

## STATE OF MINNESOTA

## NINETIETH SESSION — 2017

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 FIFTY-FOURTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 12, 2017

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

Prayer was offered by the Reverend Phil Shaw, St. Michael, Minnesota.

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

The roll was called and the following members were present:

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

A quorum was present.

Applebaum, Bernardy, Cornish, Fenton, Knoblach, Mariani, McDonald, Smith, Thissen and Uglem were excused.

Maye Quade was excused until 11:35 a.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 CHIEF CLERK**

S. F. No. 359 and H. F. No. 696, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Baker moved that S. F. No. 359 be substituted for H. F. No. 696 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 943 and H. F. No. 2080, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Nornes moved that S. F. No. 943 be substituted for H. F. No. 2080 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1456 and H. F. No. 1620, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Garofalo moved that S. F. No. 1456 be substituted for H. F. No. 1620 and that the House File be indefinitely postponed. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 359, 943 and 1456 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Thissen introduced:

H. F. No. 2661, A bill for an act relating to capital investment; establishing a program to make grants to local governments to build skate parks; appropriating money for skate park grants; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2016, section 240A.01, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 240A.

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

Hamilton introduced:

H. F. No. 2662, A bill for an act relating to health; permitting the administration of medical cannabis in schools; amending Minnesota Statutes 2016, sections 152.23; 152.27, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 152.

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

Hamilton introduced:

H. F. No. 2663, A bill for an act relating to taxation; sales and use; allowing cities to impose a local sales tax if certain criteria are met; amending Minnesota Statutes 2016, sections 297A.99, subdivisions 1, 3; 477A.016; proposing coding for new law in Minnesota Statutes, chapter 297A.

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

Clark; Dettmer; Howe; Loeffler; Kunesh-Podein; Lee; Ward; Halverson; Lueck; Hertaus; Murphy, E.; Lesch and Flanagan introduced:

H. F. No. 2664, A resolution memorializing Congress and the President of the United States to amend federal veterans cemetery law to expand eligibility for burial in all federal and state veterans cemeteries developed with federal funding to include nurses who served in the Cadet Nurse Corps during World War II.

The bill was read for the first time and referred to the Veterans Affairs Division.

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

RECESS

RECONVENED

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 1702, A bill for an act relating to juvenile justice; informing children age ten and over of the right to counsel; requiring that waivers of counsel be in writing by the child; requiring notice to counsel; amending Minnesota Statutes 2016, sections 260C.163, subdivisions 3, 10; 260C.607, subdivision 2.

CAL R. LUDEMAN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Kresha moved that the House concur in the Senate amendments to H. F. No. 1702 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1702, A bill for an act relating to juvenile justice; children 10 and over informed of the right to counsel; extended representation; waivers of counsel required in writing; notice to counsel required; amending Minnesota Statutes 2016, sections 260C.163, subdivisions 3, 10; 260C.607, subdivision 2.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

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

H. F. No. 2174, A bill for an act relating to local government; authorizing Ramsey County to select positions for a supported work program; amending Minnesota Statutes 2016, section 383A.288, subdivision 1, by adding a subdivision.

CAL R. LUDEMAN, Secretary of the Senate

## CONCURRENCE AND REPASSAGE

Jessup moved that the House concur in the Senate amendments to H. F. No. 2174 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2174, A bill for an act relating to local government; authorizing Ramsey County to select positions for a supported work program; amending Minnesota Statutes 2016, section 383A.288, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 122 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 550.

CAL R. LUDEMAN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 550, A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying requirements for receipt of fund money; amending Minnesota Statutes 2016, sections 116P.05, subdivision 2; 116P.17, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 477A.

The bill was read for the first time.

Heintzeman moved that S. F. No. 550 and H. F. No. 1265, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

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

### CALENDAR FOR THE DAY

H. F. No. 399, A bill for an act relating to public employment; clarifying limits on severance pay to highly compensated public employees; amending Minnesota Statutes 2016, section 43A.17, subdivision 11.

