

FORTIETH DAY

St. Paul, Minnesota, Tuesday, April 4, 2017

The Senate met at 9:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Gazelka imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Joy McDonald Coltvet.

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

The roll was called, and the following Senators answered to their names:

Abeler	Eaton	Isaacson	Marty	Senjem
Anderson, B.	Eichorn	Jasinski	Mathews	Simonson
Anderson, P.	Eken	Jensen	Miller	Sparks
Bakk	Fischbach	Johnson	Nelson	Tomassoni
Benson	Franzen	Kent	Newman	Torres Ray
Carlson	Frentz	Kiffmeyer	Newton	Utke
Chamberlain	Gazelka	Klein	Osmek	Weber
Clausen	Goggin	Koran	Pappas	Westrom
Cohen	Hall	Laine	Pratt	Wiger
Cwodzinski	Hawj	Lang	Relph	Wiklund
Dahms	Hayden	Latz	Rest	
Dibble	Hoffman	Limmer	Rosen	
Draheim	Housley	Little	Ruud	
Dziedzic	Ingebrigtsen	Lourey	Schoen	

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 9, 2017

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

PLUMBING BOARD

Tom Andresen, 7306 - 19th St., Princeton, in the county of Mille Lacs, effective March 13, 2017, for a term expiring on December 31, 2019.

Jeff Brown, 308 Kelly Cir., Duluth, in the county of Saint Louis, effective March 13, 2017, for a term expiring on December 31, 2019.

Michael Dryke, 4701 Mike Colalillo Dr., Duluth, in the county of Saint Louis, effective March 13, 2017, for a term expiring on December 31, 2017.

John Flagg, 3017 Croft Dr., Saint Anthony, in the county of Hennepin, effective March 13, 2017, for a term expiring on December 31, 2019.

Richard Jacobs, 8261 College Tr., Inver Grove Heights, in the county of Dakota, effective March 13, 2017, for a term expiring on December 31, 2019.

Phillip Sterner, 7373 - 147th St. W., #158, Apple Valley, in the county of Dakota, effective March 13, 2017, for a term expiring on December 31, 2019.

David Wagner, 1900 N. Rice St., Saint Paul, in the county of Ramsey, effective March 13, 2017, for a term expiring on December 31, 2019.

(Referred to the Committee on Jobs and Economic Growth Finance and Policy.)

March 9, 2017

The Honorable Michelle L. Fischbach
President of the Senate

Dear Senator Fischbach:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

BOARD OF ELECTRICITY

Alfreda Daniels, 15950 - 65th Ave. N., #229, Brooklyn Park, in the county of Hennepin, effective March 13, 2017, for a term expiring on December 31, 2019.

Cole Funseth, 360 - 1st St. N., #342, Minneapolis, in the county of Hennepin, effective March 13, 2017, for a term expiring on December 31, 2019.

Derrick Givens, 7524 Xerxes Ave. N., Brooklyn Park, in the county of Hennepin, effective March 13, 2017, for a term expiring on December 31, 2019.

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Duane Hendricks, 15182 - 82nd Ave. N., Maple Grove, in the county of Hennepin, effective March 13, 2017, for a term expiring on December 31, 2019.

Peter Lindahl, 199 Mallard Dr., Shakopee, in the county of Scott, effective March 13, 2017, for a term expiring on December 31, 2019.

(Referred to the Committee on Jobs and Economic Growth Finance and Policy.)

Sincerely,
Mark Dayton, Governor

April 3, 2017

The Honorable Michelle L. Fischbach
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State, Chapter 11, S.F. No. 662, and Chapter 12, S.F. No. 151.

Sincerely,
Mark Dayton, Governor

April 3, 2017

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2017 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:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2017	Date Filed 2017
662		11	12:09 p.m. April 3	April 3
151		12	11:08 a.m. April 3	April 3
	837	14	12:10 p.m. April 3	April 3

Sincerely,
Steve Simon
Secretary of State

April 3, 2017

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Michelle L. Fischbach
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2017 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2017	Date Filed 2017
	5	13	Deposited Without Governor's Signature	April 3

Sincerely,
Steve Simon
Secretary of State

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Fischbach introduced--

S.F. No. 2307: A bill for an act relating to capital investment; appropriating money for a pedestrian bridge in St. Joseph; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Weber and Westrom introduced--

S.F. No. 2308: A bill for an act relating to taxation; property; modifying use of exempt property by a private entity; adding an exemption for certain conservation purposes; amending Minnesota Statutes 2016, section 272.01, subdivision 2.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senator Newton moved that his name be stricken as a co-author to S.F. No. 892. The motion prevailed.

