

## STATE OF MINNESOTA

## EIGHTY-NINTH SESSION — 2015

---

 THIRTY-SIXTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 9, 2015

The House of Representatives convened at 12:00 noon and was called to order by Kurt Daudt, Speaker of the House.

Prayer was offered by the Reverend Dr. John Braland, Freshwater Community Church, St. Bonifacius, Minnesota.

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

The roll was called and the following members were present:

Albright	Dehn, R.	Hilstrom	Loon	Norton	Smith
Allen	Dettmer	Hoppe	Loonan	O'Driscoll	Swedzinski
Anderson, P.	Dill	Hornstein	Lucero	O'Neill	Theis
Anderson, S.	Drazkowski	Hortman	Lueck	Pelowski	Thissen
Anzelc	Erhardt	Howe	Mack	Peppin	Torkelson
Applebaum	Erickson	Isaacson	Mahoney	Petersburg	Uglem
Atkins	Fabian	Johnson, B.	Marquart	Peterson	Urdahl
Backer	Fenton	Johnson, C.	Masin	Pierson	Vogel
Baker	Fischer	Johnson, S.	McDonald	Pinto	Wagenius
Barrett	Franson	Kahn	McNamara	Poppe	Ward
Bennett	Freiberg	Kelly	Melin	Quam	Whelan
Bernardy	Garofalo	Kiel	Metsa	Rarick	Wills
Bly	Green	Knoblach	Miller	Rosenthal	Winkler
Carlson	Gruenhagen	Koznick	Moran	Runbeck	Yarusso
Christensen	Gunther	Kresha	Mullery	Sanders	Youakim
Clark	Hackbarth	Laine	Murphy, E.	Schoen	Zerwas
Considine	Hamilton	Lenczewski	Murphy, M.	Schomacker	Spk. Daudt
Cornish	Hancock	Lesch	Nash	Schultz	
Daniels	Hansen	Liebling	Nelson	Scott	
Davids	Hausman	Lien	Newberger	Selcer	
Davnie	Heintzeman	Lillie	Newton	Simonson	
Dean, M.	Hertaus	Loeffler	Nornes	Slocum	

A quorum was present.

Anderson, M.; Halverson; Lohmer and Mariani were excused.

Persell, Pugh and Sundin were excused until 6:45 p.m.

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

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Hornstein introduced:

H. F. No. 2174, A bill for an act relating to taxation; sales and use; repealing the exemption for Super Bowl admissions tickets; repealing Minnesota Statutes 2014, section 297A.68, subdivision 9.

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

Anzelc; Murphy, M.; Mariani; Lien; Davnie; Persell and Marquart introduced:

H. F. No. 2175, A bill for an act relating to education finance; creating and modifying certain financial assistance and loan programs for teachers; requiring rulemaking; appropriating money; amending Minnesota Statutes 2014, sections 119B.011, subdivision 15; 122A.63, subdivisions 4, 5, 6; 136A.162; 256J.21, subdivision 2; 290.01, subdivision 19b; proposing coding for new law in Minnesota Statutes, chapter 122A.

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

Newton and Sanders introduced:

H. F. No. 2176, A bill for an act relating to transportation; highways; appropriating money for an underpass on marked Trunk Highway 65; authorizing the sale and issuance of state bonds.

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

Moran introduced:

H. F. No. 2177, A bill for an act relating to human services; providing a grant for transitional housing; appropriating money.

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

Moran introduced:

H. F. No. 2178, A bill for an act relating to education; appropriating money for a general equivalency diploma (GED) training program.

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

Davids introduced:

H. F. No. 2179, A bill for an act relating to taxation; individual income; providing sourcing rules for certain income; amending Minnesota Statutes 2014, section 290.191, subdivision 5.

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

Fischer, Runbeck, Lillie and Dean, M., introduced:

H. F. No. 2180, A bill for an act relating to water; appropriating money for a joint powers agreement and planning to address water issues concerning White Bear Lake.

