

STATE OF MINNESOTA

# Journal of the House

NINETY-FIRST SESSION — 2019

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THIRD DAY

SAINT PAUL, MINNESOTA, MONDAY, JANUARY 14, 2019

The House of Representatives convened at 3:30 p.m. and was called to order by Melissa Hortman, 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:

Acomb	Dehn	Hassan	Lien	Noor	Scott
Albright	Demuth	Hausman	Lillie	Nornes	Stephenson
Anderson	Dettmer	Heinrich	Lippert	O'Driscoll	Sundin
Backer	Drazkowski	Heintzeman	Lislegard	Olson	Swedzinski
Bahner	Ecklund	Her	Loeffler	Pelowski	Tabke
Bahr	Edelson	Hertaus	Long	Persell	Theis
Baker	Elkins	Hornstein	Lucero	Petersburg	Torkelson
Becker-Finn	Erickson	Howard	Lueck	Pierson	Urdahl
Bennett	Fabian	Huot	Mahoney	Pinto	Vang
Bernardy	Fischer	Johnson	Mann	Poppe	Vogel
Bierman	Franson	Jurgens	Marquart	Poston	Wagenius
Boe	Freiberg	Kiel	Masin	Pryor	Wazlawik
Brand	Garofalo	Klevorn	Mekeland	Quam	Winkler
Cantrell	Gomez	Koegel	Miller	Rarick	Wolgamott
Carlson, A.	Green	Kotzya-Witthuhn	Moller	Richardson	Xiong, J.
Carlson, L.	Grossell	Koznick	Moran	Robbins	Xiong, T.
Christensen	Gruenhagen	Kresha	Morrison	Runbeck	Youakim
Claflin	Gunther	Kunesh-Podein	Munson	Sandell	Zerwas
Considine	Haley	Layman	Murphy	Sandstede	Spk. Hortman
Daniels	Halverson	Lee	Nash	Sauke	
Davids	Hamilton	Lesch	Nelson	Schomacker	
Davnie	Hansen	Liebling	Neu	Schultz	

A quorum was present.

Daudt, Mariani, McDonald, O'Neill and West were excused.

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

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**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Green, Erickson, Poston, Miller and Backer introduced:

H. F. No. 32, A bill for an act relating to legacy; prohibiting payment of certain indirect costs from legacy funds; amending Minnesota Statutes 2018, sections 16A.127, subdivision 8; 85.53, by adding a subdivision; 97A.056, by adding a subdivision; 114D.50, by adding a subdivision; 129D.17, by adding a subdivision.

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

Poston, Miller and Boe introduced:

H. F. No. 33, A bill for an act relating to local government; including service cooperatives in the definition of governmental units for purposes of joint powers; amending Minnesota Statutes 2018, section 471.59, subdivision 1.

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

Poston, Bahr, Miller, Munson, Green, Anderson, Drazkowski, Lucero, Backer and Boe introduced:

H. F. No. 34, A bill for an act relating to state government; prohibiting state contracts with state sponsors of terrorism and foreign terrorist organizations; proposing coding for new law in Minnesota Statutes, chapter 16C.

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

Fabian introduced:

H. F. No. 35, A bill for an act relating to civil actions; specifying the duty owed by real property owners to trespassers; proposing coding for new law in Minnesota Statutes, chapter 604A.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

Lueck, Poston, Miller, Drazkowski, Backer and Boe introduced:

H. F. No. 36, A bill for an act relating to taxation; modifying state general tax market value exclusion; amending Minnesota Statutes 2018, section 275.025, subdivision 2.

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

Hertaus introduced:

H. F. No. 37, A bill for an act relating to taxation; modifying the credit for parents of stillborn children; amending Minnesota Statutes 2018, section 290.0685, subdivision 1, by adding a subdivision.

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

Hertaus introduced:

H. F. No. 38, A bill for an act relating to taxation; property; exempting the first \$200,000 of market value of commercial-industrial property from the state general levy; amending Minnesota Statutes 2018, section 275.025, subdivision 2.