Senator Eichorn introduced --

Senate Resolution No. 69: A Senate resolution congratulating the Grand Rapids High School boys hockey team on winning the 2017 State High School Class AA boys hockey championship.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated H.F. No. 890 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 890: A bill for an act relating to education finance; providing funding in early childhood, kindergarten through grade 12, and adult education, including general education, education excellence, teachers, special education, facilities and technology, nutrition, libraries, early childhood and family support, community education and prevention, self-sufficiency and lifelong learning, and state agencies; making forecast adjustments; requiring a report; appropriating money; amending Minnesota Statutes 2016, sections 13.321, by adding a subdivision; 13.461, by adding a subdivision; 43A.08, subdivisions 1, 1a; 120A.22, subdivision 9; 120A.41; 120B.021, subdivisions 1, 3; 120B.022, subdivision 1b; 120B.12, subdivision 2; 120B.22, subdivision 2; 120B.23, subdivision 3; 120B.232, subdivision 1; 120B.30, subdivision 1; 120B.31, subdivision 4, by adding a subdivision; 120B.35, subdivision 3; 120B.36, subdivision 1; 121A.22, subdivision 2; 121A.221; 122A.09, subdivision 4a; 122A.14, subdivision 9; 122A.18, subdivisions 7c, 8; 122A.21, subdivisions 1, 2, by adding a subdivision; 122A.245, subdivisions 1, 2, 3, 10; 122A.40, subdivision 10; 122A.41, by adding a subdivision; 122A.415, subdivision 4; 122A.416; 123A.30, subdivision 6; 123A.73, subdivision 2; 123B.41, subdivisions 2, 5a; 123B.52, subdivision 1, by adding a subdivision; 123B.595, subdivisions 1, 4; 123B.92, subdivision 1; 124D.03, subdivision 5a; 124D.05, subdivision 3; 124D.09, subdivisions 3, 5, 9, 12, 13, by adding subdivisions; 124D.095, subdivision 3; 124D.1158, subdivisions 3, 4; 124D.135, subdivision 1; 124D.15, subdivision 1; 124D.16, subdivision 2; 124D.165, subdivisions 1, 2, 3, 4; 124D.531, subdivision 1; 124D.549; 124D.55; 124D.59, subdivision 2; 124D.68, subdivision 2; 124E.03, subdivision 2; 124E.11; 125A.08; 125A.0941; 125A.11, subdivision 1; 125A.21, subdivision 2; 125A.515; 125A.56, subdivision 1; 125A.74, subdivision 1; 126C.05, subdivisions 1, 8; 126C.10, subdivisions 2, 2a, 3, 13a; 127A.41, subdivision 3; 127A.45, subdivision 10; 134.31, subdivision 2; 136A.1791, subdivisions 1, 2, 9; 256B.0625, subdivision 26; 256J.08, subdivisions 38, 39; 297A.70, subdivision 2; Laws 2015, First Special Session chapter 3, article 1, section 27, subdivisions 2, as amended, 3, 4, as amended, 6, as amended, 7, as amended, 9, as amended; article 2, section 70, subdivisions 2, as amended, 3, as amended, 4, as amended, 5, as amended, 7, as amended, 11, as amended; article 4, section 9, subdivision 2, as amended; article 5, section 30, subdivisions 2, as amended, 3, as amended, 5, as amended, 6; article 6, section 13, subdivisions 2, as amended, 3, as amended; article 7, section 7, subdivisions 2, as amended, 3, as amended, 4, as amended; article 9, section 8, subdivisions 5, as amended, 6, as amended; article 10, section 3, subdivision 2, as amended; article 11, section 3, subdivision 2, as amended; Laws 2016, chapter 189, article 25, sections 58; 62, subdivisions 7, 11, 17; proposing coding for new law in Minnesota Statutes, chapters 120A; 120B; 121A; 122A; 124D; 125A; 126C; 127A; 136A; proposing coding for new law as Minnesota Statutes, chapter 119C; repealing Minnesota Statutes 2016, sections 122A.40, subdivision 11; 122A.41, subdivision 14; 123A.73, subdivision 3; 124D.151; 124D.73, subdivision 2; 129C.10; 129C.105; 129C.15; 129C.20; 129C.25; 129C.26; 129C.30; Minnesota