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

Baker introduced:

H. F. No. 2181, A bill for an act relating to human services; modifying provisions governing psychiatric contract beds; amending Minnesota Statutes 2014, section 256.9693.

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

Davids introduced:

H. F. No. 2182, A bill for an act relating to taxation; tobacco; changing the tax rate for nicotine solution used in electronic cigarettes; amending Minnesota Statutes 2014, sections 297F.01, subdivision 19, by adding subdivisions; 297F.05, subdivision 3, by adding subdivisions; 297F.06, subdivisions 1, 4; 325F.77, subdivision 4.

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

Fenton, Ward and Lohmer introduced:

H. F. No. 2183, A bill for an act relating to capital investment; appropriating money for a fully accessible and inclusive playground in Woodbury; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Moran introduced:

H. F. No. 2184, A bill for an act relating to health; appropriating money for grants to support healthy children, families, and communities; requiring a report.

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

Moran introduced:

H. F. No. 2185, A bill for an act relating to employment; appropriating money for a grant to Ujamaa Place.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Dauids introduced:

H. F. No. 2186, A bill for an act relating to taxation; individual income; modifying the dependent care credit; amending Minnesota Statutes 2014, section 290.067, subdivision 1.

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

Dauids introduced:

H. F. No. 2187, A bill for an act relating to parks and trails; appropriating money for the Wagon Wheel Trail.

The bill was read for the first time and referred to the Committee on Legacy Funding Finance.

Dauids introduced:

H. F. No. 2188, A bill for an act relating to parks and trails; appropriating money for the Wagon Wheel Trail.

The bill was read for the first time and referred to the Committee on Legacy Funding Finance.

Mahoney, Hausman and Gunther introduced:

H. F. No. 2189, A bill for an act relating to capital investment; appropriating money for expansion of the University Enterprise Laboratories building; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Job Growth and Energy Affordability Policy and Finance.

Erhardt introduced:

H. F. No. 2190, A bill for an act relating to state government; increasing the budget reserve.

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

Marquart and Lien introduced:

H. F. No. 2191, A bill for an act relating to taxation; property; excluding agricultural property from school capital levies; providing tax base replacement aid; creating a new equalization aid formula for school bonds approved on or after July 1, 2015; appropriating money; amending Minnesota Statutes 2014, sections 123B.53, subdivision 1; 123B.54; 123B.55; 126C.01, by adding subdivisions; 275.08, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 123B.

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

Marquart, Lien and Johnson, C., introduced:

H. F. No. 2192, A bill for an act relating to taxation; property; increasing the agricultural market value credit and extending it to nonhomestead agricultural properties; amending Minnesota Statutes 2014, sections 273.1384, subdivision 2; 273.1392; 275.065, subdivision 3; 276.04, subdivision 2; 469.175, subdivision 6.

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

### **MESSAGES FROM THE SENATE**

The following message was received from the Senate:

Mr. Speaker:

I have the honor to announce that the Senate has appointed a committee of five members of the Senate to act with a like committee on the part of the House of Representatives to escort the Honorable Mark Dayton, Governor of the State of Minnesota, to the House Chamber on the occasion of the Joint Convention on Thursday, April 9, 2015, at 6:45 p.m.

Senators Benson, Dibble, Franzen, Westrom and Wiger have been appointed as members of such committee on the part of the Senate.

JOANNE M. ZOFF, Secretary of the Senate

### **CALENDAR FOR THE DAY**

H. F. No. 283, A bill for an act relating to the military; designating certain lands around Camp Ripley as sentinel landscape; creating a coordinating committee; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 190.

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

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Heintzeman	Lien	Nelson	Scott
Allen	Dehn, R.	Hertaus	Lillie	Newberger	Selcer
Anderson, P.	Dettmer	Hilstrom	Loeffler	Newton	Simonson
Anderson, S.	Dill	Hoppe	Loon	Nornes	Slocum
Anzelc	Drazkowski	Hornstein	Loonan	O'Driscoll	Smith
Applebaum	Erhardt	Hortman	Lucero	O'Neill	Swedzinski
Atkins	Erickson	Howe	Lueck	Pelowski	Theis
Backer	Fabian	Isaacson	Mack	Peppin	Thissen
Baker	Fenton	Johnson, B.	Mahoney	Petersburg	Torkelson
Barrett	Fischer	Johnson, C.	Marquart	Peterson	Uglen
Bennett	Franson	Johnson, S.	Masin	Pierson	Urdahl
Bernardy	Freiberg	Kahn	McDonald	Pinto	Vogel
Bly	Garofalo	Kelly	McNamara	Poppe	Wagenius
Carlson	Green	Kiel	Melin	Quam	Ward
Christensen	Gruenhagen	Knoblach	Metsa	Rarick	Whelan
Clark	Gunther	Koznick	Miller	Rosenthal	Wills
Considine	Hackbarth	Kresha	Moran	Runbeck	Winkler
Cornish	Hamilton	Laine	Mullery	Sanders	Yarusso
Daniels	Hancock	Lenczewski	Murphy, E.	Schoen	Youakim
Davids	Hansen	Lesch	Murphy, M.	Schomacker	Zerwas
Davnie	Hausman	Liebling	Nash	Schultz	Spk. Daudt

The bill was passed and its title agreed to.

H. F. No. 307, A bill for an act relating to transportation; commerce; providing for proof of insurance in electronic format; amending Minnesota Statutes 2014, section 169.791, subdivisions 1, 2.

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 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Christensen	Fabian	Heintzeman	Knoblach	Mack
Allen	Clark	Fenton	Hertaus	Koznick	Mahoney
Anderson, P.	Considine	Fischer	Hilstrom	Kresha	Marquart
Anderson, S.	Cornish	Franson	Hoppe	Laine	Masin
Anzelc	Daniels	Freiberg	Hornstein	Lenczewski	McDonald
Applebaum	Davids	Garofalo	Hortman	Lesch	McNamara
Atkins	Davnie	Green	Howe	Liebling	Melin
Backer	Dean, M.	Gruenhagen	Isaacson	Lien	Metsa
Baker	Dehn, R.	Gunther	Johnson, B.	Lillie	Miller
Barrett	Dettmer	Hackbarth	Johnson, C.	Loeffler	Moran
Bennett	Dill	Hamilton	Johnson, S.	Loon	Mullery
Bernardy	Drazkowski	Hancock	Kahn	Loonan	Murphy, E.
Bly	Erhardt	Hansen	Kelly	Lucero	Murphy, M.
Carlson	Erickson	Hausman	Kiel	Lueck	Nash

Nelson	Peppin	Rosenthal	Simonson	Urdahl	Youakim
Newberger	Petersburg	Runbeck	Slocum	Vogel	Zerwas
Newton	Peterson	Sanders	Smith	Wagenius	Spk. Daudt
Nornes	Pierson	Schoen	Swedzinski	Ward	
Norton	Pinto	Schomacker	Theis	Whelan	
O'Driscoll	Poppe	Schultz	Thissen	Wills	
O'Neill	Quam	Scott	Torkelson	Winkler	
Pelowski	Rarick	Selcer	Uglem	Yarusso	

The bill was passed and its title agreed to.

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

Peppin from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Monday, April 13, 2015 and established a prefilng requirement for amendments offered to the following bills:

S. F. No. 1563; and H. F. No. 1725.

#### MOTIONS AND RESOLUTIONS

Zerwas moved that the name of Dill be added as an author on H. F. No. 425. The motion prevailed.

Kresha moved that the name of Erhardt be added as an author on H. F. No. 438. The motion prevailed.

Howe moved that the name of Anderson, S., be added as an author on H. F. No. 495. The motion prevailed.

Gunther moved that the name of Erhardt be added as an author on H. F. No. 519. The motion prevailed.

Kresha moved that the name of Dill be added as an author on H. F. No. 583. The motion prevailed.

Isaacson moved that his name be stricken as an author on H. F. No. 647. The motion prevailed.

Franson moved that the names of Hertaus, Scott, Wills, Albright, Heintzeman, Rarick, Garofalo, Sanders, Hoppe, Newberger, Gunther and Rosenthal be added as authors on H. F. No. 683. The motion prevailed.

Loonan moved that the name of Allen be added as an author on H. F. No. 713. The motion prevailed.

Hilstrom moved that the name of Gruenhagen be added as an author on H. F. No. 889. The motion prevailed.

Considine moved that the name of Lien be added as an author on H. F. No. 1083. The motion prevailed.

Garofalo moved that the name of Isaacson be added as an author on H. F. No. 1085. The motion prevailed.

Hertaus moved that the name of Lucero be added as an author on H. F. No. 1119. The motion prevailed.

Davnie moved that the name of Wills be added as an author on H. F. No. 1217. The motion prevailed.

Sanders moved that the name of Isaacson be added as an author on H. F. No. 1280. The motion prevailed.

McNamara moved that the name of Schomacker be added as an author on H. F. No. 1298. The motion prevailed.

Schoen moved that the name of Rosenthal be added as an author on H. F. No. 1500. The motion prevailed.

Metsa moved that the name of Lueck be added as an author on H. F. No. 1516. The motion prevailed.

Fischer moved that the name of Hausman be added as an author on H. F. No. 1655. The motion prevailed.

Pinto moved that the names of Dill and Drazkowski be added as authors on H. F. No. 1776. The motion prevailed.

Pinto moved that the name of Johnson, S., be added as an author on H. F. No. 1789. The motion prevailed.

Bly moved that the name of Hausman be added as an author on H. F. No. 1819. The motion prevailed.

Schoen moved that the names of Allen and Fischer be added as authors on H. F. No. 1907. The motion prevailed.

Fenton moved that the name of Dettmer be added as an author on H. F. No. 1981. The motion prevailed.

Vogel moved that the names of Hertaus, Lucero and Lohmer be added as authors on H. F. No. 2142. The motion prevailed.

Erickson moved that the name of Lucero be added as an author on H. F. No. 2158. The motion prevailed.

Erickson moved that the name of Lucero be added as an author on H. F. No. 2159. The motion prevailed.

Kahn moved that the name of Lucero be added as an author on H. F. No. 2166. The motion prevailed.

Winkler moved that H. F. No. 43 be recalled from the Committee on Government Operations and Elections Policy and be re-referred to the Committee on State Government Finance.

A roll call was requested and properly seconded.

The question was taken on the Winkler motion and the roll was called. There were 58 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Allen	Clark	Freiberg	Johnson, C.	Lien	Metsa
Anzelc	Considine	Hansen	Johnson, S.	Lillie	Moran
Applebaum	Davnie	Hausman	Kahn	Loeffler	Mullery
Atkins	Dehn, R.	Hilstrom	Laine	Mahoney	Murphy, E.
Bernardy	Dill	Hornstein	Lenczewski	Marquart	Murphy, M.
Bly	Erhardt	Hortman	Lesch	Masin	Nelson
Carlson	Fischer	Isaacson	Liebling	Melin	Newton

Norton	Poppe	Schultz	Slocum	Ward	Youakim
Pelowski	Rosenthal	Selcer	Thissen	Winkler	
Pinto	Schoen	Simonson	Wagenius	Yarusso	

Those who voted in the negative were:

Albright	Dettmer	Hancock	Loonan	Peppin	Theis
Anderson, P.	Drazkowski	Heintzeman	Lucero	Petersburg	Torkelson
Anderson, S.	Erickson	Hertaus	Lueck	Peterson	Uglen
Backer	Fabian	Hoppe	Mack	Pierson	Urdahl
Baker	Fenton	Howe	McDonald	Quam	Vogel
Barrett	Franson	Johnson, B.	McNamara	Rarick	Whelan
Bennett	Garofalo	Kelly	Miller	Runbeck	Wills
Christensen	Green	Kiel	Nash	Sanders	Zerwas
Cornish	Gruenhagen	Knoblach	Newberger	Schomacker	Spk. Daudt
Daniels	Gunther	Koznick	Nornes	Scott	
Davids	Hackbarth	Kresha	O'Driscoll	Smith	
Dean, M.	Hamilton	Loon	O'Neill	Swedzinski	

The motion did not prevail.

Sanders moved that H. F. No. 177, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

Mack moved that H. F. No. 321, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

Hortman moved that H. F. No. 385, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

Rosenthal moved that H. F. No. 1530 be recalled from the Committee on Job Growth and Energy Affordability Policy and Finance and be re-referred to the Committee on Taxes. The motion prevailed.

#### MOTION TO FIX TIME TO CONVENE

Peppin moved that when the House adjourns today it adjourn until 3:30 p.m., Monday, April 13, 2015. The motion prevailed.

Peppin moved that the House recess subject to the call of the Chair for the purpose of meeting with the Senate in Joint Convention to hear the address by the Governor. The motion prevailed.

RECESS

RECONVENED

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

Anzels, Erhardt and Hansen were excused for the remainder of today's session.

The Sergeant at Arms announced the arrival of the members of the Senate and they were escorted to the seats reserved for them at the front of the Chamber.

#### JOINT CONVENTION

The Speaker of the House as President of the Joint Convention called the Joint Convention to order.

Prayer was offered by the Reverend Dr. Charles L. Gill, Pilgrim Baptist Church, St. Paul, Minnesota.

The roll being called the following Senators answered to their names: Anderson, Bakk and Benson.

Senator Bakk moved that further proceedings of the roll call be dispensed with. The motion prevailed and a quorum was declared present.

The Sergeant at Arms announced the arrival of the Honorable Lorie Skjerven Gildea, Chief Justice of the Supreme Court, and the Honorable Associate Justices of the Supreme Court, plus the Honorable Edward J. Cleary, Chief Judge of the Court of Appeals of the State of Minnesota. They were escorted to the seats reserved for them near the rostrum.

The Sergeant at Arms announced the arrival of the Constitutional Officers of the State of Minnesota: Steve Simon, Secretary of State; Rebecca Otto, State Auditor; and Lori Swanson, Attorney General. The Constitutional Officers were escorted to the seats reserved for them.

The Sergeant at Arms announced the arrival of the Honorable Wendell R. Anderson, former Governor of the State of Minnesota. The former Governor was escorted to the seat reserved for him.

The Sergeant at Arms announced the arrival of the 42nd Vice President of the United States, Walter F. Mondale. The former Vice President was escorted to the seat reserved for him.

The Sergeant at Arms announced the arrival of the Honorable Tina Smith, Lieutenant Governor of the State of Minnesota. The Lieutenant Governor was escorted to the seat reserved for her at the rostrum.

The Sergeant at Arms announced the arrival of the Honorable Mark Dayton, Governor of the State of Minnesota, and his official party. The Governor was escorted to the rostrum by the appointed committees.

#### ADDRESS BY THE GOVERNOR

As President of the Joint Convention, the Honorable Kurt Daudt presented the Honorable Mark Dayton, Governor of the State of Minnesota, to deliver his "State of the State Address" to the members of the Joint Convention and their guests.

Following the address, Senator Bakk moved that the Joint Convention adjourn. The motion prevailed and the President declared the Joint Convention adjourned.

RECONVENED

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

ADJOURNMENT

Peppin moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 3:30 p.m., Monday, April 13, 2015.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

