

STATE OF MINNESOTA

Journal of the House

NINETY-FIRST SESSION — 2019

FIFTY-SIXTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 17, 2019

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

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

A quorum was present.

Anderson and Robbins were excused.

Davids was excused until 7:50 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.

This document can be made available in alternative formats upon request. Call (651) 296-2314 [voice] or the Minnesota State Relay Service at 1-800-627-3529 [TTY] for assistance; or visit the website at <http://www.house.mn>.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 2129, A bill for an act relating to capital investment; appropriating money for the Rural Finance Authority; authorizing the sale and issuance of state bonds.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

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

H. F. No. 2796, A bill for an act relating to state government; ratifying a labor agreement and a compensation plan.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **LABOR AGREEMENTS AND COMPENSATION PLANS.**

Subdivision 1. **Minnesota Law Enforcement Association.** The labor agreement between the state of Minnesota and the Minnesota Law Enforcement Association, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on April 5, 2019, is ratified.

Subd. 2. **Minnesota State Board of Investment salary administration plan.** The salary administration plan for the Minnesota State Board of Investment, submitted to the Legislative Coordinating Commission Subcommittee on Employee Relations on February 7, 2019, is ratified.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 2129 and 2796 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Huot introduced:

H. F. No. 2899, A bill for an act relating to education; administration of drugs and medicines; requiring a report.

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

Jurgens introduced:

H. F. No. 2900, A bill for an act relating to state government; limiting paid leave for state employees who are subjects of investigations; amending Minnesota Statutes 2018, section 43A.05, by adding a subdivision.

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

Baker, Schomacker and Long introduced:

H. F. No. 2901, A bill for an act relating to public safety; establishing a temporary subcommittee of the Minnesota Recovers Task Force; requiring reports; appropriating money.

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

Lillie, Wagenius and Hansen introduced:

H. F. No. 2902, A bill for an act relating to water; establishing the Legislative-Citizen Commission on Minnesota Waters; eliminating the Clean Water Council and Legislative Water Commission; reassigning duties; providing appointments; amending Minnesota Statutes 2018, sections 3.886, subdivision 6; 10A.01, subdivision 35; 97A.056, subdivision 3; 114D.35, subdivisions 2, 3; 114D.50, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 114D; repealing Minnesota Statutes 2018, sections 114D.15, subdivision 3; 114D.20, subdivisions 5, 6, 7; 114D.30.

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

Kotzya-Witthuhn, Morrison, Bahner, Kunesh-Podein, Pinto and Carlson, A., introduced:

H. F. No. 2903, A bill for an act relating to education; requiring schools to make disposable menstrual products freely available in school restrooms; amending Minnesota Statutes 2018, section 121A.21.

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

Edelson and Zerwas introduced:

H. F. No. 2904, A bill for an act relating to crime; providing a procedure to determine a defendant's competence; proposing coding for new law in Minnesota Statutes, chapter 628.

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

Winkler 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 Poppe.

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 850, A bill for an act relating to natural resources; appropriating money to address wildlife disease.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **WILDLIFE DISEASE MANAGEMENT; CHRONIC WASTING DISEASE APPROPRIATIONS.**

(a) \$2,060,000 in fiscal year 2020 and \$1,460,000 in fiscal year 2021 are appropriated from the general fund to the commissioner of natural resources for planning for and emergency response to disease outbreaks in wildlife. Of this amount:

(1) \$50,000 in fiscal year 2020 is to establish a chronic wasting disease adopt-a-dumpster program;

(2) \$50,000 in fiscal year 2020 is to develop guidelines for handling, transporting, processing, and disposing of deer carcasses; and

(3) \$500,000 in fiscal year 2020 is for a grant to the Board of Regents of the University of Minnesota for the Chronic Wasting Disease Response, Research, and Policy Program.

The commissioner and board must each submit quarterly reports on the activities funded under this paragraph to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources and agriculture. Base funding for this activity is \$1,100,000 in fiscal year 2022 and thereafter.

(b) If the appropriations in this section are enacted more than once in the 2019 regular legislative session, the appropriations must be given effect only once.

