

## STATE OF MINNESOTA

## EIGHTY-EIGHTH SESSION — 2014

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 NINETY-SIXTH DAY

SAINT PAUL, MINNESOTA, FRIDAY, MAY 2, 2014

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

Prayer was offered by the Reverend Nels H. Gjengdahl, St. Thomas Academy, St. Paul, 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:

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

A quorum was present.

Abeler; Albright; Anderson, M.; FitzSimmons; Garofalo; Hoppe; Howe; Mack; McDonald; Moran; Petersburg; Scott and Thissen 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 30, 2014

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. 2746, 2658 and 2840.

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 2014 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 2014</i>	<i>Date Filed 2014</i>
2245		179	9:48 a.m. April 30	April 30
2571		180	9:48 a.m. April 30	April 30
	2746	181	9:51 a.m. April 30	April 30

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FRIDAY, MAY 2, 2014

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	2658	182	9:52 a.m. April 30	April 30
	2840	183	9:54 a.m. April 30	April 30
1689		184	9:59 a.m. April 30	April 30

Sincerely,

MARK RITCHIE  
Secretary of State

STATE OF MINNESOTA  
OFFICE OF THE GOVERNOR  
SAINT PAUL 55155

May 1, 2014

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. 2217, 859, 892, 2605, 2213 and 2874.

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 2014 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 2014</i>	<i>Date Filed 2014</i>
1246		186	9:34 a.m. May 1	May 1
	2217	187	9:35 a.m. May 1	May 1

	859	188	9:35 a.m. May 1	May 1
	892	189	9:36 a.m. May 1	May 1
	2605	190	9:38 a.m. May 1	May 1
	2213	191	9:38 a.m. May 1	May 1
	2874	192	9:40 a.m. May 1	May 1
2066		193	9:41 a.m. May 1	May 1

Sincerely,

MARK RITCHIE  
Secretary of State

### INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Clark; Kahn; Loeffler; Abeler; Davids; Johnson, S.; Masin; Dehn, R.; Hamilton; Liebling; Norton; Faust; Davnie and Hornstein introduced:

H. F. No. 3368, A resolution memorializing the President and Congress concerning the detention and torture of the Somali people in Kenya.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Freiberg, Metsa, Simonson, Liebling, Halverson, Dorholt, Kahn, Isaacson and Ward, J.A., introduced:

H. F. No. 3369, A bill for an act relating to health; requiring child-resistant packaging for electronic delivery devices; proposing coding for new law in Minnesota Statutes, chapter 461.

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Speaker pro tempore Hortman assumed the Chair.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

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

H. F. No. 2660, A bill for an act relating to courts; amending partial payment or reimbursement of costs from a party proceeding in forma pauperis; amending Minnesota Statutes 2012, section 563.01, subdivision 3, by adding a subdivision.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

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

S. F. Nos. 511 and 2614.

JOANNE M. ZOFF, Secretary of the Senate

### **FIRST READING OF SENATE BILLS**

S. F. No. 511, A bill for an act relating to health; improving access to health care delivered by advanced practice registered nurses; providing penalties; providing for an advisory council; appropriating money; amending Minnesota Statutes 2012, sections 148.171, subdivisions 3, 5, 9, 10, 11, 13, 16, 17, 21, by adding subdivisions; 148.181, subdivision 1; 148.191, subdivision 2; 148.211, subdivision 2, by adding subdivisions; 148.231, subdivisions 1, 4, 5; 148.233, subdivision 2; 148.234; 148.235, by adding subdivisions; 148.251, subdivision 1; 148.261, subdivision 1; 148.262, subdivisions 1, 2, 4; 148.281, subdivision 1, by adding a subdivision; 148.283; 151.01, subdivision 23; 152.12; Minnesota Statutes 2013 Supplement, section 148.271; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 2012, sections 148.171, subdivision 6; 148.235, subdivisions 1, 2, 2a, 4, 4a, 4b, 6, 7; 148.243, subdivision 8; 148.284.

The bill was read for the first time.

Schoen moved that S. F. No. 511 and H. F. No. 435, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 2614, A bill for an act relating to transportation; removing length limit of certain connector highways; allowing one-week bid advertisement period for certain trunk highway contracts; amending Minnesota Statutes 2012, sections 161.261, subdivisions 1, 2; 161.32, subdivision 4.

The bill was read for the first time.