Rules, parts 3500.3100, subpart 4; 3600.0010, subparts 1, 2, 2a, 2b, 3, 6; 3600.0020; 3600.0030, subparts 1, 2, 4, 6; 3600.0045; 3600.0055; 3600.0065; 3600.0075; 3600.0085.

Senator Nelson moved to amend H.F. No. 890, as amended pursuant to Rule 45, adopted by the Senate April 3, 2017, as follows:

(The text of the amended House File is identical to S.F. No. 718.)

Page 121, delete lines 28 to 31 and insert:

"Subd. 2. **Proceeds of sale of Crosswinds school.** If the sale of the Crosswinds school and deposit of sale proceeds in the state bond fund would reduce the amount of the required transfer from the general fund to the state bond fund under Minnesota Statutes, section 16A.641, subdivision 10, on the December 1 following the sale, an amount equal to the amount of the reduction in the required transfer is appropriated from the general fund to the Teachers Retirement Association in fiscal year 2019."

The motion prevailed. So the amendment was adopted.

Senator Nelson moved to amend H.F. No. 890, as amended pursuant to Rule 45, adopted by the Senate April 3, 2017, as follows:

(The text of the amended House File is identical to S.F. No. 718.)

Page 74, line 9, after the period, insert "Notwithstanding Minnesota Rules, part 3505.1000, subparts 28 and 31, the student organizations serving FCCLA shall continue to serve students younger than grade 9."

The motion prevailed. So the amendment was adopted.

Senator Kent moved to amend H.F. No. 890, as amended pursuant to Rule 45, adopted by the Senate April 3, 2017, as follows:

(The text of the amended House File is identical to S.F. No. 718.)

Page 152, after line 14, insert:

"Sec. 17. Minnesota Statutes 2016, section 129C.10, subdivision 1, is amended to read:

Subdivision 1. **Governance.** (a) The board of the Perpich Center for Arts Education shall consist of 15 persons, one of whom must have served as a school administrator or as an elected school board member, one of whom is a locally or regionally recognized professional artist, one of whom is a secondary or postsecondary arts educator, and one of whom has experience administering a statewide outreach program. The members of the board shall be appointed by the governor with the advice and consent of the senate. At least one member must be appointed from each congressional district.

(b) All board members must complete board training requirements consistent with section 127A.19.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to board member appointments made after that date. The governor shall determine which board member terms end on the effective date of this section to appoint four qualified board members.

Sec. 18. Minnesota Statutes 2016, section 129C.10, subdivision 3b, is amended to read:

Subd. 3b. **Appeal.** A parent who disagrees with a board action that adversely affects the academic program of an enrolled pupil may appeal the board's action to the commissioner of education within ~~30~~ 60 days of the board's action. The decision of the commissioner shall be binding on the board. The board must inform each pupil and parent at the time of enrolling of a parent's right to appeal a board action affecting the pupil's academic program.

Sec. 19. Minnesota Statutes 2016, section 129C.10, subdivision 4, is amended to read:

Subd. 4. **Employees.** (a)(1) The board must appoint a director of the Center for Arts Education who shall serve in the unclassified service. The director must be a licensed school superintendent.

(2) The board must employ, upon recommendation of the director, a coordinator of resource programs who shall serve in the unclassified service.

(3) The board must employ, upon recommendation of the director, up to six department chairs and at least one licensed secondary school principal who shall serve in the unclassified service. The chairs shall be licensed teachers unless no licensure exists for the subject area or discipline for which the chair is hired.

(4) The board may employ other necessary employees, upon recommendation of the director.