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

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

S. F. No. 973, A bill for an act relating to health; requesting the Board of Regents of the University of Minnesota to establish an advisory council on rare diseases; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 137.

Reported the same back with the following amendments:

Page 3, line 31, delete "\$50,000" and insert "\$150,000" and delete "\$50,000" and insert "\$150,000"

Page 4, line 1, delete everything after the period and insert "This is a onetime appropriation."

Page 4, delete line 2 and insert:

"Sec. 3. **APPROPRIATIONS ENACTED MORE THAN ONCE; EFFECT.**

If an appropriation in this act is enacted more than once in the 2019 legislative session, the appropriation must be given effect only once."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. No. 850 was read for the second time.

SECOND READING OF SENATE BILLS

S. F. No. 973 was read for the second time.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. No. 148

A bill for an act relating to health; permitting a community emergency medical technician to be a member of a basic life support ambulance service; modifying an occupational title of certain emergency medical technicians; amending Minnesota Statutes 2018, sections 144E.001, subdivision 5h; 144E.275, subdivision 7; 256B.0625, subdivision 60a.

May 16, 2019

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable Jeremy R. Miller
President of the Senate

We, the undersigned conferees for H. F. No. 148 report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment.

We request the adoption of this report and repassage of the bill.

House Conferees: JOHN HUOT, MIKE FREIBERG and JEFF BACKER.

Senate Conferees: JULIE A. ROSEN, RICH DRAHEIM and KARLA BIGHAM.

Huot moved that the report of the Conference Committee on H. F. No. 148 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 148, A bill for an act relating to health; permitting a community emergency medical technician to be a member of a basic life support ambulance service; modifying an occupational title of certain emergency medical technicians; amending Minnesota Statutes 2018, sections 144E.001, subdivision 5h; 144E.275, subdivision 7; 256B.0625, subdivision 60a.

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

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Considine	Green	Johnson	Loeffler	Nash
Albright	Daniels	Grossell	Jurgens	Long	Nelson, M.
Backer	Daudt	Gruenhagen	Kiel	Lucero	Nelson, N.
Bahner	Davnie	Gunther	Klevorn	Lueck	Neu
Bahr	Demuth	Haley	Koegel	Mahoney	Noor
Baker	Dettmer	Halverson	Kotzya-Witthuhn	Mann	Nornes
Becker-Finn	Drazkowski	Hamilton	Koznick	Mariani	O'Driscoll
Bennett	Ecklund	Hansen	Kresha	Marquart	Olson
Bernardy	Edelson	Hassan	Kunesh-Podein	Masin	O'Neill
Bierman	Elkins	Hausman	Layman	McDonald	Pelowski
Boe	Erickson	Heinrich	Lee	Mekeland	Persell
Brand	Fabian	Heintzeman	Lesch	Miller	Petersburg
Cantrell	Fischer	Her	Liebling	Moller	Pierson
Carlson, A.	Franson	Hertaus	Lien	Moran	Pinto
Carlson, L.	Freiberg	Hornstein	Lillie	Morrison	Poppe
Christensen	Garofalo	Howard	Lippert	Munson	Poston
Clafin	Gomez	Huot	Lislegard	Murphy	Pryor

Quam	Sauke	Sundin	Urdahl	West	Youakim
Richardson	Schomacker	Swedzinski	Vang	Winkler	Zerwas
Runbeck	Schultz	Tabke	Vogel	Wolgamott	Spk. Hortman
Sandell	Scott	Theis	Wagenius	Xiong, J.	
Sandstede	Stephenson	Torkelson	Wazlawik	Xiong, T.	

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Winkler 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 Sunday, May 19, 2019 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 2796 and 619; and S. F. Nos. 573, 1257, 1003, 1261 and 2089.

CALENDAR FOR THE DAY

S. F. No. 1100 was reported to the House.

Haley moved to amend S. F. No. 1100, the unofficial engrossment, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 626.93, is amended by adding a subdivision to read:

Subd. 7. **Exception; Prairie Island Indian Community.** Notwithstanding any contrary provision in subdivision 3 or 4, the Prairie Island Indian Community of the Mdewakanton Dakota tribe has concurrent jurisdictional authority under this section with the local county sheriff within the geographical boundaries of the community's reservation to enforce state criminal law if the requirements of subdivision 2 are met, regardless of whether a cooperative agreement pursuant to subdivision 4 is entered into."