Masin moved that S. F. No. 2614 and H. F. No. 3038, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

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

### **CALENDAR FOR THE DAY**

S. F. No. 2466 was reported to the House.

Atkins moved to amend S. F. No. 2466, the second engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 2288, the third engrossment:

"Section 1. Minnesota Statutes 2012, section 626A.28, subdivision 3, is amended to read:

Subd. 3. **Records concerning electronic communication service or remote computing service.** (a) Except as provided in paragraph (b) or chapter 325M, a provider of electronic communication service or remote computing service may disclose a record or other information pertaining to a subscriber to or customer of the service, not including the contents of communications covered by subdivision 1 or 2, to any person other than a governmental entity.

(b) Except as provided in section 626A.42, a provider of electronic communication service or remote computing service may disclose a record or other information pertaining to a subscriber to or customer of the service, not including the contents of communications covered by subdivision 1 or 2, to a governmental entity only when the governmental entity:

- (1) uses an administrative subpoena authorized by statute, or a grand jury subpoena;
- (2) obtains a warrant;
- (3) obtains a court order for such disclosure under subdivision 4; or
- (4) has the consent of the subscriber or customer to the disclosure.

(c) A governmental entity receiving records or information under this subdivision is not required to provide notice to a subscriber or customer.

Sec. 2. **[626A.42] ELECTRONIC DEVICE LOCATION INFORMATION.**

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) An "adverse result" occurs when notification of the existence of a court order results in:

- (1) danger to the life or physical safety of an individual;
- (2) a flight from prosecution;
- (3) the destruction of or tampering with evidence;
- (4) the intimidation of potential witnesses; or
- (5) serious jeopardy to an investigation or undue delay of a trial.

(c) "Electronic communication service" has the meaning given in section 626A.01, subdivision 17.

(d) "Electronic device" means a device that enables access to or use of an electronic communication service, remote computing service, or location information service.

(e) "Government entity" means a state or local agency, including but not limited to a law enforcement entity or any other investigative entity, agency, department, division, bureau, board, or commission or an individual acting or purporting to act for or on behalf of a state or local agency.

(f) "Location information" means information concerning the location of an electronic device that, in whole or in part, is generated or derived from or obtained by the operation of an electronic device.

(g) "Location information service" means the provision of a global positioning service or other mapping, locational, or directional information service.

(h) "Remote computing service" has the meaning given in section 626A.34.

**Subd. 2. Court order required for location information.** (a) Except as provided in paragraph (b), a government entity may not obtain the location information of an electronic device without a court order. A court order granting access to location information must be issued only if the government entity shows that there is probable cause the person who possesses an electronic device is committing, has committed, or is about to commit a crime.

(b) A government entity may obtain location information without a court order:

(1) when the electronic device is reported lost or stolen by the owner;

(2) in order to respond to the user's call for emergency services;

(3) with the informed, affirmative, documented consent of the owner or user of the electronic device;

(4) with the informed, affirmative consent of the legal guardian or next of kin of the owner or user if the owner or user is believed to be deceased or reported missing and unable to be contacted; or

(5) in an emergency situation that involves the risk of death or serious physical harm to a person who possesses an electronic communications device pursuant to sections 237.82 and 237.83.

**Subd. 3. Time period and extensions.** (a) A court order issued under this section must authorize the collection of location information for a period not to exceed 60 days, or the period of time necessary to achieve the objective of the authorization, whichever is less.

(b) Extensions of a court order may be granted, but only upon an application for an order and upon the judicial finding required by subdivision 2. The period of extension must be for a period not to exceed 60 days, or the period of time necessary to achieve the objective for which it is granted, whichever is less.

(c) Paragraphs (a) and (b) apply only to court orders issued for the contemporaneous collection of electronic device location information.

**Subd. 4. Notice; temporary nondisclosure of order.** (a) Within a reasonable time but not later than 90 days after the court unseals the order under this subdivision, the issuing or denying judge shall cause to be served on the persons named in the order and the application an inventory which shall include notice of:

(1) the fact of the issuance of the order or the application;

(2) the date of the issuance and the period of authorized, approved, or disapproved collection of location information, or the denial of the application; and

(3) the fact that during the period location information was or was not intercepted.

(b) An order authorizing collection of location information must direct that:

(1) the order be sealed for a period of 90 days or until the objective of the order has been accomplished, whichever is shorter; and

(2) the order be filed with the court administrator within ten days of the expiration of the order.