(5) The board must employ, upon recommendation of the director, an executive secretary for the director, who shall serve in the unclassified service.

(b) The employees hired under this subdivision and other necessary employees hired by the board shall be state employees in the executive branch."

Page 153, after line 12, insert:

"Sec. 22. **REPORT; PERPICH CENTER FOR ARTS EDUCATION.**

The director of the Perpich Center for Arts Education must report annually for the next five years to the chairs and the ranking minority members of the legislative committees having jurisdiction over kindergarten through grade 12 education on the center's progress in addressing the findings in the Office of the Legislative Auditor's "Perpich Center for Arts Education Internal Controls and Compliance Audit" report, dated January 19, 2017, and the 2017 evaluation report. The first report must be submitted by December 15, 2017. Subsequent reports must be submitted each year on December 15 with the final report due on December 17, 2022."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Pratt moved to amend the Kent amendment to H.F. No. 890 as follows:

Page 1, delete lines 4 to 30

Page 2, delete lines 1 to 10

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

Senator Ruud moved to amend the Kent amendment to H.F. No. 890 as follows:

Page 2, line 15, after "education" insert "and legacy finance"

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

The question recurred on the adoption of the Kent amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

Senator Schoen moved to amend H.F. No. 890, as amended pursuant to Rule 45, adopted by the Senate April 3, 2017, as follows:

(The text of the amended House File is identical to S.F. No. 718.)

Page 121, line 19, after "conveyed" insert "or sold"

Senator Schoen moved to amend the Schoen amendment to H.F. No. 890 as follows:

Page 1, after line 4, insert:

"Page 121, delete lines 28 to 31 and insert:

"Subd. 2. **Proceeds of sale of Crosswinds school.** If the sale of the Crosswinds school and deposit of sale proceeds in the state bond fund would reduce the amount of the required transfer from the general fund to the state bond fund under Minnesota Statutes, section 16A.641, subdivision 10, on the December 1 following the sale, an amount equal to the amount of the reduction in the required transfer is appropriated from the general fund to the commissioner of education for a onetime aid payment to tribal contract schools in Minnesota in proportion to their enrollment in fiscal year 2019."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

CALL OF THE SENATE

Senator Miller imposed a call of the Senate for the balance of the proceedings on the Schoen amendment to the amendment to H.F. No. 890. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Schoen amendment to the Schoen amendment.

The roll was called, and there were yeas 31 and nays 34, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Isaacson	Marty	Torres Ray
Carlson	Eken	Kent	Newton	Wiger
Clausen	Franzen	Klein	Pappas	Wiklund
Cohen	Frentz	Laine	Schoen	
Cwodzinski	Hawj	Latz	Simonson	
Dibble	Hayden	Little	Sparks	
Dziedzic	Hoffman	Lourey	Tomassoni	

Those who voted in the negative were:

Abeler	Eichorn	Jasinski	Mathews	Rosen
Anderson, B.	Fischbach	Jensen	Miller	Ruud
Anderson, P.	Gazelka	Johnson	Nelson	Senjem
Benson	Goggin	Kiffmeyer	Newman	Utke
Chamberlain	Hall	Koran	Osmek	Weber
Dahms	Housley	Lang	Pratt	Westrom
Draheim	Ingebrigtsen	Limmer	Relph	

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

Senator Schoen moved to amend the first Schoen amendment to H.F. No. 890 as follows:

Page 1, after line 3, insert:

"Page 71, after line 31, insert:

"Sec. 46. **AFTER-SCHOOL COMMUNITY LEARNING GRANTS.**

Subdivision 1. Grant program established. A competitive grant program is established to support community-based organizations, schools, political subdivisions, or child care centers that service young people in kindergarten through grade 12 after school or during nonschool hours. Grants must be used to offer enrichment activities that promote positive youth development, including mentoring, leadership, community engagement, agriculture, art, music, literacy, science, technology, engineering, mathematics, health, and recreation programs.

Subd. 2. Application. The commissioner of education shall develop the form and method for applying for the grants. The application must include information on the applicant's outreach to children and youth that qualify for free or reduced-price lunch and two-year measurable goals and activities linked to research or best practices. The commissioner may consider the following criteria to allocate the grants:

(1) increasing access to protective factors that build young people's capacity to become productive adults, such as connections to a caring adult;

(2) developing children's skills and behaviors necessary to succeed in postsecondary education and career opportunities; and

(3) encouraging attendance and improving performance in school.

