Anderson, M.	Dill	Green	Kresha	O'Driscoll	Selcer
Anderson, P.	Dorholt	Gruenhagen	Leidiger	O'Neill	Slocum
Anderson, S.	Drazkowski	Gunther	Lohmer	Pelowski	Swedzinski
Barrett	Erhardt	Hackbarth	Loon	Peppin	Theis
Beard	Erickson, R.	Hamilton	Mack	Petersburg	Torkelson
Benson, J.	Erickson, S.	Hertaus	Masin	Poppe	Uglen
Benson, M.	Fabian	Holberg	McDonald	Pugh	Urdahl
Bernardy	Faust	Hoppe	McNamara	Quam	Ward, J.E.
Cornish	Fischer	Howe	Myhra	Runbeck	Wills
Daudt	FitzSimmons	Johnson, B.	Newberger	Sanders	Woodard
Davids	Franson	Kelly	Newton	Sawatzky	Zellers
Dean, M.	Fritz	Kieffer	Nornes	Schomacker	Zerwas

Those who voted in the negative were:

Allen	Freiberg	Johnson, C.	Loeffler	Mullery	Schoen
Anzelc	Halverson	Johnson, S.	Mahoney	Murphy, E.	Simon
Bly	Hansen	Kahn	Mariani	Murphy, M.	Simonson
Brynaert	Hausman	Laine	Marquart	Nelson	Sundin
Carlson	Hilstrom	Lenczewski	McNamara	Paymar	Wagenius
Clark	Hornstein	Lesch	Melin	Persell	Ward, J.A.
Davnie	Hortman	Liebling	Metsa	Radinovich	Winkler
Dehn, R.	Huntley	Lien	Moran	Rosenthal	Yarusso
Falk	Isacson	Lillie	Morgan	Savick	

The motion prevailed and the amendment was adopted.

Hoppe was excused between the hours of 1:50 p.m. and 7:05 p.m.

H. F. No. 740, A bill for an act relating to state lands; modifying landowners' bill of rights; modifying land acquisition account; providing for school forests; providing for sale of certain tax-forfeited land within Fond du Lac Indian Reservation; adding to and deleting from state parks and forests; authorizing certain exchanges and sales of state lands; amending Minnesota Statutes 2012, sections 84.0274, subdivision 6; 89.41; 94.165; 282.01, subdivisions 1a, 1d; Laws 1989, chapter 136, section 1.

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

The question was taken on the passage of the bill and the roll was called. There were 113 yeas and 17 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

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

The question was taken on the passage of the bill and the roll was called. There were 79 yeas and 52 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was passed and its title agreed to.

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

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

Page 1, line 6, delete the first "an" and insert "a conciliation court or district court"

Page 2, line 2, delete everything after "or"

Page 2, line 3, delete everything before "in" and before the semicolon, insert ", proof that the party seeking the judgment used reasonable efforts to provide the court with the correct address for the debtor"

Page 2, line 5, delete everything after "cases" and insert a period

Page 2, delete line 6

Page 2, line 7, after "to" insert "requests, applications, and"

Page 2, line 8, before "filed" insert "and conciliation court cases"

The motion prevailed and the amendment was adopted.

H. F. No. 80, A bill for an act relating to judgments; regulating assigned consumer debt default judgments; proposing coding for new law in Minnesota Statutes, chapter 548.

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

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

Those who voted in the affirmative were:

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

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

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

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

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

Those who voted in the affirmative were:

Albright	Barrett	Brynaert	Davnie	Drazkowski	Faust
Allen	Beard	Carlson	Dean, M.	Erhardt	Fischer
Anderson, M.	Benson, J.	Clark	Dehn, R.	Erickson, R.	FitzSimmons
Anderson, P.	Benson, M.	Cornish	Dettmer	Erickson, S.	Franson
Anderson, S.	Bernardy	Daudt	Dill	Fabian	Freiberg
Anzelc	Bly	Davids	Dorholt	Falk	Fritz

Garofalo	Isaacson	Loeffler	Murphy, E.	Pugh	Swedzinski
Green	Johnson, B.	Lohmer	Murphy, M.	Quam	Theis
Gruenhagen	Johnson, C.	Loon	Myhra	Radinovich	Torkelson
Gunther	Johnson, S.	Mack	Nelson	Rosenthal	Uglen
Hackbarth	Kahn	Mahoney	Newberger	Runbeck	Urdahl
Halverson	Kelly	Mariani	Newton	Sanders	Wagenius
Hamilton	Kieffer	Marquart	Nornes	Savick	Ward, J.A.
Hansen	Kiel	Masin	Norton	Sawatzky	Ward, J.E.
Hausman	Kresha	McDonald	O'Driscoll	Schoen	Wills
Hertaus	Laine	McNamar	O'Neill	Schomacker	Winkler
Hilstrom	Leidiger	McNamara	Paymar	Scott	Woodard
Holberg	Lenczewski	Melin	Pelowski	Selcer	Yarusso
Hornstein	Lesch	Metsa	Peppin	Simon	Zellers
Hortman	Liebling	Moran	Persell	Simonson	Zerwas
Howe	Lien	Morgan	Petersburg	Slocum	Spk. Thissen
Huntley	Lillie	Mullery	Poppe	Sundin	

The bill was passed and its title agreed to.

Persell moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Simon.

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

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

CALENDAR FOR THE DAY, Continued

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

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

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

Page 14, delete section 14

Page 27, delete section 31

Page 29, delete section 33

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

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

Page 39, delete section 45

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

The motion prevailed and the amendment was adopted.

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

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

Page 12, line 32, delete "prohibited"

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

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

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

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

The motion prevailed and the amendment was adopted.

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

Page 40, after line 16, insert:

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

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

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

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

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

Page 14, delete section 15

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

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

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

Page 15, line 5, delete everything after the period

Page 15, delete lines 6 to 9

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Albright	Cornish	Fabian	Hamilton	Kiel	Myhra
Anderson, M.	Daudt	FitzSimmons	Hertaus	Kresha	Newberger
Anderson, P.	Davids	Garofalo	Holberg	Leidiger	Nornes
Anderson, S.	Dean, M.	Green	Howe	Loon	O'Driscoll
Barrett	Dettmer	Gruenhagen	Johnson, B.	Mack	O'Neill
Beard	Drazkowski	Gunther	Kelly	McDonald	Peppin
Benson, M.	Erickson, S.	Hackbarth	Kieffer	McNamara	Petersburg

Pugh	Sanders	Swedzinski	Uglem	Woodard
Quam	Schomacker	Theis	Urdahl	Zellers
Runbeck	Scott	Torkelson	Wills	Zerwas

Those who voted in the negative were:

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

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

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

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

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

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

A roll call was requested and properly seconded.

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

Those who voted in the negative were:

Albright	Clark	Falk	Hilstrom	Laine	McNamar
Allen	Cornish	Faust	Holberg	Leidiger	McNamara
Anderson, M.	Daudt	Fischer	Hornstein	Lenczewski	Melin
Anderson, P.	Davids	FitzSimmons	Hortman	Lesch	Metsa
Anderson, S.	Davnie	Freiberg	Howe	Liebling	Moran
Anzelc	Dean, M.	Fritz	Huntley	Lien	Morgan
Atkins	Dehn, R.	Garofalo	Isaacson	Lillie	Mullery
Barrett	Dettmer	Green	Johnson, B.	Loeffler	Murphy, E.
Beard	Dill	Gruenhagen	Johnson, C.	Loon	Murphy, M.
Benson, J.	Dorholt	Gunther	Johnson, S.	Mack	Myhra
Benson, M.	Drazkowski	Halverson	Kahn	Mahoney	Nelson
Bernardy	Erhardt	Hamilton	Kelly	Mariani	Newberger
Bly	Erickson, R.	Hansen	Kieffer	Marquart	Newton
Brynaert	Erickson, S.	Hausman	Kiel	Masin	Newton
Carlson	Fabian	Hertaus	Kresha	McDonald	Norton

O'Driscoll	Poppe	Savick	Simonson	Urdahl	Yarusso
O'Neill	Pugh	Sawatzky	Slocum	Wagenius	Zellers
Paymar	Quam	Schoen	Sundin	Ward, J.A.	Zerwas
Pelowski	Radinovich	Schomacker	Swedzinski	Ward, J.E.	Spk. Thissen
Peppin	Rosenthal	Scott	Theis	Wills	
Persell	Runbeck	Selcer	Torkelson	Winkler	
Petersburg	Sanders	Simon	Uglen	Woodard	

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

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

Page 31, line 20, delete "and"

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

":

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

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

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

A roll call was requested and properly seconded.