(c) The prosecutor may request that the order, supporting affidavits, and any order granting the request not be filed. An order must be issued granting the request in whole or in part if, from affidavits, sworn testimony, or other evidence, the court finds reasonable grounds exist to believe that filing the order may cause the search or a related search to be unsuccessful, create a substantial risk of injury to an innocent person, or severely hamper an ongoing investigation.

(d) The order must direct that following the commencement of any criminal proceeding utilizing evidence obtained in or as a result of the search, the supporting application or affidavit must be filed either immediately or at any other time as the court directs. Until such filing, the documents and materials ordered withheld from filing must be retained by the judge or the judge's designee.

Subd. 5. **Report concerning collection of location information.** (a) At the same time as notice is provided under subdivision 4, the issuing or denying judge shall report to the state court administrator:

(1) the fact that an order or extension was applied for;

(2) the fact that the order or extension was granted as applied for, was modified, or was denied;

(3) the period of collection authorized by the order, and the number and duration of any extensions of the order;

(4) the offense specified in the order or application, or extension of an order;

(5) whether the collection required contemporaneous monitoring of an electronic device's location; and

(6) the identity of the applying investigative or law enforcement officer and agency making the application and the person authorizing the application.

(b) On or before November 15 of each even-numbered year, the state court administrator shall transmit to the legislature a report concerning: (1) all orders authorizing the collection of location information during the two previous calendar years; and (2) all applications that were denied during the two previous calendar years. Each report shall include a summary and analysis of the data required to be filed under this subdivision. The report is public and must be available for public inspection at the Legislative Reference Library and the state court administrator's office and Web site."

Delete the title and insert:

"A bill for an act relating to public safety; requiring law enforcement to secure a court order in order to receive cell phone tracking data; amending Minnesota Statutes 2012, section 626A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 626A."

The motion prevailed and the amendment was adopted.

Lesch moved to amend S. F. No. 2466, the second engrossment, as amended, as follows:

Page 1, after line 6, insert:

"Section 1. **[3.8844] LEGISLATIVE COMMISSION ON INTELLIGENCE AND TECHNOLOGY.**

Subdivision 1. **Established.** The Legislative Commission on Intelligence and Technology is created to study and make recommendations on issues relating to the effect of emerging technology on privacy. The commission has investigatory and oversight jurisdiction over government surveillance programs and technology, including subpoena power.

Subd. 2. **Membership.** The commission consists of three senators appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration, and three members of the house of representatives appointed by the speaker. One member from each chamber must be from the minority party in that chamber. Each appointing authority must make appointments as soon as possible after the beginning of the regular legislative session in the odd-numbered year. Each member of the commission must take an oath, swearing to faithfully discharge the duties of members of the commission in compliance with the laws governing the commission.

Subd. 3. **Terms; vacancies.** Members of the commission serve for terms beginning upon appointment and ending at the beginning of the regular legislative session in the next odd-numbered year. The appropriate appointing authority must fill a vacancy for the remainder of the unexpired term.

Subd. 4. **Officers.** The commission must elect a chair and vice-chair and may elect other officers as it determines are necessary. The chair alternates between a member of the senate and a member of the house of representatives in January of each odd-numbered year.

Subd. 5. **Staff.** Legislative staff must provide administrative and research assistance to the commission.

Subd. 6. **Meetings; data.** Notwithstanding any other laws or legislative rules to the contrary, the commission may determine that a meeting will not be open to the public. Notwithstanding any contrary provision of chapter 13 or other law, the commission may require a law enforcement official to disclose not public data to the commission, as the commission determines is necessary for performance of the commission's duties. If data provided to the commission is disseminated by the commission or its members or agents in violation of section 13.05, subdivision 4, the commission is subject to liability under section 13.08, subdivisions 1 and 3. Disclosure of not public data by a member of the commission is grounds for an ethics complaint to the committee with jurisdiction over ethics in the house in which the member serves.

Subd. 7. **Subpoena power.** The chair, vice-chair, or a member of the commission designated by the chair may issue subpoenas requiring the appearance of persons, production of relevant records, and the giving of relevant testimony on matters within the jurisdiction of the commission. The person issuing the subpoena may request the issuance of an attachment to compel the attendance of a witness who, having been duly subpoenaed to attend, fails to do so. Section 3.153 applies to issuance of subpoenas under this section, except as otherwise provided in this section.