Subd. 3. Grant awards. To the extent practicable, the selection of applicants shall result in an equitable distribution of grant awards among geographic areas within Minnesota, including rural, suburban, and urban communities. The commissioner shall also give priority to programs that collaborate with and leverage existing community resources that have demonstrated effectiveness.

Applicants selected as grantees are eligible to receive a two-year renewable grant, contingent upon satisfactory progress toward goals and objectives and the availability of funds."

Page 1, after line 4, insert:

"Page 121, delete lines 28 to 31 and insert:

"Subd. 2. **Proceeds of sale of Crosswinds school.** If the sale of the Crosswinds school and deposit of sale proceeds in the state bond fund would reduce the amount of the required transfer from the general fund to the state bond fund under Minnesota Statutes, section 16A.641, subdivision 10, on the December 1 following the sale, an amount equal to the amount of the reduction in the required transfer is appropriated from the general fund to the commissioner of education for after school community learning grants under article 2, section 46 of this act in fiscal year 2019."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly"

Senator Nelson requested division of the Schoen amendment to the amendment:

First portion:

Page 1, after line 4, insert:

"Page 121, delete lines 28 to 31 and insert:

"Subd. 2. **Proceeds of sale of Crosswinds school.** If the sale of the Crosswinds school and deposit of sale proceeds in the state bond fund would reduce the amount of the required transfer from the general fund to the state bond fund under Minnesota Statutes, section 16A.641, subdivision 10, on the December 1 following the sale, an amount equal to the amount of the reduction in the required transfer is appropriated from the general fund to the commissioner of education for after school community learning grants under article 2, section 46 of this act in fiscal year 2019."

CALL OF THE SENATE

Senator Miller imposed a call of the Senate for the balance of the proceedings on the first Schoen amendment to H.F. No. 890. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the first portion of the Schoen amendment to the Schoen amendment.

The roll was called, and there were yeas 32 and nays 33, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Hoffman	Lourey	Tomassoni
Carlson	Eichorn	Isaacson	Marty	Torres Ray
Clausen	Eken	Kent	Newton	Wiger
Cohen	Franzen	Klein	Pappas	Wiklund
Cwodzinski	Frentz	Laine	Schoen	
Dibble	Hawj	Latz	Simonson	
Dziedzic	Hayden	Little	Sparks	

Those who voted in the negative were:

Abeler	Fischbach	Jensen	Miller	Ruud
Anderson, B.	Gazelka	Johnson	Nelson	Senjem
Anderson, P.	Goggin	Kiffmeyer	Newman	Utke
Benson	Hall	Koran	Osmek	Weber
Chamberlain	Housley	Lang	Pratt	Westrom
Dahms	Ingebrigtsen	Limmer	Relph	
Draheim	Jasinski	Mathews	Rosen	

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

Senator Schoen withdrew the remainder of his amendment to the amendment.

The question recurred on the adoption of the first Schoen amendment. The motion prevailed. So the amendment was adopted.

Senator Marty moved to amend H.F. No. 890, as amended pursuant to Rule 45, adopted by the Senate April 3, 2017, as follows:

(The text of the amended House File is identical to S.F. No. 718.)

Pages 2 to 4, delete sections 1 to 4

Pages 5 to 7, delete sections 7 to 9

Pages 11 to 12, delete sections 11 and 12

Page 14, delete section 15

Page 18, delete sections 20 and 1

Pages 20 to 22, delete sections 2 to 4

Page 27, delete section 6

Pages 38 to 42, delete sections 9 to 12

Pages 47 to 48 , delete sections 14 to 16

Pages 49 to 50, delete sections 18 to 20

Page 51, delete section 22

Pages 53 to 66, delete sections 26 to 37

Page 67, delete section 39

Page 69, delete section 42

Page 70, delete section 44

Page 82, delete section 47

Page 105, delete section 1

Page 110, delete section 4

Page 118, delete section 11

Pages 119 to 120, delete sections 1 to 5

Page 123, delete line 20

Page 123, line 21, delete "(b)"

Page 123, line 22, delete "Paragraph (a) is effective retroactively to January 1, 2017" and insert "This section is effective July 1, 2017"

Page 123, delete line 23

Page 124, delete section 1

Pages 126 to 127, delete sections 1 to 3

Pages 136 to 138, delete sections 1 to 5

Page 139, delete sections 7 and 8

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 27 and nays 37, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Kent	Marty	Torres Ray
Clausen	Franzen	Klein	Newton	Wiger
Cohen	Frentz	Laine	Pappas	Wiklund
Cwodzinski	Hawj	Latz	Schoen	
Dibble	Hayden	Little	Senjem	
Dziedzic	Isaacson	Lourey	Simonson	

Those who voted in the negative were:

Abeler	Eken	Jasinski	Miller	Sparks
Anderson, B.	Fischbach	Jensen	Nelson	Tomassoni
Anderson, P.	Gazelka	Johnson	Newman	Utke
Benson	Goggin	Kiffmeyer	Osmek	Weber
Chamberlain	Hall	Koran	Pratt	Westrom
Dahms	Hoffman	Lang	Relph	
Draheim	Housley	Limmer	Rosen	
Eichorn	Ingebrigtsen	Mathews	Ruud	

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

H.F. No. 890 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 38 and nays 28, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Ingebrigtsen	Mathews	Ruud
Anderson, B.	Fischbach	Jasinski	Miller	Senjem
Anderson, P.	Franzen	Jensen	Nelson	Utke
Benson	Gazelka	Johnson	Newman	Weber
Chamberlain	Goggin	Kiffmeyer	Osmeck	Westrom
Cohen	Hall	Koran	Pratt	Wiger
Dahms	Hoffman	Lang	Relph	
Draheim	Housley	Limmer	Rosen	

Those who voted in the negative were:

Bakk	Eaton	Kent	Marty	Sparks
Carlson	Eken	Klein	Newton	Tomassoni
Clausen	Frentz	Laine	Pappas	Torres Ray
Cwodzinski	Hawj	Latz	Rest	Wiklund
Dibble	Hayden	Little	Schoen	
Dziedzic	Isaacson	Lourey	Simonson	

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

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Gazelka moved that H.F. No. 861 be taken from the table. The motion prevailed.

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated H.F. No. 861 a Special Order to be heard immediately.

SPECIAL ORDER

H.F. No. 861: A bill for an act relating to transportation finance; establishing the budget for transportation activities; modifying various provisions governing transportation finance and policy; establishing a fund; requiring reports; appropriating money; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2016, sections 16A.88, subdivision 2; 53C.01, subdivision 2; 115A.908, subdivision 2; 117.189; 160.18, by adding a subdivision; 161.081, subdivision 3; 161.088, subdivisions 4, 5, 7; 161.115, subdivision 190; 161.14, by adding subdivisions; 161.321, subdivision 6; 161.38, by adding a subdivision; 161.44, subdivisions 5, 6a, by adding a subdivision; 162.145, subdivision 2; 168.021, subdivisions 1, 2, 2a; 168.27, by adding a subdivision; 168.33, subdivision 2; 168A.09, subdivision 1; 169.011, subdivision 34; 169.18, subdivisions 5, 7; 169.345, subdivisions 1, 3; 169.442, subdivision 5; 169.443, subdivision 2; 169.444, subdivision 2; 169.449, subdivision 1; 169.4501, subdivisions 1, 2; 169.4503, subdivisions 4, 7, 14, 23, 30; 169.64, subdivision 8; 169.865, subdivision 3; 171.02, subdivision 2b; 171.06, subdivision 2a; 171.061, subdivision 3; 171.12, subdivision 6; 173.02, subdivisions 18, 23, by adding subdivisions; 173.06, subdivision 1; 173.07, subdivision 1; 173.08, by adding subdivisions; 173.13, subdivision 11; 173.16, by adding subdivisions; 174.03, subdivisions 1a, 1c, by adding a subdivision; 174.50, subdivisions 5, 6b, 6c, 7; 174.56, subdivisions 1, 2, by adding a subdivision; 174.93; 219.166; 219.20, subdivision 1; 221.031, by adding a subdivision; 222.49; 222.50, subdivision 6, by adding a subdivision; 299D.03, subdivision 6; 473.13, subdivision 1; 473.146, subdivision 3; 473.388, subdivision 4; 473.39, by

adding a subdivision; 473.3994, by adding subdivisions; 473.4051, subdivision 3; Laws 2015, chapter 75, article 1, section 3, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 168; 169; 173; 174; 219; 398A; 471; 473; repealing Minnesota Statutes 2016, sections 161.115, subdivision 32; 169.4502, subdivision 5; 473.4051, subdivision 2; Minnesota Rules, parts 8810.0800, subpart 3; 8810.1300, subpart 4.

Senator Newman moved to amend H.F. No. 861 as follows:

Delete everything after the enacting clause, and delete the title, of H.F. No. 861, and insert the language after the enacting clause, and the title, of S.F. No. 1060, the fifth engrossment.

The motion prevailed. So the amendment was adopted.

H.F. No. 861 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 39 and nays 27, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Miller	Ruud
Anderson, B.	Fischbach	Jensen	Nelson	Senjem
Anderson, P.	Gazelka	Johnson	Newman	Sparks
Bakk	Goggin	Kiffmeyer	Newton	Tomassoni
Benson	Hall	Koran	Osmek	Utke
Chamberlain	Hoffman	Lang	Pratt	Weber
Dahms	Housley	Limmer	Rolph	Westrom
Draheim	Ingebrigtsen	Mathews	Rosen	

Those who voted in the negative were:

Carlson	Eaton	Isaacson	Lourey	Torres Ray
Clausen	Eken	Kent	Marty	Wiger
Cohen	Franzen	Klein	Pappas	Wicklund
Cwodzinski	Frentz	Laine	Rest	
Dibble	Hawj	Latz	Schoen	
Dziedzic	Hayden	Little	Simonson	

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

RECESS

Senator Gazelka moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

APPOINTMENTS

Senator Gazelka from the Subcommittee on Conference Committees recommends that the following Senators be and they hereby are appointed as a Conference Committee on:

H.F. No. 3: Senators Pratt, Newman, and Rest.

Senator Gazelka moved that the foregoing appointments be approved. The motion prevailed.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 140.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 3, 2017

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 140: A bill for an act relating to education; restructuring Minnesota's teacher licensing system; establishing the Professional Educator Licensing and Standards Board; transferring all teacher licensing and support personnel licensing and credentialing authority to the Professional Educator Licensing and Standards Board; providing for rulemaking; requiring a report; amending Minnesota Statutes 2016, sections 120B.363, subdivision 1; 122A.06; 122A.07; 122A.08; 122A.09, subdivisions 1, 2, 3, 4, 4a, 6, 7, 9, 10; 122A.17; 122A.18, subdivisions 1, 2, 2b, 7a, 7c, 8, by adding a subdivision; 122A.19; 122A.20; 122A.22; 122A.23, subdivision 3; 122A.245, subdivisions 1, 2, 3, 5, 6, 9, 10; 122A.26, subdivision 2; 122A.28; 122A.29; 122A.30; 124D.13, subdivision 11; 124D.454, subdivision 12; 124D.75, subdivisions 1, 6; 125A.67, subdivision 2; 127A.05, subdivision 6; 136A.1791, subdivision 1; 214.04, subdivisions 1, 3; 214.045; proposing coding for new law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2016, sections 122A.09, subdivisions 5, 8, 11; 122A.14, subdivision 5; 122A.162; 122A.163; 122A.18, subdivisions 2a, 3, 3a, 4, 4a, 6, 7, 7b; 122A.21, subdivision 2; 122A.23, subdivisions 1, 2; 122A.245, subdivisions 7, 8; 122A.25.

Senator Gazelka moved that H.F. No. 140 be laid on the table. The motion prevailed.

MEMBERS EXCUSED

Senator Champion was excused from the Session of today. Senator Rest was excused from the Session of today from 9:00 a.m. to 12:20 p.m.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 9:30 a.m., Thursday, April 6, 2017. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate