

## STATE OF MINNESOTA

## EIGHTY-EIGHTH SESSION — 2013

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 FORTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, MAY 1, 2013

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

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

A quorum was present.

Loon, Mack, Mullery, Petersburg and Woodard 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.

## PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

April 29, 2013

The Honorable Paul Thissen  
Speaker of the House of Representatives  
The State of Minnesota

Dear Speaker Thissen:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State H. F. Nos. 748 and 283.

Sincerely,

MARK DAYTON  
Governor

STATE OF MINNESOTA  
OFFICE OF THE SECRETARY OF STATE  
ST. PAUL 55155

The Honorable Paul Thissen  
Speaker of the House of Representatives

The Honorable Sandra L. Pappas  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2013 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2013</i>	<i>Date Filed 2013</i>
359		26	1:24 p.m. April 29	April 29
	748	27	1:25 p.m. April 29	April 29
	283	28	1:27 p.m. April 29	April 29

Sincerely,

MARK RITCHIE  
Secretary of State

## REPORTS OF STANDING COMMITTEES AND DIVISIONS

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

H. F. No. 92, A bill for an act relating to employment; regulating the minimum wage; amending Minnesota Statutes 2012, section 177.24, subdivision 1.

Reported the same back with the following amendments:

Page 1, after line 4, insert:

"Section 1. Minnesota Statutes 2012, section 177.23, subdivision 7, is amended to read:

Subd. 7. **Employee.** "Employee" means any individual employed by an employer but does not include:

(1) two or fewer specified individuals employed at any given time in agriculture on a farming unit or operation who are paid a salary;

(2) any individual employed in agriculture on a farming unit or operation who is paid a salary greater than the individual would be paid if the individual worked ~~48~~ 40 hours at the state minimum wage plus 17 hours at 1-1/2 times the state minimum wage per week;

(3) an individual under 18 who is employed in agriculture on a farm to perform services other than corn detasseling or hand field work when one or both of that minor hand field worker's parents or physical custodians are also hand field workers;

(4) for purposes of section 177.24, an individual under 18 who is employed as a corn detasseler;

(5) any staff member employed on a seasonal basis by an organization for work in an organized resident or day camp operating under a permit issued under section 144.72;

(6) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesperson who conducts no more than 20 percent of sales on the premises of the employer;

(7) any individual who renders service gratuitously for a nonprofit organization;

(8) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

(9) any individual employed by a political subdivision to provide police or fire protection services or employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(10) any individual employed by a political subdivision who is ineligible for membership in the Public Employees Retirement Association under section 353.01, subdivision 2b, clause (1), (2), (4), or (9);

(11) any driver employed by an employer engaged in the business of operating taxicabs;

(12) any individual engaged in babysitting as a sole practitioner;

(13) for the purpose of section 177.25, any individual employed on a seasonal basis in a carnival, circus, fair, or ski facility;

(14) any individual under 18 working less than 20 hours per workweek for a municipality as part of a recreational program;

(15) any individual employed by the state as a natural resource manager 1, 2, or 3 (conservation officer);

(16) any individual in a position for which the United States Department of Transportation has power to establish qualifications and maximum hours of service under United States Code, title 49, section 31502;

(17) any individual employed as a seafarer. The term "seafarer" means a master of a vessel or any person subject to the authority, direction, and control of the master who is exempt from federal overtime standards under United States Code, title 29, section 213(b)(6), including but not limited to pilots, sailors, engineers, radio operators, firefighters, security guards, pursers, surgeons, cooks, and stewards;

(18) any individual employed by a county in a single-family residence owned by a county home school as authorized under section 260B.060 if the residence is an extension facility of that county home school, and if the individual as part of the employment duties resides at the residence for the purpose of supervising children as defined by section 260C.007, subdivision 4; or

(19) nuns, monks, priests, lay brothers, lay sisters, ministers, deacons, and other members of religious orders who serve pursuant to their religious obligations in schools, hospitals, and other nonprofit institutions operated by the church or religious order.

**EFFECTIVE DATE.** This section is effective August 1, 2013."

Page 1, line 9, strike "\$625,000" and insert "\$500,000"

Page 1, line 13, strike "\$625,000" and insert "\$500,000"

Page 1, line 22, delete "\$9.57" and insert "\$8.00"

Page 1, line 23, delete "\$9.76" and insert "\$9.00"

Page 1, line 24, delete "\$9.95" and insert "\$9.50"

Page 2, line 3, delete "\$7.45" and insert "\$7.00"

Page 2, line 5, delete "\$8.49" and insert "\$8.50"

Page 2, line 12, delete "\$6.96" and insert "\$6.50"

Page 2, line 13, delete "\$7.48" and insert "\$7.50"

Page 2, line 14, delete "\$7.93" and insert "\$8.00"

Page 2, line 26, delete "the day following final enactment" and insert "August 1, 2013"

Page 2, after line 26, insert:

"Sec. 3. Minnesota Statutes 2012, section 177.25, subdivision 1, is amended to read:

Subdivision 1. **Compensation required.** No employer may employ an employee for a workweek longer than ~~48~~ 40 hours, unless the employee receives compensation for employment in excess of ~~48~~ 40 hours in a workweek at a rate of at least 1-1/2 times the regular rate at which the employee is employed. The state of Minnesota or a political subdivision may grant time off at the rate of 1-1/2 hours for each hour worked in excess of ~~48~~ 40 hours in a week in lieu of monetary compensation. An employer does not violate the overtime pay provisions of this section by employing any employees for a workweek in excess of ~~48~~ 40 hours without paying the compensation for overtime employment prescribed (1) if the employee is employed under an agreement meeting the requirement of section 7(b)(2) of the Fair Labor Standards Act of 1938, as amended, or (2) if the employee is employed as a sugar beet hand laborer on a piece rate basis, provided that the regular rate of pay received per hour of work exceeds the applicable wage provided in section 177.24, subdivision 1, by at least 40 cents.

**EFFECTIVE DATE.** This section is effective August 1, 2013.

Sec. 4. Minnesota Statutes 2012, section 177.25, subdivision 5, is amended to read:

Subd. 5. **Air carrier employees.** Subdivision 1 does not apply to employees of air carriers subject to the provisions of title II of the Railway Labor Act, when the hours worked by an employee in excess of ~~48~~ 40 in a workweek are not required by the carrier, but are arranged through a voluntary agreement among employees to trade scheduled work hours.

**EFFECTIVE DATE.** This section is effective August 1, 2013.

Sec. 5. Minnesota Statutes 2012, section 181.941, subdivision 1, is amended to read:

Subdivision 1. ~~Six~~ **Twelve-week leave; birth or adoption.** An employer must grant an unpaid leave of absence to an employee who is a natural or adoptive parent in conjunction with the birth or adoption of a child. The length of the leave shall be determined by the employee, but may not exceed ~~six~~ 12 weeks, unless agreed to by the employer.