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

Page 1, after line 12, insert:

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Albright	Anderson, S.	Benson, M.	Davids	Drazkowski	FitzSimmons
Anderson, M.	Barrett	Cornish	Dean, M.	Erickson, S.	Garofalo
Anderson, P.	Beard	Daudt	Dettmer	Fabian	Green

Gruenhagen	Howe	Loon	O'Driscoll	Sanders	Urdahl
Gunther	Johnson, B.	Mack	O'Neill	Schomacker	Wills
Hackbarth	Kelly	McDonald	Peppin	Scott	Woodard
Hamilton	Kieffer	McNamara	Petersburg	Swedzinski	Zellers
Hansen	Kiel	Myhra	Pugh	Theis	Zerwas
Hertaus	Kresha	Newberger	Quam	Torkelson	
Holberg	Leidiger	Nornes	Runbeck	Uglen	

Those who voted in the negative were:

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

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

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

Page 1, after line 12, insert:

"Page 36, after line 16, insert:

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

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

Page 30, delete lines 22 to 29

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

Page 23, delete section 21

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

CALL OF THE HOUSE

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

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

Garofalo moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

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

Page 24, after line 4, insert:

"Sec. 22. Minnesota Statutes 2012, section 216B.1691, subdivision 2b, is amended to read:

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

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

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

(3) technical advances or technical concerns;

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

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

(6) transmission constraints preventing delivery of service; and

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

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

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

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

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

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

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

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

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

There were 61 yeas and 67 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

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

Page 24, after line 3, insert:

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

A roll call was requested and properly seconded.

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

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

There were 57 yeas and 73 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

CALL OF THE HOUSE LIFTED

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

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

Page 24, after line 3, insert:

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

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

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

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

Page 1, delete section 1

Page 2, delete section 2

Page 3, delete section 3

Page 4, delete sections 4 and 5

Page 9, delete section 8

Page 10, delete section 9

Page 11, delete section 10

Page 12, delete sections 11 and 12

Page 13, delete section 13

Page 14, delete sections 14 and 15

Page 17, delete section 16

Page 18, delete section 17

Page 20, delete section 18

Page 21, delete section 19

Page 22, delete section 20

Page 23, delete section 21

Page 24, delete sections 22 and 23

Page 26, delete section 29

Page 27, delete section 31

Page 28, delete section 32

Page 29, delete sections 33 and 34

Page 31, delete sections 35 and 36

Page 32, delete section 37

Page 33, delete section 38

Page 34, delete section 39

Page 36, delete sections 40 and 41

Page 37, delete section 43

Page 38, delete section 44

Page 39, delete sections 45 and 46

Page 40, delete sections 47 to 49

Page 41, line 3, delete "50" and insert "10"

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

Page 10, delete section 9

Page 11, delete section 10

Page 13, delete section 13

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

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

Page 11, after line 14, insert:

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

A roll call was requested and properly seconded.

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

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

Page 1, delete lines 7 and 8

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The Speaker resumed the Chair.

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

Page 29, after line 3, insert:

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

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

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

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

Reumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

Page 1, before line 2, insert:

"Page 26, after line 18, insert:

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

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

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

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

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

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

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

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

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

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

(1) innovative plant designs and nuclear technologies;

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

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

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

(5) innovative technologies that reduce the amount or toxicity of radioactive waste produced by a plant;

(6) innovative technologies for storing nuclear waste on site that reduce the risk of environmental exposure to radiation;

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

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

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

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

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

Page 1, after line 13, insert:

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

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

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

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

Page 1, after line 10, insert:

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

Page 1, after line 13, insert:

"Page 37, after line 10, insert:

"Sec. 43. **REPORT.**

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

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

(2) analyzes how the information obtained in clause (1) would affect evacuation routes and times from the emergency planning zone; and

(3) outlines a process to share this information with state and local agencies managing nuclear emergency preparedness efforts and to ensure that those agencies incorporate this information into state and local emergency preparedness plans and revise them accordingly.

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

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

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

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

Page 1, after line 10, insert:

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Allen	Falk	Johnson, C.	Marquart	Newton	Simon
Anzelc	Freiberg	Johnson, S.	Masin	Norton	Slocum
Benson, J.	Fritz	Kahn	McNamar	Paymar	Wagenius
Bernardy	Halverson	Laine	Melin	Persell	Ward, J.A.
Bly	Hansen	Lenczewski	Metsa	Poppe	Ward, J.E.
Brynaert	Hausman	Lesch	Moran	Radinovich	Winkler
Carlson	Hilstrom	Liebling	Morgan	Rosenthal	Yarusso
Clark	Hornstein	Lien	Mullery	Savick	
Davnie	Hortman	Loeffler	Murphy, E.	Schoen	
Dill	Isaacson	Mariani	Murphy, M.	Selcer	

Those who voted in the negative were:

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

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

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

Page 1, after line 1, insert:

"Page 2, after line 12, insert:

"Sec. 2. Minnesota Statutes 2012, section 116C.779, subdivision 1, is amended to read:

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

(b) The public utility that owns the Monticello nuclear generating plant must transfer to the renewable development account ~~\$350,000~~ \$3,000,000 each year for each dry cask containing spent fuel that is located at the Monticello nuclear power plant for each year the plant is in operation, and \$5,250,000 each year the plant is not in operation if ordered by the commission pursuant to paragraph (c). The fund transfer must be made if nuclear waste is stored in a dry cask at the independent spent-fuel storage facility at Monticello for any part of a year.

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

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

- (1) to increase the market penetration within the state of renewable electric energy resources at reasonable costs;
- (2) to promote the start-up, expansion, and attraction of renewable electric energy projects and companies within the state;
- (3) to stimulate research and development within the state into renewable electric energy technologies; and
- (4) to develop near-commercial and demonstration scale renewable electric projects or near-commercial and demonstration scale electric infrastructure delivery projects if those delivery projects enhance the delivery of renewable electric energy.

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

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

(f) The account shall be managed by the public utility but the public utility must consult about account expenditures with an advisory group that includes, among others, representatives of its ratepayers. The commission may require that other interests be represented on the advisory group. The advisory group must be consulted with respect to the general scope of expenditures in designing a request for proposal and in evaluating projects submitted in response to a request for proposals. In addition to consulting with the advisory group, the public utility must utilize an independent third-party expert to evaluate proposals submitted in response to a request for proposal,

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

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

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

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

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

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

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

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

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Falk Isaacson Melin

Those who voted in the negative were:

Albright	Anderson, P.	Atkins	Benson, J.	Bly	Clark
Allen	Anderson, S.	Barrett	Benson, M.	Brynaert	Cornish
Anderson, M.	Anzelc	Beard	Bernardy	Carlson	Daudt

Davids	Green	Kahn	McDonald	Peppin	Sundin
Davnie	Gruenhagen	Kelly	McNamar	Persell	Swedzinski
Dean, M.	Gunther	Kieffer	McNamara	Petersburg	Theis
Dehn, R.	Hackbarth	Kiel	Metsa	Poppe	Torkelson
Dettmer	Halverson	Kresha	Moran	Pugh	Uglem
Dill	Hamilton	Laine	Morgan	Quam	Urdahl
Dorholt	Hansen	Leidiger	Mullery	Radinovich	Wagenius
Drazkowski	Hausman	Lenczewski	Murphy, E.	Rosenthal	Ward, J.A.
Erhardt	Hertaus	Lesch	Murphy, M.	Runbeck	Ward, J.E.
Erickson, R.	Hilstrom	Liebling	Myhra	Sanders	Wills
Erickson, S.	Holberg	Lien	Nelson	Savick	Winkler
Fabian	Hoppe	Lillie	Newberger	Sawatzky	Woodard
Faust	Hornstein	Loeffler	Newton	Schoen	Yarusso
Fischer	Hortman	Lohmer	Nornes	Schomacker	Zellers
FitzSimmons	Howe	Loon	Norton	Scott	Zerwas
Franson	Huntley	Mack	O'Driscoll	Selcer	Spk. Thissen
Freiberg	Johnson, B.	Mariani	O'Neill	Simon	
Fritz	Johnson, C.	Marquart	Paymar	Simonson	
Garofalo	Johnson, S.	Masin	Pelowski	Slocum	

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The Speaker called Winkler to the Chair.