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 102 yeas and 20 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Halverson	Kunesh-Podein	O'Driscoll	Runbeck
Anderson, P.	Dean, M.	Hamilton	Layman	Olson	Sauke
Anderson, S.	Dettmer	Hausman	Liebling	Omar	Schomacker
Anselmo	Drazkowski	Heintzeman	Lien	O'Neill	Schultz
Backer	Erickson	Hertaus	Lohmer	Pelowski	Scott
Bahr, C.	Fabian	Hilstrom	Loon	Peppin	Swedzinski
Baker	Fischer	Hoppe	Loonan	Petersburg	Theis
Barr, R.	Flanagan	Hortman	Lucero	Peterson	Torkelson
Becker-Finn	Franke	Howe	Lueck	Pierson	Urdahl
Bennett	Franson	Jessup	Marquart	Pinto	Vogel
Bliss	Freiberg	Johnson, B.	Miller	Poppe	Ward
Carlson, A.	Garofalo	Johnson, C.	Moran	Poston	West
Carlson, L.	Green	Jurgens	Murphy, E.	Pryor	Whelan
Christensen	Grossell	Kiel	Nash	Pugh	Wills
Clark	Gruenhagen	Koegel	Neu	Quam	Youakim
Daniels	Gunther	Koznick	Newberger	Rarick	Zerwas
Davids	Haley	Kresha	Nornes	Rosenthal	Spk. Daudt

Those who voted in the negative were:

Allen	Ecklund	Lee	Mahoney	Nelson
Bly	Hansen	Lesch	Masin	Sandstede
Considine	Hornstein	Lillie	Metsa	Slocum
Dehn, R.	Johnson, S.	Loeffler	Murphy, M.	Sundin

The bill was passed and its title agreed to.

H. F. No. 470 was reported to the House.

Johnson, B., moved to amend H. F. No. 470, the first engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2016, section 609.595, subdivision 1, is amended to read:

Subdivision 1. **Criminal damage to property in the first degree.** Whoever intentionally causes damage to physical property of another without the latter's consent may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if:

(1) the damage to the property caused a reasonably foreseeable risk of bodily harm; or

(2) the property damaged was a public safety motor vehicle, the defendant knew or should have known the vehicle was a public safety motor vehicle, and the damage to the vehicle caused a substantial interruption or impairment of public safety service or a reasonably foreseeable risk of bodily harm; or

(3) the property damaged belongs to a common carrier and the damage impairs the service to the public rendered by the carrier; or

~~(3)~~ (4) the damage reduces the value of the property by more than \$1,000 measured by the cost of repair and replacement; or

(4) (5) the damage reduces the value of the property by more than \$500 measured by the cost of repair and replacement and the defendant has been convicted within the preceding three years of an offense under this subdivision or subdivision 2.

In any prosecution under clause ~~(3)~~ (4), the value of any property damaged by the defendant in violation of that clause within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this section; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

**EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes committed on or after that date.

Sec. 2. Minnesota Statutes 2016, section 609.595, subdivision 2, is amended to read:

Subd. 2. **Criminal damage to property in the third degree.** (a) Except as otherwise provided in subdivision 1a, whoever intentionally causes damage to another person's physical property without the other person's consent may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if:

(1) the damage reduces the value of the property by more than \$500 but not more than \$1,000 as measured by the cost of repair and replacement; or

(2) the damage was to a public safety motor vehicle and the defendant knew or should have known the vehicle was a public safety motor vehicle.

(b) Whoever intentionally causes damage to another person's physical property without the other person's consent because of the property owner's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age, or national origin may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the damage reduces the value of the property by not more than \$500.

(c) In any prosecution under paragraph (a), clause (1), the value of property damaged by the defendant in violation of that paragraph within any six-month period may be aggregated and the defendant charged accordingly in applying this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

**EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes committed on or after that date.

Sec. 3. Minnesota Statutes 2016, section 609.595, is amended by adding a subdivision to read:

**Subd. 4. Definitions.** (a) As used in this section, "public safety motor vehicle" includes:

(1) marked vehicles used by law enforcement agencies and specially marked vehicles permitted under section 169.98, subdivision 2a, owned or leased by the state or a political subdivision;

(2) fire apparatuses, including fire-suppression support vehicles, owned or leased by the state or a political subdivision;

(3) ambulances owned or leased by the state or a political subdivision;

(4) vehicles owned by ambulance services licensed under section 144E.10 that are equipped and specifically intended for emergency response or providing ambulance services; and

(5) marked vehicles used by conservation officers of the Division of Enforcement and Field Service of the Department of Natural Resources.

(b) As used in subdivision 1, clause (2), and subdivision 2, paragraph (a), clause (2), "damage" includes tampering with a public safety motor vehicle and acts that obstruct or interfere with the vehicle's use.

**EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes committed on or after that date."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 470, A bill for an act relating to public safety; creating the crime of tampering with a public safety motor vehicle; establishing criminal penalties; amending Minnesota Statutes 2016, section 609.595, subdivisions 1, 2, by adding a subdivision.

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 120 yeas and 2 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen                      Liebling

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

H. F. No. 1001 was reported to the House.

Vogel moved to amend H. F. No. 1001 as follows:

Page 1, line 16, after the period, insert "Upon request of a party affected by the proposed rule."

Page 1, line 21, delete everything after "judge" and insert "separately confirms the cost of any portion of a rule exceeds the cost threshold provided in subdivision 2."

Page 1, line 22, delete everything before the first "the"

Page 2, line 2, delete "or disapproval"

Page 2, line 4, after the first "rule" insert "or a portion of the rule"

The motion prevailed and the amendment was adopted.

Vogel moved to amend H. F. No. 1001, as amended, as follows:

Page 1, line 12, delete "cost" and before "An" insert "(a)"

Page 1, line 14, before the period, insert ", and whether the proposed rule meets the state regulatory policy objectives described in section 14.002. In calculating the cost of implementing a proposed rule, the agency may consider the impact of other related proposed rules on the overall cost of residential construction. If applicable, the agency may include offsetting savings that may be achieved through implementation of related proposed rules in its calculation under this subdivision"

Page 1, line 14, before "The" insert:

"(b)"

Page 1, line 15, delete "this" and insert "the" and after "determination" insert "required by paragraph (a)"

The motion prevailed and the amendment was adopted.

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

H. F. No. 1001, A bill for an act relating to administrative rulemaking; requiring agencies to determine the impact of a proposed rule on the cost of residential construction or remodeling; requiring notice to the applicable legislative committees; permitting a legislative committee to require approval of a rule by law; proposing coding for new law in Minnesota Statutes, chapter 14.

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 73 yeas and 48 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen	Carlson, A.	Considine	Ecklund	Freiberg	Hansen
Becker-Finn	Carlson, L.	Davnie	Fischer	Halverson	Hausman
Bly	Clark	Dehn, R.	Flanagan	Hamilton	Hilstrom

Hornstein	Kunesh-Podein	Loeffler	Moran	Pinto	Sauke
Hortman	Lee	Mahoney	Murphy, E.	Poppe	Schultz
Johnson, C.	Lesch	Masin	Murphy, M.	Pryor	Slocum
Johnson, S.	Liebling	Maye Quade	Nelson	Rosenthal	Sundin
Koegel	Lillie	Metsa	Olson	Sandstede	Youakim

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

H. F. No. 1725 was reported to the House.

Drazkowski moved to amend H. F. No. 1725 as follows:

Page 1, line 19, delete "may" and insert "must"

Page 2, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2016, section 169.871, subdivision 1, is amended to read:

Subdivision 1. **Civil liability.** (a) The owner or lessee of a vehicle that is operated with a gross weight in excess of a weight limit imposed under sections 169.823 to ~~169.829~~ 169.8295, 169.84 to 169.851, and 169.87 or a shipper who ships or tenders goods for shipment in a single truck or combination vehicle that exceeds a weight limit imposed under sections 169.823 to ~~169.829~~ 169.8295, 169.84 to 169.851, and 169.87 is liable for a civil penalty as follows:

(1) if the total gross excess weight is not more than 1,000 pounds, one cent per pound for each pound in excess of the legal limit;

(2) if the total gross excess weight is more than 1,000 pounds but not more than 3,000 pounds, \$10 plus five cents per pound for each pound in excess of 1,000 pounds;

(3) if the total gross excess weight is more than 3,000 pounds but not more than 5,000 pounds, \$110 plus ten cents per pound for each pound in excess of 3,000 pounds;

(4) if the total gross excess weight is more than 5,000 pounds but not more than 7,000 pounds, \$310 plus 15 cents per pound for each pound in excess of 5,000 pounds;

(5) if the total gross excess weight is more than 7,000 pounds, \$610 plus 20 cents per pound for each pound in excess of 7,000 pounds.

(b) Notwithstanding any other law to the contrary, if a person found guilty of a violation of a weight limit imposed under this section or sections 169.823 to ~~169.829~~ 169.8295, 169.84 to 169.851, or 169.87 is also found by the court to have knowingly and contemporaneously attempted to evade a fixed weigh station or to otherwise avoid weighing by means of stationary scales under section 169.85 or other law, the court ~~shall~~ must impose a penalty of twice the amount otherwise authorized under paragraph (a).

(c) Any penalty imposed upon a defendant under this subdivision ~~shall~~ must not exceed the penalty prescribed by this subdivision. Any fine paid by the defendant in a criminal overweight action that arose from the same overweight violation ~~shall be~~ is applied toward payment of the civil penalty under this subdivision. A peace officer or Department of Public Safety employee described in section 299D.06 who cites a driver for a violation of the

weight limitations established by sections 169.81 to 169.851 and 169.87 ~~shall~~ must give written notice to the driver that the driver or another may also be liable for the civil penalties provided herein in the same or separate proceedings.

(d) A penalty imposed upon the owner or lessee of a vehicle that is based on violations identified by the use of shippers' weight records under section 169.872 must not exceed an aggregate of \$10,000.

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

Amend the title accordingly

The motion prevailed and the amendment was adopted.

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

H. F. No. 1725, A bill for an act relating to motor vehicles; amending certain weight limitations for vehicles transporting milk; amending Minnesota Statutes 2016, section 169.871, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 169.

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

The question was taken on the passage of the bill and the roll was called. There were 75 yeas and 44 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

S. F. No. 1399 was reported to the House.

West moved to amend S. F. No. 1399, the first engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1519:

"Section 1. Minnesota Statutes 2016, section 373.38, is amended to read:

**373.38 BUSINESS HOURS.**

County license bureaus shall maintain hours to best serve the public. They shall be open to the public ~~each week~~ for at least ~~three hours one evening after 5:00 p.m. or on Saturday~~ 40 hours each week."

Delete the title and insert:

"A bill for an act relating to local government; modifying the business hours of county license bureaus; amending Minnesota Statutes 2016, section 373.38."

The motion prevailed and the amendment was adopted.

S. F. No. 1399, A bill for an act relating to local government; modifying the business hours of license bureaus; amending Minnesota Statutes 2016, section 373.38.

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 69 yeas and 51 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Allen	Clark	Fischer	Hansen	Johnson, C.	Lee
Becker-Finn	Considine	Flanagan	Hausman	Johnson, S.	Lesch
Bly	Davnie	Franke	Hilstrom	Koegel	Liebling
Carlson, A.	Dehn, R.	Freiberg	Hornstein	Kunesh-Podein	Lillie
Carlson, L.	Ecklund	Halverson	Hortman	Layman	Loeffler

Mahoney	Metsa	Nelson	Pinto	Sandstede	Sundin
Marquart	Moran	Olson	Poppe	Sauke	
Masin	Murphy, E.	Omar	Pryor	Schultz	
Maye Quade	Murphy, M.	Pelowski	Rosenthal	Slocum	

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

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

Peppin from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Tuesday, May 16, 2017 and established a prefiling requirement for amendments offered to the following bills:

S. F. Nos. 943 and 1456.

#### MOTIONS AND RESOLUTIONS

Hoppe moved that the name of Loeffler be added as an author on H. F. No. 68. The motion prevailed.

Murphy, M., moved that her name be stricken as an author on H. F. No. 565. The motion prevailed.

Thissen moved that his name be stricken as an author on H. F. No. 565. The motion prevailed.

Quam moved that the name of Lillie be added as an author on H. F. No. 678. The motion prevailed.

Johnson, S., moved that the name of Nelson be added as an author on H. F. No. 2527. The motion prevailed.

Scott moved that the name of Pugh be added as an author on H. F. No. 2660. The motion prevailed.

#### ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 12:00 noon, Monday, May 15, 2017. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Monday, May 15, 2017.

PATRICK D. MURPHY, Chief Clerk, House of Representatives