**EFFECTIVE DATE.** This section is effective August 1, 2013.

Sec. 6. Minnesota Statutes 2012, section 181.943, is amended to read:

**181.943 RELATIONSHIP TO OTHER LEAVE.**

(a) The length of parental leave provided under section 181.941 may be reduced by any period of paid parental or disability leave, but not accrued sick leave, provided by the employer, so that the total leave does not exceed ~~six~~ 12 weeks, unless agreed to by the employer.

(b) Nothing in sections 181.940 to 181.943 prevents any employer from providing leave benefits in addition to those provided in sections 181.940 to 181.944 or otherwise affects an employee's rights with respect to any other employment benefit.

**EFFECTIVE DATE.** This section is effective August 1, 2013."

Reorder the sections in sequence

Amend the title as follows:

Page 1, line 2, after the second semicolon, insert "modifying overtime and parental leave provisions;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 683, A bill for an act relating to water; creating Legislative Water Commission; modifying water use requirements; requiring a report on groundwater sustainability recommendations; amending Minnesota Statutes 2012, sections 103G.271, subdivisions 1, 4; 103G.287, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Page 1, delete subdivision 2, and insert:

"Subd. 2. **Membership.** (a) The Legislative Water Commission consists of 12 members appointed as follows:

(1) six members of the senate, including three majority party members appointed by the majority leader and three minority party members appointed by the minority leader; and

(2) six members of the house of representatives, including three majority party members appointed by the speaker of the house and three minority party members appointed by the minority leader.

(b) Members serve at the pleasure of the appointing authority and continue to serve until their successors are appointed. Vacancies shall be filled in the same manner as the original positions. Vacancies occurring on the commission do not affect the authority of the remaining members of the Legislative Water Commission to carry out the function of the commission.

(c) The first meeting of the commission shall be convened by the chair of the Legislative Coordinating Commission. Members shall elect a chair, vice chair, secretary, and other officers as determined by the commission. The chair may convene meetings as necessary to conduct the duties prescribed by this section."

Page 1, line 25, delete everything after the period

Page 2, delete lines 1 and 2

Page 2, line 13, after "Resources" insert ", the Clean Water Council,"

Page 2, line 14, after "commission" insert ", council,"

Page 2, after line 14, insert:

"(e) The commission shall coordinate with the Clean Water Council."

Pages 2 and 3, delete sections 2 to 5 and insert:

"Sec. 2. **APPROPRIATION.**

\$180,000 is appropriated from the general fund in fiscal year 2014 and \$167,000 is appropriated from the general fund in fiscal year 2015 to the Legislative Coordinating Commission for the purposes of this act."

Amend the title as follows:

Page 1, line 2, delete "modifying water use"

Page 1, delete line 3 and insert "providing appointments; appropriating money;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.

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

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.

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. 1451, A bill for an act relating to transportation; bridges; providing for disposition of remnant steel of I-35W bridge; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the following amendments:

Page 1, line 22, delete everything after "recycled" and insert ". The first \$22,000 of the proceeds from the disposal of the remaining steel shall be deposited in the trunk highway fund, and any additional proceeds shall"

With the recommendation that when so amended the bill pass.

The report was adopted.

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

H. F. No. 1792, A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

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

The report was adopted.

## SECOND READING OF HOUSE BILLS

H. F. Nos. 92, 683, 740, 1451 and 1792 were read for the second time.

## MESSAGES FROM THE SENATE

The following message was 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. 677, A bill for an act relating to financing of state and local government; making changes to individual income, corporate franchise, property, sales and use, estate, mineral, liquor, tobacco, aggregate materials, local, and other taxes and tax-related provisions; restoring the school district current year aid payment shift percentage to 90; conforming to federal section 179 expensing allowances; imposing an income surcharge; allowing an up-front exemption for capital equipment; modifying the definition of income for the property tax refund; decreasing the threshold percentage for the homestead credit refund for homeowners and the property tax refund for renters; increasing the maximum refunds for renters; changing property tax aids and credits; imposing an insurance surcharge; modifying pension aids; providing pension funding; changing provisions of the Sustainable Forest Incentive Act; modifying definitions for property taxes; providing exemptions; creating joint entertainment facilities coordination; imposing a sports memorabilia gross receipts tax; changing tax rates on tobacco and liquor; providing reimbursement for certain property tax abatement; modifying the small business investment tax credit; expanding the definition of domestic corporation to include foreign corporations incorporated in or doing business in tax havens; making changes to additions and subtractions from federal taxable income; changing rates for individuals, estates, and trusts; providing for charitable contributions and veterans jobs tax credits; modifying estate tax exclusions for qualifying small business and farm property; imposing a gift tax; expanding the sales tax to include suite and box seat rentals; modifying the definition of sales and purchase; changing the tax rate and modifying provisions for the rental motor vehicle tax; modifying nexus provisions; providing for multiple points of use certificates; modifying exemptions; authorizing local sales taxes; authorizing economic development powers; providing authority, organization, powers, and duties for development of a Destination Medical Center; authorizing state infrastructure aid; imposing a tax on extraction and processing of fracturing sand; providing a taconite production tax grant for water supply improvements; authorizing taconite production tax bonds for grants to school districts; modifying and providing provisions for public finance; modifying the definition of market value for tax, debt, and other purposes; requiring labor peace agreements on certain qualifying projects; making conforming, policy, and technical changes to tax provisions; requiring studies and reports; appropriating money; amending