**EFFECTIVE DATE.** This section is effective the day following final enactment. Appointing authorities must make initial appointments by June 1, 2014. The speaker of the house of representatives must designate one member of the commission to convene the first meeting of the commission by June 15, 2014."

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

Drazkowski moved to amend the Lesch amendment to S. F. No. 2466, the second engrossment, as amended, as follows:

Page 1, line 18, after the period, insert "Minnesota Statutes, section 3.253, applies to members of the commission."

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

Lesch withdrew his amendment, as amended, to S. F. No. 2466, the second engrossment, as amended.

S. F. No. 2466, A bill for an act relating to public safety; requiring law enforcement to secure a tracking warrant in order to receive cell phone tracking data; amending Minnesota Statutes 2012, section 626A.28, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 626A.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

S. F. No. 874, A bill for an act relating to criminal justice; modifying judicial forfeiture provisions; amending Minnesota Statutes 2012, sections 609.531, subdivision 6a; 609.5314, subdivision 3; 609.5316, subdivision 3; 609.5318, 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 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

H. F. No. 2670, A bill for an act relating to occupations; modifying licensing provisions for architecture, engineering, land surveying, landscape architecture, geoscience, and interior design professions; amending Minnesota Statutes 2012, sections 326.02, subdivisions 3, 4; 326.04; 326.10, subdivisions 1, 2a, 7, 9; 326.107, subdivisions 1, 2, 7; 326.111, subdivision 3; 326.12, subdivision 2; repealing Minnesota Statutes 2012, section 326.107, subdivision 5.

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.

Pursuant to rule 2.05, Dean, M., was excused from voting on the final passage of H. F. No. 2670.

There were 111 yeas and 8 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Drazkowski	Hertaus	Leidiger	Peppin
Hackbarth	Holberg	Newberger	Pugh

The bill was passed and its title agreed to.

H. F. No. 2995 was reported to the House.

Erhardt moved to amend H. F. No. 2995, the first engrossment, as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2012, section 168B.035, subdivision 2, is amended to read:

Subd. 2. **Towing order required.** (a) A towing authority may not tow a motor vehicle from public property unless a peace officer or parking enforcement officer has prepared, in addition to the parking citation, a written towing report describing the motor vehicle and the reasons for towing. ~~The report must be signed by the officer and the tow driver.~~

(b) Within the Department of Transportation's eight-county metropolitan district, an authorized employee of the department's freeway service patrol may order a tow from a trunk highway after preparing a written towing report provided by the Minnesota State Patrol. A citation need not be issued before the employee orders a tow.

(c) Except in cases where an accident or traffic hazard to the traveling public exists, the department employee shall ensure that if the tower requested to remove the vehicle by the owner arrives before the tower requested by the department, the tower requested by the owner is given the opportunity to actually conduct and complete all towing operations requested.

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

Amend the title accordingly

The motion prevailed and the amendment was adopted.

H. F. No. 2995, A bill for an act relating to public safety; towing; clarifying towing order requirements; amending Minnesota Statutes 2012, section 168B.035, subdivision 2.

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 119 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

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

H. F. No. 2386, A bill for an act relating to judiciary; modifying filing of petition for relief from conviction; modifying notice to offender for restitution; amending Minnesota Statutes 2012, sections 590.02, subdivision 3; 611A.045, subdivision 3.

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 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 2949, A bill for an act relating to unemployment insurance; making policy and housekeeping changes to the unemployment insurance program; adopting recommendations of the Unemployment Insurance Advisory Council; amending Minnesota Statutes 2012, sections 268.035, subdivisions 2, 4, 11, 12, 20, 22, 29; 268.051, subdivision 4; 268.057, subdivisions 5, 7; 268.0625, subdivision 4; 268.085, subdivisions 3, 4, 6, by adding a subdivision; 268.0865, subdivisions 3, 4; 268.095, subdivision 2; 268.103, subdivision 2a; 268.105, subdivisions 1, 2, 3a, 5, 6; 268.18, subdivision 2b; 268.184, subdivisions 1, 1a; 268.186; 268.196, subdivision 1; 268.215; repealing Minnesota Statutes 2012, section 268.105, subdivision 4; Laws 2005, chapter 112, article 1, section 15; Laws 2008, chapter 363, article 10, section 30; Minnesota Rules, parts 3315.0200, subpart 1; 3315.0203; 3315.0211; 3315.0212; 3315.0213; 3315.0801; 3315.0805; 3315.0810; 3315.0815; 3315.0820; 3315.0825; 3315.0830; 3315.0835; 3315.0840; 3315.0845; 3315.0901; 3315.0905.