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

Hertaus introduced:

H. F. No. 39, A bill for an act relating to taxation; estate; conforming to the federal exclusion amount; amending Minnesota Statutes 2018, sections 289A.10, subdivision 1; 291.016, subdivision 3; 291.03, subdivision 1; repealing Minnesota Statutes 2018, sections 289A.10, subdivision 1a; 289A.12, subdivision 18; 289A.18, subdivision 3a; 289A.20, subdivision 3a; 291.03, subdivisions 8, 9, 10, 11.

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

Dehn; Zerwas; Moran; Pinto; Hertaus; Davnie; Olson; Kunesh-Podein; Long; Lee; Gomez; Noor; Nelson; Youakim; Fischer; Becker-Finn; Xiong, J.; Considine; Persell; Schultz; Sandell; Tabke; Hassan; Bahner; Masin; Freiberg and Bahr introduced:

H. F. No. 40, A bill for an act relating to public safety; restoring the civil right to vote of an individual upon release from incarceration or upon sentencing if no incarceration is imposed; requiring notice; repealing county attorney obligation to promptly investigate voter registration and eligibility; amending Minnesota Statutes 2018, sections 201.014, by adding a subdivision; 201.071, subdivision 1; 204C.10; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 201; 243; repealing Minnesota Statutes 2018, section 201.275.

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

Hertaus introduced:

H. F. No. 41, A bill for an act relating to clean water; appropriating money for Minnesota clean marina program.

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

Hertaus introduced:

H. F. No. 42, A bill for an act relating to taxation; individual income; reducing individual income tax rates; amending Minnesota Statutes 2018, section 290.06, subdivisions 2c, 2d.

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

Hertaus introduced:

H. F. No. 43, A bill for an act relating to taxation; sales and use; expanding the exemption for certain nonprofit ice facilities; amending Minnesota Statutes 2018, section 297A.70, subdivision 20.

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

Hertaus introduced:

H. F. No. 44, A bill for an act relating to taxation; individual income; modifying the definition of a resident; amending Minnesota Statutes 2018, section 290.01, subdivision 7.

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

Schultz, Halverson, Hamilton, Dehn, Bernardy, Fischer, Pinto, Bahner, Mann, Youakim, Nelson, Freiberg, Lillie, Lee, Masin, Sauke, Gomez, Koegel, Olson, Cantrell, Wolgamott, Hansen, Huot, Becker-Finn, Moller, Wazlawik, Bierman, Davnie, Claflin, Moran, Hassan and Elkins introduced:

H. F. No. 45, A bill for an act relating to elections; providing for automatic voter registration of applicants for a driver's license, instruction permit, or state identification card; amending Minnesota Statutes 2018, sections 13.607, by adding a subdivision; 201.161.

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

Hertaus introduced:

H. F. No. 46, A bill for an act relating to family law; modifying custody and parenting time presumptions; amending Minnesota Statutes 2018, sections 518.17, subdivision 1; 518.175, subdivision 1.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

Anderson and Hamilton introduced:

H. F. No. 47, A bill for an act relating to agriculture; extending by ten years the agricultural fertilizer research and education fee, the Minnesota Agricultural Fertilizer Research and Education Council, the Minnesota agricultural fertilizer research and education program, and the agricultural fertilizer research and education account; amending Minnesota Statutes 2018, sections 18C.425, subdivision 6; 18C.70, subdivision 5; 18C.71, subdivision 4; 18C.80, subdivision 2.

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

Fabian introduced:

H. F. No. 48, A bill for an act relating to natural resources; allowing all-terrain vehicles in certain state campgrounds; proposing coding for new law in Minnesota Statutes, chapter 84.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Bahr, Draskowski and Miller introduced:

H. F. No. 49, A bill for an act relating to economic development; repealing the Snowbate program; repealing Minnesota Statutes 2018, section 116U.26.

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

Hornstein; Bennett; Stephenson; Cantrell; Lee; Dehn; Carlson, A.; Davnie; Wagenius; Fischer; Ecklund; Liebling; Sauke; Becker-Finn; Loeffler; Youakim; Freiberg; Xiong, J.; Hassan; Gomez; Koegel; Noor; Edelson; Mann; Her; Vang; Elkins; Tabke; Brand; Schultz; Moller; Christensen; Hausman; Wazlawik and Bernardy introduced:

H. F. No. 50, A bill for an act relating to transportation; prohibiting use of cell phones while driving under specified circumstances; amending Minnesota Statutes 2018, sections 169.011, subdivision 94; 169.475.

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

Davnie, Lee, Wagenius, Loeffler, Hornstein, Dehn, Long, Gomez, Hassan and Noor introduced:

H. F. No. 51, A bill for an act relating to real property; providing a statutory form for making declarations about certain restrictive covenants that are prohibited under state and federal law; amending Minnesota Statutes 2018, section 507.18, subdivision 2, by adding subdivisions.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

Davids introduced:

H. F. No. 52, A bill for an act relating to taxation; providing for conformity and nonconformity to certain federal provisions; modifying certain individual income tax and other miscellaneous provisions; amending Minnesota Statutes 2018, sections 289A.02, subdivision 7; 289A.08, subdivisions 1, 7; 289A.12, subdivision 14; 289A.35; 290.01, subdivisions 19, 22, 29a, 31, by adding subdivisions; 290.0131, subdivisions 1, 3, 10, 12, 13, by adding subdivisions; 290.0132, subdivisions 1, 7, 20, 21, 26, by adding subdivisions; 290.0133, subdivision 12, by adding a subdivision; 290.0134, by adding subdivisions; 290.06, subdivisions 2c, 2d; 290.0672, subdivisions 1, 2; 290.0681, subdivisions 1, 2, 3, 4; 290.0802, subdivision 2; 290.091, subdivision 2; 290.095, subdivision 4; 290.17, subdivision 2; 290.21, subdivision 4; 290.34, by adding a subdivision; 290.92, subdivision 1; 290A.03, subdivisions 3, 12, 15; 290A.04, subdivisions 2, 2a, 4; 291.005, subdivision 1; 297A.68, subdivision 25; 297B.03; 462D.06, subdivisions 1, 2; 469.316, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 290; repealing Minnesota Statutes 2018, sections 290.0131, subdivisions 7, 11; 290.0133, subdivisions 13, 14; 290.10, subdivision 2.

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

Green and Poston introduced:

H. F. No. 53, A bill for an act relating to administrative rulemaking; requiring a specific grant of authority in law for adoption of rules; reducing the threshold for conducting a public hearing on expedited rules; amending Minnesota Statutes 2018, sections 14.05, subdivision 1; 14.389, subdivision 5.

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

Nornes and Bahr introduced:

H. F. No. 54, A bill for an act relating to government data practices; expanding the requirement for notification of security breaches; amending Minnesota Statutes 2018, section 13.055, subdivision 1.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

Jurgens and Cantrell introduced:

H. F. No. 55, A bill for an act relating to education; modifying school meal provisions; amending Minnesota Statutes 2018, section 124D.111.

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

Jurgens, Fabian, Scott, Mekeland, Drazkowski, Poston, Bahr and Baker introduced:

H. F. No. 56, A bill for an act relating to taxation; individual income; allowing an unlimited Social Security subtraction; amending Minnesota Statutes 2018, section 290.0132, subdivision 26.

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

Erickson introduced:

H. F. No. 57, A bill for an act relating to education; making various nonsubstantive style and form changes; repealing obsolete statutes; amending Minnesota Statutes 2018, sections 120A.20, subdivision 2; 120A.22; 120A.24; 120A.34; 120A.35; 120A.40; 121A.26; 122A.09, subdivision 7; 122A.33, subdivision 2; 123A.45; 124D.4531; 126C.21, subdivision 3; repealing Minnesota Statutes 2018, sections 120B.299, subdivision 5; 121A.70; 122A.58; 122A.695; 126C.41, subdivision 4.

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

Dettmer, Christensen, Gunther and Nornes introduced:

H. F. No. 58, A bill for an act relating to transportation; designating a segment of marked Trunk Highway 95 as Corrections Officer Joseph Gomm Memorial Highway; amending Minnesota Statutes 2018, section 161.14, by adding a subdivision.