Minnesota Statutes 2012, sections 16A.152, subdivision 2; 16A.46; 38.18; 40A.15, subdivision 2; 69.011, subdivision 1; 69.021, subdivisions 7, 8, by adding a subdivision; 88.51, subdivision 3; 103B.102, subdivision 3; 103B.245, subdivision 3; 103B.251, subdivision 8; 103B.335; 103B.3369, subdivision 5; 103B.635, subdivision 2; 103B.691, subdivision 2; 103C.501, subdivision 4; 103D.905, subdivisions 2, 3, 8; 103F.405, subdivision 1; 116J.8737, subdivisions 1, 2, 8; 117.025, subdivision 7; 118A.04, subdivision 3; 118A.05, subdivision 5; 123A.455, subdivision 1; 123B.75, subdivision 5; 126C.48, subdivision 8; 127A.45, subdivision 2; 127A.48, subdivision 1; 138.053; 144F.01, subdivision 4; 162.07, subdivisions 3, 4; 163.04, subdivision 3; 163.051; 163.06, subdivision 6; 165.10, subdivision 1; 168.012, subdivision 9, by adding a subdivision; 216C.436, subdivision 7; 237.52, subdivision 3, by adding a subdivision; 270.077; 270.41, subdivision 5; 270B.01, subdivision 8; 270B.12, subdivision 4; 270C.34, subdivision 1; 270C.38, subdivision 1; 270C.42, subdivision 2; 270C.56, subdivision 1; 271.06, by adding a subdivision; 272.01, subdivision 2; 272.02, subdivisions 39, 97, by adding subdivisions; 272.03, subdivision 9, by adding subdivisions; 273.032; 273.11, subdivision 1, by adding a subdivision; 273.114, subdivision 6; 273.124, subdivisions 3a, 13; 273.13, subdivisions 21b, 23, 25; 273.1398, subdivisions 3, 4; 273.19, subdivision 1; 273.372, subdivision 4; 273.39; 275.011, subdivision 1; 275.077, subdivision 2; 275.71, subdivision 4; 276.04, subdivision 2; 276A.01, subdivisions 10, 12, 13, 15; 276A.06, subdivision 10; 279.01, subdivision 1, by adding a subdivision; 279.02; 279.06, subdivision 1; 287.05, by adding a subdivision; 287.08; 287.20, by adding a subdivision; 287.23, subdivision 1; 287.385, subdivision 7; 289A.02, subdivision 7; 289A.08, subdivisions 1, 3, 7; 289A.10, subdivision 1, by adding a subdivision; 289A.12, subdivision 14, by adding a subdivision; 289A.18, by adding a subdivision; 289A.20, subdivisions 3, 4, by adding a subdivision; 289A.26, subdivisions 3, 4, 7, 9; 289A.55, subdivision 9; 289A.60, subdivision 4; 290.01, subdivisions 5, 19, as amended, 19a, 19b, 19c, 19d, 31, as amended, by adding subdivisions; 290.06, subdivisions 2c, 2d, by adding subdivisions; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0675, subdivision 1; 290.0677, subdivision 2; 290.068, subdivisions 3, 6a; 290.0681, subdivisions 1, 3, 4, 5; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 1; 290.17, subdivision 4; 290.21, subdivision 4; 290.9705, subdivision 1; 290A.03, subdivisions 3, 15, as amended; 290A.04, subdivisions 2, 2a, 4; 290B.04, subdivision 2; 290C.02, subdivision 6; 290C.05; 290C.07; 291.005, subdivision 1; 291.03, subdivisions 1, 8, 9, 10, 11, by adding a subdivision; 296A.01, subdivision 19, by adding a subdivision; 296A.22, subdivisions 1, 3; 297A.61, subdivisions 3, 4, by adding a subdivision; 297A.64, subdivisions 1, 2; 297A.66, by adding a subdivision; 297A.665; 297A.668, by adding a subdivision; 297A.67, subdivision 7; 297A.68, subdivision 5; 297A.70, subdivisions 4, 8, by adding subdivisions; 297A.71, by adding subdivisions; 297A.75, subdivisions 1, 2, 3; 297A.815, subdivision 3; 297A.993, subdivisions 1, 2; 297B.11; 297E.021, subdivision 2; 297E.14, subdivision 7; 297F.01, subdivisions 3, 19, 23, by adding a subdivision; 297F.05, subdivisions 1, 3, 4, by adding a subdivision; 297F.09, subdivision 9; 297F.18, subdivision 7; 297F.24, subdivision 1; 297F.25, subdivision 1; 297G.03, subdivision 1, by adding a subdivision; 297G.04; 297G.09, subdivision 8; 297G.17, subdivision 7; 297I.05, subdivisions 7, 11, 12; 297I.30, subdivisions 1, 2; 297I.80, subdivision 1; 298.01, subdivisions 3, 3b, 4; 298.018; 298.227, as amended; 298.24, subdivision 1; 298.28, subdivisions 4, 6, 10; 298.75, subdivision 2; 325D.32, subdivision 2; 353G.08, subdivision 2; 365.025, subdivision 4; 366.095, subdivision 1; 366.27; 368.01, subdivision 23; 368.47; 370.01; 373.01, subdivisions 1, 3; 373.40, subdivisions 1, 2, 4; 375.167, subdivision 1; 375.18, subdivision 3; 375.555; 383B.152; 383B.245; 383B.73, subdivision 1; 383D.41, by adding a subdivision; 383E.20; 383E.23; 385.31; 394.36, subdivision 1; 398A.04, subdivision 8; 401.05, subdivision 3; 403.02, subdivision 21, by adding subdivisions; 403.06, subdivision 1a; 403.11, subdivision 1, by adding a subdivision; 410.32; 412.221, subdivision 2; 412.301; 428A.02, subdivision 1; 430.102, subdivision 2; 447.10; 450.19; 450.25; 458A.10; 458A.31, subdivision 1; 465.04; 469.033, subdivision 6; 469.034, subdivision 2; 469.053, subdivisions 4, 4a, 6; 469.071, subdivision 5; 469.107, subdivision 1; 469.169, by adding a subdivision; 469.176, subdivisions 4c, 4g, 6; 469.177, by adding a subdivision; 469.180, subdivision 2; 469.187; 469.190, subdivision 7, by adding a subdivision; 469.206; 469.319, subdivision 4; 469.340, subdivision 4; 471.24; 471.571, subdivisions 1, 2; 471.73; 473.325, subdivision 2; 473.39, by adding a subdivision; 473.629; 473.661, subdivision 3; 473.667, subdivision 9; 473.671; 473.711, subdivision 2a; 473F.02, subdivisions 12, 14, 15, 23; 473F.08, subdivision 10, by adding a subdivision; 474A.04, subdivision 1a; 474A.062; 474A.091, subdivision 3a; 475.521, subdivisions 1, 2, 4; 475.53, subdivisions 1, 3, 4; 475.58, subdivisions 2, 3b; 475.73, subdivision 1; 477A.011, subdivisions 20, 30, 32, 34, 42, by adding subdivisions; 477A.0124, subdivision 2; 477A.013, subdivisions 8, 9, by adding a subdivision; 477A.015; 477A.03, subdivisions 2a, 2b, by adding a subdivision; 641.23; 641.24; 645.44, by adding a subdivision; Laws 1971, chapter 773, section 1,

subdivision 2, as amended; Laws 1988, chapter 645, section 3, as amended; Laws 1993, chapter 375, article 9, section 46, subdivisions 2, as amended, 5, as amended; Laws 1998, chapter 389, article 8, section 43, subdivisions 1, 3, as amended, 5, as amended; Laws 1999, chapter 243, article 6, section 11; Laws 2002, chapter 377, article 3, section 25, as amended; Laws 2005, First Special Session chapter 3, article 5, section 37, subdivisions 2, 4; Laws 2008, chapter 366, article 5, sections 26; 33; 34, as amended; article 7, section 19, subdivision 3, as amended; Laws 2010, chapter 216, section 55; Laws 2010, chapter 389, article 1, section 12; article 5, section 6, subdivisions 4, 6; Laws 2010, First Special Session chapter 1, article 13, section 4, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 116C; 287; 290; 290A; 292; 295; 297I; 403; 435; 469; proposing coding for new law as Minnesota Statutes, chapter 297J; repealing Minnesota Statutes 2012, sections 16A.725; 256.9658; 272.69; 273.11, subdivisions 1a, 22; 276A.01, subdivision 11; 289A.60, subdivision 31; 290.01, subdivision 6b; 290.06, subdivision 22a; 290.0672; 290.0921, subdivision 7; 383A.80, subdivision 4; 383B.80, subdivision 4; 428A.101; 428A.21; 473F.02, subdivision 13; 477A.011, subdivisions 2a, 19, 21, 29, 31, 32, 33, 36, 39, 40, 41, 42; 477A.013, subdivisions 11, 12; 477A.0133; 477A.0134; Laws 2006, chapter 259, article 11, section 3, as amended; Laws 2009, chapter 88, article 4, section 23, as amended.