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 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

H. F. No. 263, A bill for an act relating to public safety; adding fifth degree assault and certain domestic assault provisions to crime of violence; amending Minnesota Statutes 2012, section 624.712, subdivision 5.

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 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

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

The bill was passed and its title agreed to.

S. F. No. 2718, A bill for an act relating to judiciary; modifying the review process of district judge disposition for compliance with 90-day disposition requirement; amending Minnesota Statutes 2012, section 546.27, subdivision 2, by adding a subdivision.

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

The question was taken on the passage of the bill and the roll was called. There were 120 yeas and 0 nays as follows:

Those who voted in the affirmative were:

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

The bill was passed and its title agreed to.

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

Murphy, E., from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Tuesday, May 6, 2014 and established a prefiling requirement for amendments offered to the following bills:

S. F. No. 2490; H. F. Nos. 2950 and 2467; S. F. Nos. 2609 and 2642; H. F. Nos. 2255, 2881, 2602 and 1915; and S. F. No. 1340.

**MOTIONS AND RESOLUTIONS**

Davnie moved that the name of Clark be added as an author on H. F. No. 826. The motion prevailed.

Paymar moved that his name be stricken as an author on H. F. No. 1818. The motion prevailed.

Dean, M., moved that his name be stricken as an author on H. F. No. 2670. The motion prevailed.

Isaacson moved that the name of Fischer be added as an author on H. F. No. 2680. The motion prevailed.

Freiberg moved that the name of Halverson be added as an author on H. F. No. 3359. The motion prevailed.

**TAKEN FROM THE TABLE**

Hansen moved that H. F. No. 2622, as amended, be taken from the table. The motion prevailed.

H. F. No. 2622, as amended, was reported to the House.

H. F. No. 2622, A bill for an act relating to clean water; abolishing the privatization of water or wastewater treatment law; amending Minnesota Statutes 2012, sections 116.18, subdivision 3b; 469.153, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 473; repealing Minnesota Statutes 2012, sections 13.202, subdivision 10; 115.58, subdivision 2; 272.02, subdivision 63; 471A.01; 471A.02, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16; 471A.03; 471A.05; 471A.06; 471A.08; 471A.09; 471A.10; 471A.11; 471A.12.

The bill, as amended, was placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 101 yeas and 19 nays as follows:

Those who voted in the affirmative were:

Allen	Beard	Carlson	Davnie	Erickson, R.	Franson
Anderson, S.	Benson, J.	Clark	Dehn, R.	Fabian	Fritz
Anzelc	Bernardy	Cornish	Dill	Falk	Green
Atkins	Bly	Daudt	Dorholt	Faust	Gruenhagen
Barrett	Brynaert	Davids	Erhardt	Fischer	Gunther

Hackbarth	Johnson, C.	Lillie	Murphy, M.	Rosenthal	Theis
Halverson	Johnson, S.	Loeffler	Nelson	Sanders	Torkelson
Hamilton	Kahn	Mahoney	Newton	Savick	Uglen
Hansen	Kelly	Mariani	Nornes	Sawatzky	Urdahl
Hausman	Kieffer	Marquart	Norton	Schoen	Wagenius
Hilstrom	Kiel	Masin	O'Driscoll	Schomacker	Ward, J.A.
Holberg	Kresha	McNamar	O'Neill	Selcer	Ward, J.E.
Hornstein	Laine	Melin	Paymar	Simon	Winkler
Hortman	Lenczewski	Metsa	Pelowski	Simonson	Woodard
Huntley	Lesch	Morgan	Persell	Slocum	Yarusso
Isaacson	Liebling	Mullery	Poppe	Sundin	Zellers
Johnson, B.	Lien	Murphy, E.	Radinovich	Swedzinski	

Those who voted in the negative were:

Anderson, P.	Drazkowski	Lohmer	Newberger	Runbeck
Benson, M.	Erickson, S.	Loon	Peppin	Wills
Dean, M.	Hertaus	McNamara	Pugh	Zerwas
Dettmer	Leidiger	Myhra	Quam	

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

#### ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 11:00 a.m., Monday, May 5, 2014. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and Speaker pro tempore Hortman declared the House stands adjourned until 11:00 a.m., Monday, May 5, 2014.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