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

Dettmer, Davids, Gunther, Nornes, Nash and Pierson introduced:

H. F. No. 59, A bill for an act relating to capital investment; appropriating money for the safe routes to school grant program; authorizing the sale and issuance of state bonds.

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

Anderson introduced:

H. F. No. 60, A bill for an act relating to agriculture; modifying nuisance liability protection for certain agricultural operations; amending Minnesota Statutes 2018, section 561.19, subdivision 2.

The bill was read for the first time and referred to the Agriculture and Food Finance & Policy Division.

Green, Poston and Bahr introduced:

H. F. No. 61, A bill for an act relating to state lands; modifying certain tax-forfeited land sale requirements; amending Minnesota Statutes 2018, sections 85.012, subdivision 1; 282.01, subdivision 3; 282.011, subdivision 1; 282.018, subdivision 1; 282.02; 459.06, subdivision 3.

The bill was read for the first time and referred to the Environment and Natural Resources Policy.

Youakim, Albright, Schultz, Huot, Nelson and Cantrell introduced:

H. F. No. 62, A bill for an act relating to human services; appropriating money for a voice response suicide prevention and mental health crisis response program and text message suicide prevention and mental health crisis response program.

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

Sauke and Liebling introduced:

H. F. No. 63, A bill for an act relating to workforce development; appropriating money for Bridges to Healthcare.

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

Davnie and Persell introduced:

H. F. No. 64, A bill for an act relating to taxation; property; increasing the homestead valuation exclusion for disabled veterans; amending Minnesota Statutes 2018, section 273.13, subdivision 34.

The bill was read for the first time and referred to the Veterans and Military Affairs Finance & Policy Division.

Green and Poston introduced:

H. F. No. 65, A bill for an act relating to agriculture; environment; clarifying criteria for establishing groundwater quality regulations; amending Minnesota Statutes 2018, section 103H.275, subdivision 2.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Green, Poston, Bahr and Boe introduced:

H. F. No. 66, A bill for an act relating to agriculture; requiring monitoring for nitrogen on certain state lands; amending Minnesota Statutes 2018, section 103H.175, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Green, Erickson, Poston, Miller, Lucero and Backer introduced:

H. F. No. 67, A bill for an act relating to natural resources; allowing counties to file policies of no net gain; requiring land sales; amending Minnesota Statutes 2018, section 97A.056, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Hertaus introduced:

H. F. No. 68, A bill for an act relating to metropolitan government; transferring all long-range transportation planning functions from the Metropolitan Council to the Department of Transportation; amending Minnesota Statutes 2018, sections 174.03, by adding a subdivision; 473.145; 473.146; 473.1466; 473.166; 473.167, subdivision 2; 473.168, subdivision 2; 473.181, subdivision 5; 473.192, subdivision 2; 473.375, subdivision 9a.

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

Dettmer, Davids, Gunther, Nornes, Erickson, Nash, Pierson and Ecklund introduced:

H. F. No. 69, A bill for an act relating to taxation; lawful gambling taxes; modifying the calculation of the combined net receipts tax; amending Minnesota Statutes 2018, section 297E.02, subdivision 6.

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

Kunesh-Podein, Becker-Finn, Dehn, Zerwas, Moran, Nelson, Wazlawik, Christensen, Howard, Tabke, Hassan, Gomez, Loeffler, Bahner, Edelson, Masin, Pinto, Wolgamott, Freiberg, Brand, Lee, Vang, Huot, Elkins, Bernardy, Mariani, Mahoney, Sundin, Ecklund, Persell, Lillie, Mann, Murphy and Fischer introduced:

H. F. No. 70, A bill for an act relating to public safety; creating the Task Force on Missing and Murdered Indigenous Women; requiring an annual report on issues related to violence against indigenous women and girls; appropriating money for the Task Force on Missing and Murdered Indigenous Women.

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

Moran; Richardson; Kunesh-Podein; Becker-Finn; Hassan; Olson; Masin; Cantrell; Edelson; Halverson; Loeffler; Bernardy; Wagenius; Vang; Gomez; Schultz; Murphy; Mann; Liebling; Bahner; Morrison; Acomb; Moller; Youakim; Xiong, J.; Wolgamott; Tabke; Dehn; Wazlawik; Pryor; Her; Howard; Considine; Sauke and Mariani introduced:

H. F. No. 71, A resolution relating to ratification of the proposed Equal Rights Amendment to the United States Constitution; memorializing Congress to remove the deadline for ratification of the amendment by the states.

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



Gunther introduced:

H. F. No. 72, A bill for an act relating to education finance; authorizing school districts to use long-term facilities maintenance revenue for school facility demolition and debris removal; amending Minnesota Statutes 2018, section 123B.595, subdivision 10.

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

Gunther introduced:

H. F. No. 73, A bill for an act relating to education; expanding the use of extended time to pupils enrolled in career and technical education courses; amending Minnesota Statutes 2018, section 126C.10, subdivision 2a.

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

Kunesh-Podein, Becker-Finn, Loeffler, Gomez, Pinto, Dehn, Bahner, Masin, Wolgamott and Fischer introduced:

H. F. No. 74, A bill for an act relating to public safety; eliminating the exclusion from fifth degree criminal sexual conduct for nonconsensual, intentional touching of another person's clothed buttock; amending Minnesota Statutes 2018, section 609.3451, subdivision 1.

The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance & Policy Division.

Green, Erickson, Poston, Miller and Backer introduced:

H. F. No. 75, A bill for an act relating to taxation; property taxes; real property transfers of conservation land; conservation easements; amending Minnesota Statutes 2018, sections 84C.02; 272.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 84C.

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

Green, Poston and Boe introduced:

H. F. No. 76, A bill for an act relating to waters; requiring state to cover costs of certain wells; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Green, Erickson, Poston, Miller, Lucero and Backer introduced:

H. F. No. 77, A bill for an act relating to environment; eliminating rulemaking authority of Pollution Control Agency and Department of Natural Resources; providing for sunset or enactment of existing rules.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Green and Poston introduced:

H. F. No. 78, A bill for an act relating to natural resources; restricting authority of Board of Water and Soil Resources to amend plan for administrative penalty orders.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

Green, Erickson, Poston, Miller, Lucero and Backer introduced:

H. F. No. 79, A bill for an act relating to natural resources; establishing alternative wetland mitigation options in greater than 80 percent areas; authorizing rulemaking; amending Minnesota Statutes 2018, section 103G.222, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy.

### **MOTIONS AND RESOLUTIONS**

Kotzya-Witthuhn moved that the name of Xiong, J., be added as an author on H. F. No. 1. The motion prevailed.

Lesch moved that the name of Mariani be added as an author on H. F. No. 4. The motion prevailed.

Halverson moved that the name of Loeffler be added as an author on H. F. No. 5. The motion prevailed.

Mahoney moved that the name of Youakim be added as an author on H. F. No. 6. The motion prevailed.

Ecklund moved that the name of Mariani be added as an author on H. F. No. 7. The motion prevailed.

Lesch moved that the name of Youakim be added as an author on H. F. No. 11. The motion prevailed.

Kunesh-Podein moved that the names of Halverson, Ecklund, Lee, Schultz, Mariani, Dehn and Sauke be added as authors on H. F. No. 13. The motion prevailed.

Nelson moved that the name of Sauke be added as an author on H. F. No. 14. The motion prevailed.

Stephenson moved that the name of Dehn be added as an author on H. F. No. 15. The motion prevailed.

Fabian moved that the names of Ecklund and Poston be added as authors on H. F. No. 18. The motion prevailed.

Kunesh-Podein moved that the names of Mariani and Dehn be added as authors on H. F. No. 26. The motion prevailed.

Mann moved that the names of Youakim and Schultz be added as authors on H. F. No. 27. The motion prevailed.

Carlson, A., moved that the name of Youakim be added as an author on H. F. No. 28. The motion prevailed.

Moran moved that the name of Dehn be added as an author on H. F. No. 30. The motion prevailed.

Kunesh-Podein moved that the names of Youakim and Dehn be added as authors on H. F. No. 31. The motion prevailed.

#### ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 3:30 p.m., Thursday, January 17, 2019. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:30 p.m., Thursday, January 17, 2019.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