JOANNE M. ZOFF, Secretary of the Senate

Lenczewski moved that the House refuse to concur in the Senate amendments to H. F. No. 677, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 677:

Lenczewski; Davnie; Anzelc; Benson, J., and Norton.

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.

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

#### **MESSAGES FROM THE SENATE, Continued**

The following message was received from the Senate:

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 677, A bill for an act relating to financing of state and local government; making changes to individual income, corporate franchise, property, sales and use, estate, mineral, liquor, tobacco, aggregate materials, local, and other taxes and tax-related provisions; restoring the school district current year aid payment shift percentage to 90; conforming to federal section 179 expensing allowances; imposing an income surcharge; allowing an up-front exemption for capital equipment; modifying the definition of income for the property tax refund; decreasing the threshold percentage for the homestead credit refund for homeowners and the property tax refund for renters; increasing the maximum refunds for renters; changing property tax aids and credits; imposing an insurance surcharge; modifying pension aids; providing pension funding; changing provisions of the Sustainable Forest Incentive Act; modifying definitions for property taxes; providing exemptions; creating joint entertainment facilities coordination; imposing a sports memorabilia gross receipts tax; changing tax rates on tobacco and liquor; providing reimbursement for certain property tax abatement; modifying the small business investment tax credit; expanding the definition of domestic corporation to include foreign corporations incorporated in or doing business in tax havens; making changes to additions and subtractions from federal taxable income; changing rates for individuals, estates, and trusts; providing for charitable contributions and veterans jobs tax credits; modifying estate tax exclusions for qualifying small business and farm property; imposing a gift tax; expanding the sales tax to include suite and box seat rentals; modifying the definition of sales and purchase; changing the tax rate and modifying provisions for the rental motor vehicle tax; modifying nexus provisions; providing for multiple points of use certificates; modifying exemptions; authorizing local sales taxes; authorizing economic development powers; providing authority, organization, powers, and duties for development of a Destination Medical Center; authorizing state infrastructure aid; imposing a tax on extraction and processing of fracturing sand; providing a taconite production tax grant for water supply improvements; authorizing taconite production tax bonds for grants to school districts; modifying and providing provisions for public finance; modifying the definition of market value for tax, debt, and other purposes; requiring labor peace agreements on certain qualifying projects; making conforming, policy, and technical changes to tax provisions; requiring studies and reports; appropriating money; amending Minnesota Statutes 2012, sections 16A.152, subdivision 2; 16A.46; 38.18; 40A.15, subdivision 2; 69.011, subdivision 1; 69.021, subdivisions 7, 8, by adding a subdivision; 88.51, subdivision 3; 103B.102, subdivision 3; 103B.245, subdivision 3; 103B.251, subdivision 8; 103B.335; 103B.3369, subdivision 5; 103B.635, subdivision 2; 103B.691, subdivision 2; 103C.501, subdivision 4; 103D.905, subdivisions 2, 3, 8; 103F.405, subdivision 1; 116J.8737, subdivisions 1, 2, 8; 117.025, subdivision 7; 118A.04, subdivision 3; 118A.05, subdivision 5; 123A.455, subdivision 1; 123B.75, subdivision 5; 126C.48, subdivision 8; 127A.45, subdivision 2; 127A.48, subdivision 1; 138.053; 144F.01, subdivision 4; 162.07, subdivisions 3, 4; 163.04, subdivision 3; 163.051; 163.06, subdivision 6; 165.10, subdivision 1; 168.012, subdivision 9, by adding a subdivision; 216C.436, subdivision 7; 237.52, subdivision 3, by adding a subdivision; 270.077; 270.41, subdivision 5; 270B.01, subdivision 8; 270B.12, subdivision 4; 270C.34, subdivision 1; 270C.38, subdivision 1; 270C.42, subdivision 2; 270C.56, subdivision 1; 271.06, by adding a subdivision; 272.01, subdivision 2; 272.02, subdivisions 39, 97, by adding subdivisions; 272.03, subdivision 9, by adding subdivisions; 273.032; 273.11, subdivision 1, by adding a subdivision; 273.114, subdivision 6; 273.124, subdivisions 3a, 13; 273.13, subdivisions 21b, 23, 25; 273.1398, subdivisions 3, 4; 273.19, subdivision 1; 273.372, subdivision 4; 273.39; 275.011, subdivision 1; 275.077, subdivision 2; 275.71, subdivision 4; 276.04, subdivision 2; 276A.01, subdivisions 10, 12, 13, 15; 276A.06, subdivision 10; 279.01, subdivision 1, by adding a subdivision; 279.02; 279.06, subdivision 1; 287.05, by adding a subdivision; 287.08; 287.20, by adding a subdivision; 287.23, subdivision 1; 287.385, subdivision 7; 289A.02, subdivision 7; 289A.08, subdivisions 1, 3, 7; 289A.10, subdivision 1, by adding a subdivision; 289A.12, subdivision 14, by adding a subdivision; 289A.18, by adding a subdivision; 289A.20, subdivisions 3, 4, by adding a subdivision; 289A.26, subdivisions 3, 4, 7, 9; 289A.55, subdivision 9; 289A.60, subdivision 4; 290.01, subdivisions 5, 19, as amended, 19a, 19b, 19c, 19d, 31, as amended, by adding subdivisions; 290.06, subdivisions 2c, 2d, by adding subdivisions; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0675, subdivision 1; 290.0677, subdivision 2; 290.068, subdivisions 3, 6a; 290.0681, subdivisions 1, 3, 4, 5; 290.091, subdivision 2; 290.0921, subdivision 3; 290.0922, subdivision 1; 290.17, subdivision 4; 290.21,