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1100, A bill for an act relating to public safety; modifying requirements for the Prairie Island Indian Community to exercise concurrent state law enforcement jurisdictional authority; amending Minnesota Statutes 2018, section 626.93, 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 122 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Erickson	Gruenhagen	Hertaus	Mekeland
Grossell	Heinrich	Lucero	Runbeck

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

S. F. No. 328, A bill for an act relating to health; modifying a hospital construction or modification moratorium exception for an existing hospital in Carver County; amending Minnesota Statutes 2018, section 144.551, subdivision 1.

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 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Bernardy	Clafin	Ecklund	Garofalo	Hamilton
Albright	Bierman	Considine	Edelson	Gomez	Hansen
Backer	Boe	Daniels	Elkins	Green	Hausman
Bahner	Brand	Daudt	Erickson	Grossell	Heinrich
Bahr	Cantrell	Davnie	Fabian	Gruenhagen	Heintzeman
Baker	Carlson, A.	Demuth	Fischer	Gunther	Her
Becker-Finn	Carlson, L.	Dettmer	Franson	Haley	Hertaus
Bennett	Christensen	Drazkowski	Freiberg	Halverson	Hornstein

Howard	Lesch	Masin	Noor	Quam	Urdahl
Huot	Lien	McDonald	Nornes	Richardson	Vang
Johnson	Lillie	Mekeland	O'Driscoll	Sandell	Vogel
Jurgens	Lippert	Miller	Olson	Sandstede	Wagenius
Kiel	Lislegard	Moller	O'Neill	Sauke	Wazlawik
Klevorn	Loeffler	Moran	Pelowski	Schomacker	West
Koegel	Long	Morrison	Persell	Scott	Winkler
Kotyza-Witthuhn	Lucero	Munson	Petersburg	Stephenson	Wolgamott
Koznick	Lueck	Murphy	Pierson	Sundin	Xiong, J.
Kresha	Mahoney	Nash	Pinto	Swedzinski	Xiong, T.
Kunesh-Podein	Mann	Nelson, M.	Poppe	Tabke	Youakim
Layman	Mariani	Nelson, N.	Poston	Theis	Zerwas
Lee	Marquart	Neu	Pryor	Torkelson	Spk. Hortman

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Persell moved that the name of Bernardy be added as an author on H. F. No. 973. The motion prevailed.

Elkins moved that the name of Christensen be added as an author on H. F. No. 983. The motion prevailed.

Fischer moved that the name of Bernardy be added as an author on H. F. No. 1502. The motion prevailed.

Zerwas moved that the name of Bernardy be added as an author on H. F. No. 1741. The motion prevailed.

Gunther moved that the name of Munson be added as an author on H. F. No. 2888. The motion prevailed.

Gruenhagen moved that the name of Lippert be added as an author on H. F. No. 2895. The motion prevailed.

Winkler introduced:

House Concurrent Resolution No. 2, A House concurrent resolution relating to adjournment of the House of Representatives and Senate until 2020.

The concurrent resolution was referred to the Committee on Rules and Legislative Administration.

Winkler 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 Olson.

Gruenhagen and Heinrich were excused for the remainder of today's session.

ANNOUNCEMENT FROM THE COMMITTEE ON
RULES AND LEGISLATIVE ADMINISTRATION

Pursuant to rules 1.21 and 1.22, the Committee on Rules and Legislative Administration specified Friday, May 17, 2019 as the date after which the 5:00 p.m. deadlines no longer apply to the designation of bills to be placed on the Calendar for the Day and to the announcement of the intention to request that bills be considered by the House on the Fiscal Calendar.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 10:00 a.m., Saturday, May 18, 2019. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and Speaker pro tempore Olson declared the House stands adjourned until 10:00 a.m., Saturday, May 18, 2019.

PATRICK D. MURPHY, Chief Clerk, House of Representatives