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

Page 25, after line 2, insert:

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

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

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

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

A roll call was requested and properly seconded.

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

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

Page 1, line 4, delete everything before the comma

Page 1, delete lines 5 to 9 and insert:

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

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

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

Allen	Brynaert	Dill	Faust	Hansen	Huntley
Anzelc	Carlson	Dorholt	Fischer	Hausman	Isaacson
Benson, J.	Clark	Erhardt	Freiberg	Hilstrom	Johnson, C.
Bernardy	Davnie	Erickson, R.	Fritz	Hornstein	Johnson, S.
Bly	Dehn, R.	Falk	Halverson	Hortman	Kahn

Laine	Mariani	Morgan	Pelowski	Schoen	Wagenius
Lenczewski	Marquart	Mullery	Persell	Selcer	Ward, J.A.
Lesch	Masin	Murphy, E.	Poppe	Simon	Ward, J.E.
Liebling	McNamar	Murphy, M.	Radinovich	Simonson	Winkler
Lien	Melin	Nelson	Rosenthal	Slocum	Yarusso
Lillie	Metsa	Newton	Savick	Sundin	Spk. Thissen
Loeffler	Moran	Norton	Sawatzky	Swedzinski	

Those who voted in the negative were:

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

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

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

Page 1, line 7, delete "or"

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

Page 1, after line 9, insert:

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

A roll call was requested and properly seconded.

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

The Speaker resumed the Chair.

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

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

The question was taken on the passage of the bill and the roll was called. There were 70 yeas and 63 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S. F. No. 521 was reported to the House.

Anderson, S., moved to amend S. F. No. 521, the first engrossment, as follows:

Page 4, after line 7, insert:

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

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

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

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

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

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

The question was taken on the passage of the bill and the roll was called. There were 76 yeas and 55 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albright	Barrett	Daudt	Dettmer	Fabian	Garofalo
Anderson, M.	Beard	Daids	Drazkowski	FitzSimmons	Green
Anderson, P.	Benson, M.	Dean, M.	Erickson, S.	Franson	Gunther

Hackbarth	Kelly	Mack	Peppin	Swedzinski	Zellers
Hamilton	Kieffer	McDonald	Petersburg	Theis	Zerwas
Hertaus	Kiel	Myhra	Pugh	Torkelson	
Holberg	Kresha	Newberger	Quam	Uglen	
Hoppe	Leidiger	Nornes	Runbeck	Urdahl	
Howe	Lohmer	O'Driscoll	Sanders	Wills	
Johnson, B.	Loon	O'Neill	Scott	Woodard	

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

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

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

Page 2, after line 27, insert:

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

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

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

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

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

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

The question was taken on the passage of the bill and the roll was called. There were 118 yeas and 12 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

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

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

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

Page 1, after line 5, insert:

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

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

(1) be installed on existing large electric generating power plants, as defined in section 216B.2421, subdivision 2, clause (1), that are located in the state and that are currently not subject to emissions limitations for new power plants under the federal Clean Air Act, United States Code, title 42, section 7401 et seq.;

(2) not increase the capacity of the existing electric generating power plant more than ten percent or more than 100 megawatts, whichever is greater; and

(3) result in the existing plant either:

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

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

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

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

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

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

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

Subd. 8. **Sunset.** This section is effective until December 31, ~~2015~~ 2020, and applies to plans, projects, and riders approved before that date and modifications made to them after that date.

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

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

Renumber the sections in sequence

Correct the title numbers accordingly

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Beard offered an amendment to H. F. No. 1000, the second engrossment, as amended.

POINT OF ORDER

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

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

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

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

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

The question was taken on the passage of the bill and the roll was called. There were 111 yeas and 19 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The bill was passed and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Murphy, E., from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bill to be placed on the Calendar for the Day for Thursday, May 9, 2013 and established a prefiling requirement for amendments offered to the following bill:

H. F. No. 1054.

MOTIONS AND RESOLUTIONS

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

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

ADJOURNMENT

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

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

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