subdivision 4; 290.9705, subdivision 1; 290A.03, subdivisions 3, 15, as amended; 290A.04, subdivisions 2, 2a, 4; 290B.04, subdivision 2; 290C.02, subdivision 6; 290C.05; 290C.07; 291.005, subdivision 1; 291.03, subdivisions 1, 8, 9, 10, 11, by adding a subdivision; 296A.01, subdivision 19, by adding a subdivision; 296A.22, subdivisions 1, 3; 297A.61, subdivisions 3, 4, by adding a subdivision; 297A.64, subdivisions 1, 2; 297A.66, by adding a subdivision; 297A.665; 297A.668, by adding a subdivision; 297A.67, subdivision 7; 297A.68, subdivision 5; 297A.70, subdivisions 4, 8, by adding subdivisions; 297A.71, by adding subdivisions; 297A.75, subdivisions 1, 2, 3; 297A.815, subdivision 3; 297A.993, subdivisions 1, 2; 297B.11; 297E.021, subdivision 2; 297E.14, subdivision 7; 297F.01, subdivisions 3, 19, 23, by adding a subdivision; 297F.05, subdivisions 1, 3, 4, by adding a subdivision; 297F.09, subdivision 9; 297F.18, subdivision 7; 297F.24, subdivision 1; 297F.25, subdivision 1; 297G.03, subdivision 1, by adding a subdivision; 297G.04; 297G.09, subdivision 8; 297G.17, subdivision 7; 297I.05, subdivisions 7, 11, 12; 297I.30, subdivisions 1, 2; 297I.80, subdivision 1; 298.01, subdivisions 3, 3b, 4; 298.018; 298.227, as amended; 298.24, subdivision 1; 298.28, subdivisions 4, 6, 10; 298.75, subdivision 2; 325D.32, subdivision 2; 353G.08, subdivision 2; 365.025, subdivision 4; 366.095, subdivision 1; 366.27; 368.01, subdivision 23; 368.47; 370.01; 373.01, subdivisions 1, 3; 373.40, subdivisions 1, 2, 4; 375.167, subdivision 1; 375.18, subdivision 3; 375.555; 383B.152; 383B.245; 383B.73, subdivision 1; 383D.41, by adding a subdivision; 383E.20; 383E.23; 385.31; 394.36, subdivision 1; 398A.04, subdivision 8; 401.05, subdivision 3; 403.02, subdivision 21, by adding subdivisions; 403.06, subdivision 1a; 403.11, subdivision 1, by adding a subdivision; 410.32; 412.221, subdivision 2; 412.301; 428A.02, subdivision 1; 430.102, subdivision 2; 447.10; 450.19; 450.25; 458A.10; 458A.31, subdivision 1; 465.04; 469.033, subdivision 6; 469.034, subdivision 2; 469.053, subdivisions 4, 4a, 6; 469.071, subdivision 5; 469.107, subdivision 1; 469.169, by adding a subdivision; 469.176, subdivisions 4c, 4g, 6; 469.177, by adding a subdivision; 469.180, subdivision 2; 469.187; 469.190, subdivision 7, by adding a subdivision; 469.206; 469.319, subdivision 4; 469.340, subdivision 4; 471.24; 471.571, subdivisions 1, 2; 471.73; 473.325, subdivision 2; 473.39, by adding a subdivision; 473.629; 473.661, subdivision 3; 473.667, subdivision 9; 473.671; 473.711, subdivision 2a; 473F.02, subdivisions 12, 14, 15, 23; 473F.08, subdivision 10, by adding a subdivision; 474A.04, subdivision 1a; 474A.062; 474A.091, subdivision 3a; 475.521, subdivisions 1, 2, 4; 475.53, subdivisions 1, 3, 4; 475.58, subdivisions 2, 3b; 475.73, subdivision 1; 477A.011, subdivisions 20, 30, 32, 34, 42, by adding subdivisions; 477A.0124, subdivision 2; 477A.013, subdivisions 8, 9, by adding a subdivision; 477A.015; 477A.03, subdivisions 2a, 2b, by adding a subdivision; 641.23; 641.24; 645.44, by adding a subdivision; Laws 1971, chapter 773, section 1, subdivision 2, as amended; Laws 1988, chapter 645, section 3, as amended; Laws 1993, chapter 375, article 9, section 46, subdivisions 2, as amended, 5, as amended; Laws 1998, chapter 389, article 8, section 43, subdivisions 1, 3, as amended, 5, as amended; Laws 1999, chapter 243, article 6, section 11; Laws 2002, chapter 377, article 3, section 25, as amended; Laws 2005, First Special Session chapter 3, article 5, section 37, subdivisions 2, 4; Laws 2008, chapter 366, article 5, sections 26; 33; 34, as amended; article 7, section 19, subdivision 3, as amended; Laws 2010, chapter 216, section 55; Laws 2010, chapter 389, article 1, section 12; article 5, section 6, subdivisions 4, 6; Laws 2010, First Special Session chapter 1, article 13, section 4, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapters 116C; 287; 290; 290A; 292; 295; 297I; 403; 435; 469; proposing coding for new law as Minnesota Statutes, chapter 297J; repealing Minnesota Statutes 2012, sections 16A.725; 256.9658; 272.69; 273.11, subdivisions 1a, 22; 276A.01, subdivision 11; 289A.60, subdivision 31; 290.01, subdivision 6b; 290.06, subdivision 22a; 290.0672; 290.0921, subdivision 7; 383A.80, subdivision 4; 383B.80, subdivision 4; 428A.101; 428A.21; 473F.02, subdivision 13; 477A.011, subdivisions 2a, 19, 21, 29, 31, 32, 33, 36, 39, 40, 41, 42; 477A.013, subdivisions 11, 12; 477A.0133; 477A.0134; Laws 2006, chapter 259, article 11, section 3, as amended; Laws 2009, chapter 88, article 4, section 23, as amended.

The Senate has appointed as such committee:

Senators Skoe, Rest, Dziedzic, Koenen and Senjem.

Said House File is herewith returned to the House.

JOANNE M. ZOFF, Secretary of the Senate

The Speaker called Hortman to the Chair.

### CALENDAR FOR THE DAY

S. F. No. 541 was reported to the House.

Atkins moved to amend S. F. No. 541, the second engrossment, as follows:

Page 11, after line 5, insert:

"Sec. 14. **CITY OF MINNEAPOLIS; INTOXICATING MALT LIQUOR.**

Notwithstanding any other requirements under Minnesota Statutes, section 340A.404, subdivision 5, the city of Minneapolis may authorize a holder of an on-sale wine license issued pursuant to Minnesota Statutes, section 340A.404, subdivision 5, who is also licensed to sell 3.2 percent malt liquors at on-sale pursuant to Minnesota Statutes, section 340A.411, to sell intoxicating malt liquors at on-sale without an additional license.

**EFFECTIVE DATE.** This section is effective upon approval by the Minneapolis City Council, and compliance with Minnesota Statutes, section 645.021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

### CALL OF THE HOUSE

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:

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

Murphy, E., 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.

Simonson moved to amend S. F. No. 541, the second engrossment, as amended, as follows:

Page 11, after line 5, insert:

"Sec. 14. **WHEELER FIELD; 3.2 MALT LIQUOR LICENSE.**

Notwithstanding any law or ordinance to the contrary, the city of Duluth may issue an on-sale intoxicating liquor license for the premises known as Wheeler Field in addition to the number authorized by law. The license may authorize sales to persons attending softball games and other athletic events held at the premises. The license may authorize the sale and consumption of 3.2 malt liquor at the concession stand and approved dining area of the premises. The license may be issued to the city or to a person or corporation under contract or agreement with the city. The license authorizes sales on all days of the week. All provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the license under this section.

**EFFECTIVE DATE.** This section is effective upon approval by the Duluth City Council and compliance with Minnesota Statutes, section 645.021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Sundin moved to amend S. F. No. 541, the second engrossment, as amended, as follows:

Page 11, after line 5, insert:

"Sec. 14. **CARLTON COUNTY; ON-SALE.**

Notwithstanding Minnesota Statutes, section 340A.412, subdivision 4, clause (7), Carlton County, in accordance with Minnesota Statutes, section 340A.410, subdivision 1, may issue an on-sale wine license to a restaurant located at 3 Highway 61 East, in the town of Thomson. The license authorizes sales on all days of the week.

**EFFECTIVE DATE.** This section is effective upon approval by the Carlton County board and in compliance with Minnesota Statutes, section 645.021."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Liebling, Kahn, Drzakowski and Pugh moved to amend S. F. No. 541, the second engrossment, as amended, as follows:

Page 8, after line 34, insert:

"Sec. 8. Minnesota Statutes 2012, section 340A.504, subdivision 4, is amended to read:

Subd. 4. **Intoxicating liquor; off-sale.** No sale of intoxicating liquor may be made by an off-sale licensee:

(1) ~~on Sundays;~~

(2) ~~before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday~~ Sunday; ~~or~~

(3) ~~on Thanksgiving Day;~~

(4) ~~(2) on Christmas Day, December 25; or,~~

(5) ~~after 8:00 p.m. on Christmas Eve, December 24.~~

**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.

Kahn moved to amend the Liebling et al amendment to S. F. No. 541, the second engrossment, as amended, as follows:

Page 1, line 10, after the period, insert "An off-sale licensee must be closed one day in every week of operation, and may choose which day to be closed."

A roll call was requested and properly seconded.

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

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

There were 5 yeas and 122 nays as follows:

Those who voted in the affirmative were:

Anderson, S.	Barrett	Bly	Franson	Kahn
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Those who voted in the negative were:

Abeler	Benson, M.	Dean, M.	Fabian	Gunther	Hoppe
Albright	Bernardy	Dehn, R.	Faust	Hackbarth	Hornstein
Allen	Brynaert	Dettmer	Fischer	Halverson	Hortman
Anderson, M.	Carlson	Dill	FitzSimmons	Hamilton	Howe
Anderson, P.	Clark	Dorholt	Freiberg	Hansen	Isaacson
Anzelc	Cornish	Drazkowski	Fritz	Hausman	Johnson, B.
Atkins	Daudt	Erhardt	Garofalo	Hertaus	Johnson, C.
Beard	Dauids	Erickson, R.	Green	Hilstrom	Johnson, S.
Benson, J.	Davnie	Erickson, S.	Gruenhagen	Holberg	Kelly

Kieffer	Mahoney	Murphy, M.	Persell	Scott	Ward, J.A.
Kiel	Mariani	Myhra	Poppe	Selcer	Ward, J.E.
Kresha	Marquart	Nelson	Pugh	Simon	Wills
Laine	Masin	Newberger	Quam	Simonson	Winkler
Leidiger	McDonald	Newton	Radinovich	Slocum	Yarusso
Lenczewski	McNamar	Nornes	Rosenthal	Sundin	Zellers
Lesch	McNamara	Norton	Runbeck	Swedzinski	Zerwas
Liebling	Melin	O'Driscoll	Sanders	Theis	Spk. Thissen
Lien	Metsa	O'Neill	Savick	Torkelson	
Lillie	Moran	Paymar	Sawatzky	Uglem	
Loeffler	Morgan	Pelowski	Schoen	Urdahl	
Lohmer	Murphy, E.	Peppin	Schomacker	Wagenius	

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

The question recurred on the Liebling et al amendment and the roll was called.

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

There were 21 yeas and 106 nays as follows:

Those who voted in the affirmative were:

Anderson, S.	Freiberg	Hornstein	Liebling	Norton	Simonson
Drazkowski	Hausman	Kahn	Lien	Paymar	
Falk	Hertaus	Kieffer	Loeffler	Peppin	
FitzSimmons	Hilstrom	Lesch	Myhra	Pugh	

Those who voted in the negative were:

Abeler	Davids	Hackbarth	Lillie	Nornes	Slocum
Albright	Davnie	Halverson	Lohmer	O'Driscoll	Sundin
Allen	Dean, M.	Hamilton	Mahoney	O'Neill	Swedzinski
Anderson, M.	Dehn, R.	Hansen	Mariani	Pelowski	Theis
Anderson, P.	Dettmer	Holberg	Marquart	Persell	Torkelson
Anzelc	Dill	Hoppe	Masin	Poppe	Uglem
Atkins	Dorholt	Hortman	McDonald	Quam	Urdahl
Barrett	Erhardt	Howe	McNamar	Radinovich	Wagenius
Beard	Erickson, R.	Isaacson	McNamara	Rosenthal	Ward, J.A.
Benson, J.	Erickson, S.	Johnson, B.	Melin	Runbeck	Ward, J.E.
Benson, M.	Fabian	Johnson, C.	Metsa	Sanders	Wills
Bernardy	Faust	Johnson, S.	Moran	Savick	Winkler
Bly	Fischer	Kelly	Morgan	Sawatzky	Yarusso
Brynaert	Franson	Kiel	Murphy, E.	Schoen	Zellers
Carlson	Garofalo	Kresha	Murphy, M.	Schomacker	Zerwas
Clark	Green	Laine	Nelson	Scott	Spk. Thissen
Cornish	Gruenhagen	Leidiger	Newberger	Selcer	
Daudt	Gunther	Lenczewski	Newton	Simon	

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

S. F. No. 541, A bill for an act relating to liquor; regulating alcohol sales and distribution; authorizing various licenses; amending Minnesota Statutes 2012, sections 340A.301, subdivisions 6b, 6c, 7, 7a, by adding a subdivision; 340A.4042; 340A.418; Laws 1999, chapter 202, section 13; Laws 2012, chapter 235, section 8.

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.

Pursuant to rule 2.05, Anderson, M., was excused from voting on the final passage of S. F. No. 541, as amended.

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

There were 103 yeas and 24 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Abeler	Drazkowski	Green	Leidiger	Newberger	Schomacker
Barrett	Fabian	Hertaus	Liebling	Peppin	Scott
Benson, M.	FitzSimmons	Holberg	Lohmer	Quam	Theis
Dettmer	Garofalo	Kiel	McDonald	Schoen	Torkelson

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

#### CALL OF THE HOUSE LIFTED

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

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

H. F. No. 1120 was reported to the House.

Fabian moved to amend H. F. No. 1120 as follows:

Page 1, after line 16, insert:

"Sec. 2. Minnesota Statutes 2012, section 15.471, is amended by adding a subdivision to read:

Subd. 3a. **Demand.** "Demand" means the express demand of the agency which led to the civil action or contested case proceeding but does not include a recitation by the agency of the maximum statutory penalty:

(1) in the administrative complaint; or

(2) elsewhere when accompanied by an express demand for a lesser amount.

**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to administrative or civil actions commenced on or after that date.

Sec. 3. Minnesota Statutes 2012, section 15.472, is amended to read:

**15.472 FEES AND EXPENSES; CIVIL ACTION OR CONTESTED CASE PROCEEDING INVOLVING STATE.**

(a) If a prevailing party other than the state, in a civil action or contested case proceeding other than a tort action, brought by or against the state, shows that the position of the state was not substantially justified, the court or administrative law judge shall award fees and other expenses to the party unless special circumstances make an award unjust.

(b) If, in a civil action or contested case proceeding arising from an agency action to enforce a party's compliance with a statutory or regulatory requirement, the demand by the agency is substantially in excess of the final decision of the administrative law judge or court and is unreasonable when compared with such decision under the facts and circumstances of the case, the administrative law judge or court shall award to the party the fees and other expenses related to defending against the excessive demand, unless the party has committed a willful violation of law or engaged in conduct that unduly and unreasonably protracted the final resolution of the matter in controversy, or special circumstances make an award unjust.

~~(b)~~ (c) A party seeking an award of fees and other expenses shall, within 30 days of final judgment in the action, submit to the court or administrative law judge an application of fees and other expenses which shows that the party is a prevailing party and is eligible to receive an award, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing on behalf of the party stating the actual time expended and the rate at which fees and other expenses were computed. The party shall also allege that the position of the state was not substantially justified.

~~(c)~~ (d) The court or administrative law judge may reduce the amount to be awarded under this section, or deny an award, to the extent that the prevailing party during the proceedings engaged in conduct that unduly and unreasonably protracted the final resolution of the matter in controversy. The decision of an administrative law judge under this section must be made a part of the record containing the final decision of the agency and must include written findings and conclusions.

(d) (e) This section does not preclude a party from recovering costs, disbursements, fees, and expenses under other applicable law.

**EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to administrative or civil actions commenced on or after that date."

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 Fabian amendment and the roll was called. There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

H. F. No. 1120, A bill for an act relating to state government; requiring service on all parties for judicial review of contested case; amending Minnesota Statutes 2012, section 14.63.

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 16 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albright	Dean, M.	Erickson, S.	Garofalo	Leidiger	Quam
Benson, M.	Dettmer	FitzSimmons	Holberg	Newberger	
Davids	Drazkowski	Franson	Hoppe	Pugh	

The bill was passed and its title agreed to.

S. F. No. 887 was reported to the House.

Laine moved to amend S. F. No. 887, the fifth engrossment, as follows:

Page 25, delete lines 29 and 30

Correct the title numbers

The motion prevailed and the amendment was adopted.

Pursuant to rule 3.34, Dean, M., moved that S. F. No. 887, the fifth engrossment, as amended, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Dean, M., motion and the roll was called. There were 56 yeas and 71 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

Laine moved to amend S. F. No. 887, the fifth engrossment, as amended, as follows:

Page 4, line 3, delete "subdivision 2" and insert "subdivision 4"

The motion prevailed and the amendment was adopted.

S. F. No. 887, A bill for an act relating to health; classifying criminal history record data on Minnesota Responds Medical Reserve Corps volunteers; requiring certain interviews for investigation of vulnerable adult complaints against HMO; enacting the Minnesota Radon Awareness Act; requiring radon education disclosure for residential real property; changing provisions for tuberculosis standards; changing adverse health events reporting requirements; modifying a poison control provision; providing liability coverage for certain volunteer medical personnel and permitting agreements to conduct criminal background studies; changing provisions for body art establishments and body art technicians; defining occupational therapy practitioners; changing provisions for occupational therapy; amending prescribing authority for legend drugs; providing penalties; amending Minnesota Statutes 2012, sections 13.381, by adding a subdivision; 62Q.106; 144.1501, subdivision 4; 144.50, by adding a subdivision; 144.55, subdivision 3; 144.56, by adding a subdivision; 144.7065, subdivisions 2, 3, 4, 5, 6, 7, by adding a subdivision; 144A.04, by adding a subdivision; 144A.45, by adding a subdivision; 144A.53, subdivision 2;

144A.752, by adding a subdivision; 144D.08; 145.93, subdivision 3; 145A.04, by adding a subdivision; 145A.06, subdivision 7; 146B.02, subdivisions 2, 8; 146B.03, by adding a subdivision; 146B.07, subdivision 5; 148.6402, by adding a subdivision; 148.6440; 151.37, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 144; 145A; 513; repealing Minnesota Statutes 2012, sections 144.1487; 144.1488; 144.1489; 144.1490; 144.1491; 146B.03, subdivision 10; 148.7808, subdivision 2; 148.7813; 325F.814; 609.2246.

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 79 yeas and 47 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

H. F. No. 947 was reported to the House.

Dean, M., moved to amend H. F. No. 947, the first engrossment, as follows:

Page 2, line 3, delete "2" and insert "10"

Page 9, line 16, delete "4" and insert "3"

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

H. F. No. 947 was read for the third time.

Daudt moved that H. F. No. 947, the first engrossment, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Daudt motion and the roll was called. There were 55 yeas and 71 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

H. F. No. 947, A bill for an act relating to human services; distinguishing and clarifying law regarding civil commitment of sexually dangerous persons and persons with sexual psychopathic personalities from other civil commitments; amending Minnesota Statutes 2012, sections 253B.02, subdivisions 18a, 24; 253B.03, subdivision 1a; 253B.045, subdivision 1a; 253B.092, subdivision 1; 253B.17, subdivision 1; 253B.185; 253B.19, subdivision 2; proposing coding for new law as Minnesota Statutes, chapter 253D.

The bill was placed upon its final passage and the roll was called. There were 76 yeas and 50 nays as follows:

Those who voted in the affirmative were:

Abeler	Atkins	Bly	Clark	Dehn, R.	Erhardt
Allen	Benson, J.	Brynaert	Cornish	Dill	Erickson, R.
Anzelc	Bernardy	Carlson	Davnie	Dorholt	Falk

Faust	Isaacson	Lillie	Morgan	Radinovich	Sundin
Fischer	Johnson, C.	Loeffler	Murphy, E.	Rosenthal	Uglen
Freiberg	Johnson, S.	Mahoney	Murphy, M.	Savick	Wagenius
Fritz	Kahn	Mariani	Nelson	Sawatzky	Ward, J.A.
Halverson	Kieffer	Marquart	Newton	Schoen	Ward, J.E.
Hansen	Laine	Masin	Norton	Schomacker	Winkler
Hausman	Lenczewski	McNamar	Paymar	Selcer	Yarusso
Hilstrom	Lesch	Melin	Pelowski	Simon	Spk. Thissen
Hornstein	Liebling	Metsa	Persell	Simonson	
Hortman	Lien	Moran	Poppe	Slocum	

Those who voted in the negative were:

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

The bill was passed and its title agreed to.

H. F. No. 1113 was reported to the House.

Wagenius moved to amend H. F. No. 1113, the second engrossment, as follows:

Page 6, line 35, delete "..." and insert "natural resources"

Page 27, line 29, delete "and"

Page 27, line 32, delete the period and insert a semicolon

Page 27, after line 32, insert:

"(9) Laws 2010, chapter 362, section 2, subdivision 3, paragraph (i), Ecosystem Services in Agricultural Watersheds;

(10) Laws 2010, chapter 362, section 2, subdivision 3, paragraph (a), County Geologic Atlases and Related Hydrogeologic Research; and

(11) Laws 2010, chapter 362, section 2, subdivision 7, paragraph (a), Algae for Fuels Pilot Project."

Page 29, line 27, after the period, insert "The commission shall ensure that the expenditures and outcomes described in the work plan for appropriations funded by the environment and natural resources trust fund are met."

Page 32, line 33, after "value" insert "and most recent tax statement"

Page 32, line 34, after the period, insert "Conservation easements to be held by the Board of Water and Soil Resources are not subject to the requirements of this section. The board shall keep a record of the tax assessed value of the real property at the time of acquisition and the most recent tax statement."

The motion prevailed and the amendment was adopted.

H. F. No. 1113, A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying provisions for Legislative-Citizen Commission on Minnesota Resources; modifying requirements for land acquisition with trust fund money; amending Minnesota Statutes 2012, sections 116P.05, subdivisions 1, 2; 116P.09, subdivision 2; 116P.15; 116P.16; 116P.17; proposing coding for new law in Minnesota Statutes, chapter 116P.

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 14 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Albright	FitzSimmons	Holberg	Newberger	Sanders
Daudt	Garofalo	Kieffer	Quam	Schomacker
Draskowski	Gruenhagen	Leidiger	Runbeck	

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

H. F. No. 681 was reported to the House.

Simon moved to amend H. F. No. 681, the second engrossment, as follows:

Page 2, after line 19, insert:

"(c) Under paragraph (b), the liability of any municipality, as that term is defined in Minnesota Statutes, section 466.01, shall not exceed the amount of valid and collectible insurance, including, where applicable, proceeds from the Minnesota Insurance Guaranty Association, which covers the claim."

A roll call was requested and properly seconded.

The question was taken on the Simon amendment and the roll was called. There were 67 yeas and 58 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion prevailed and the amendment was adopted.

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

Simon moved to amend H. F. No. 681, the second engrossment, as amended, as follows:

Page 2, line 7, delete "based" and insert "for"

Page 2, line 8, delete "on"

Page 2, line 15, delete "conduct alleged to" and insert "alleged sexual abuse of"

Page 2, line 16, delete "constitute sexual abuse against" and delete "claim" and insert "action"

Page 2, line 18, delete "a claim for injury based on that conduct" and insert "an action for damages"

Page 2, line 19, after the period, insert "This paragraph does not apply to an action for vicarious liability or respondeat superior."

The motion prevailed and the amendment was adopted.

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

Liebling moved to amend H. F. No. 681, the second engrossment, as amended, as follows:

Page 1, line 13, reinstate the stricken language

Page 1, line 14, delete the new language and reinstate the stricken language

Page 1, line 15, reinstate the stricken language and delete the new language and insert ". The standard to determine if the plaintiff had knowledge of the injury caused by sexual abuse is a subjective standard and unique to the individual plaintiff. There is no presumption under the law that a plaintiff had knowledge of an injury or reason to know of an injury caused by sexual abuse at the time the abuse occurred."

Page 1, delete lines 16 to 21

Page 1, line 24, reinstate the stricken language

Page 2, line 1, reinstate the stricken "(d)" and delete "(c)"

Page 2, delete lines 7 to 12

Page 2, line 19, after the period, insert "This paragraph does not apply to claims for vicarious liability or respondeat superior."

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

Holberg moved that H. F. No. 681, the second engrossment, as amended, be re-referred to the Committee on Rules and Legislative Administration.

A roll call was requested and properly seconded.

The question was taken on the Holberg motion and the roll was called. There were 54 yeas and 70 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

The motion did not prevail.

H. F. No. 681, A bill for an act relating to civil actions; changing the limitation period for civil actions involving sexual abuse; amending Minnesota Statutes 2012, section 541.073.

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 115 yeas and 7 nays as follows:

Those who voted in the affirmative were:

Abeler	Bly	Dill	Fritz	Hortman	Laine
Allen	Brynaert	Dorholt	Garofalo	Howe	Lenczewski
Anderson, M.	Carlson	Erhardt	Green	Isaacson	Lesch
Anderson, P.	Clark	Erickson, R.	Gruenhagen	Johnson, B.	Lien
Anderson, S.	Cornish	Erickson, S.	Halverson	Johnson, C.	Lillie
Anzelc	Daudt	Fabian	Hamilton	Johnson, S.	Loeffler
Atkins	Davids	Falk	Hansen	Kahn	Lohmer
Barrett	Davnie	Faust	Hausman	Kelly	Mahoney
Benson, J.	Dean, M.	Fischer	Hilstrom	Kieffer	Mariani
Benson, M.	Dehn, R.	Franson	Hoppe	Kiel	Marquart
Bernardy	Dettmer	Freiberg	Hornstein	Kresha	Masin

McNamar	Nelson	Persell	Schoen	Theis	Yarusso
McNamara	Newberger	Poppe	Schomacker	Torkelson	Zellers
Melin	Newton	Pugh	Scott	Uglem	Zerwas
Metsa	Nornes	Radinovich	Selcer	Urdahl	Spk. Thissen
Moran	Norton	Rosenthal	Simon	Wagenius	
Morgan	O'Driscoll	Runbeck	Simonson	Ward, J.A.	
Murphy, E.	O'Neill	Sanders	Slocum	Ward, J.E.	
Murphy, M.	Paymar	Savick	Sundin	Wills	
Myhra	Pelowski	Sawatzky	Swedzinski	Winkler	

Those who voted in the negative were:

Albright	Drazkowski	Hackbarth	Leidiger
Beard	FitzSimmons	Holberg	

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

#### REPORTS 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 bills to be placed on the Calendar for the Day for Thursday, May 2, 2013 and established a prefiling requirement for amendments offered to the following bills:

H. F. Nos. 1390 and 195; S. F. No. 1270; H. F. Nos. 590 and 1284; and S. F. Nos. 510, 825 and 843.

Murphy, E., 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 Friday, May 3, 2013 and established a prefiling requirement for amendments offered to the following bills:

H. F. No. 92; S. F. No. 489; H. F. Nos. 902, 634, 694, 1117 and 1136; and S. F. No. 380.

#### MOTIONS AND RESOLUTIONS

Dettmer moved that his name be stricken as an author on H. F. No. 690. The motion prevailed.

Dehn, R., moved that the name of FitzSimmons be added as an author on H. F. No. 1221. The motion prevailed.

Kahn moved that the name of Kieffer be added as an author on House Resolution No. 4. The motion prevailed.

Anderson, P.; Gunther; Hamilton and Poppe introduced:

House Resolution No. 6, A House resolution recognizing Minnesota State Grassland Month.

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

## ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 10:00 a.m., Thursday, May 2, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and Speaker pro tempore Hortman declared the House stands adjourned until 10:00 a.m., Thursday, May 2, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives