

SIXTY-EIGHTH DAY

St. Paul, Minnesota, Monday, March 10, 2014

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Bakk 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. Dennis Morreim.

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:

Anderson	Dziedzic	Ingebrigtsen	Newman	Schmit
Bakk	Eaton	Jensen	Nienow	Senjem
Benson	Eken	Johnson	Osmek	Sheran
Bonoff	Fischbach	Kent	Pappas	Sieben
Brown	Franzen	Kiffmeyer	Pederson, J.	Skoe
Carlson	Gazelka	Koenen	Petersen, B.	Stumpf
Chamberlain	Goodwin	Latz	Pratt	Thompson
Champion	Hall	Limmer	Reinert	Tomassoni
Clausen	Hann	Lourey	Rest	Torres Ray
Cohen	Hawj	Marty	Rosen	Weber
Dahle	Hayden	Metzen	Ruud	Westrom
Dahms	Hoffman	Miller	Saxhaug	Wiger
Dibble	Housley	Nelson	Scalze	Wiklund

The President declared a quorum present.

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

MESSAGES FROM THE HOUSE

Madam President:

I have the honor to announce the passage by the House of the following Senate File, herewith returned: S.F. No. 629.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned March 6, 2014

Madam President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1777.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted March 6, 2014

FIRST READING OF HOUSE BILLS

The following bill was read the first time.

H.F. No. 1777: A bill for an act relating to taxation; income and franchise; sales and use; conforming to changes in the Internal Revenue Code; extending the working family credit phaseout for married filers; exempting certain business transactions; providing for refunds; appropriating money; amending Minnesota Statutes 2012, sections 289A.02, subdivision 7; 289A.08, subdivision 7; 290.01, subdivision 19a, by adding a subdivision; 290.067, subdivisions 1, 2a; 290.0671, subdivision 1; 290.0675, subdivision 1; 297A.68, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 290.01, subdivisions 19, 19b, 31; 290.06, subdivision 2c; 290.091, subdivision 2; 290A.03, subdivision 15; 297A.61, subdivision 3; 297A.68, subdivision 5; repealing Minnesota Statutes 2013 Supplement, section 297A.61, subdivision 57.

SUSPENSION OF RULES

Senator Hann moved that an urgency be declared within the meaning of Article IV, Section 19, of the Constitution of Minnesota, with respect to H.F. No. 1777 and that the rules of the Senate be so far suspended as to give H.F. No. 1777 its second and third reading and place it on its final passage.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 26 and nays 38, as follows:

Those who voted in the affirmative were:

Anderson	Gazelka	Limmer	Pederson, J.	Weber
Benson	Hall	Miller	Petersen, B.	Westrom
Brown	Hann	Nelson	Pratt	
Chamberlain	Housley	Newman	Rosen	
Dahms	Ingebrigtsen	Nienow	Senjem	
Fischbach	Kiffmeyer	Osmeck	Thompson	

Those who voted in the negative were:

Bakk	Dziedzic	Jensen	Pappas	Skoe
Bonoff	Eaton	Johnson	Reinert	Stumpf
Carlson	Eken	Kent	Rest	Tomassoni
Champion	Franzen	Koenen	Saxhaug	Torres Ray
Clausen	Goodwin	Latz	Scalze	Wiger
Cohen	Hawj	Lourey	Schmit	Wiklund
Dahle	Hayden	Marty	Sheran	
Dibble	Hoffman	Metzen	Sieben	

The motion did not prevail.

H.F. No. 1777 was referred to the Committee on Taxes.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted, with the exception of the report pertaining to appointments. The motion prevailed.

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 1896: A bill for an act relating to state government; modifying laws governing certain executive branch advisory groups; amending Minnesota Statutes 2012, sections 115.741, by adding a subdivision; 144G.06; 252.30; 256B.27, subdivision 3; Minnesota Statutes 2013 Supplement, sections 144.98, subdivision 10; 256B.064, subdivision 1a; repealing Minnesota Statutes 2012, sections 62U.09; 144.011, subdivision 2; 145.98, subdivisions 1, 3; 252.31; 402A.15.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State and Local Government. Report adopted.

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 133: A bill for an act relating to health occupations; establishing licensure for medical laboratory science professionals; creating the Board of Medical Laboratory Science; providing penalties; establishing fees; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 148G.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[148G.01] DEFINITIONS.**

Subdivision 1. **Applicability.** For purposes of this chapter, the following terms have the meanings given them.

Subd. 2. **Accredited medical laboratory educational program.** "Accredited medical laboratory educational program" means a program to provide instruction and experience in medical laboratory science that has been accredited by an accrediting agency recognized by the United States Department of Health and Human Services.

Subd. 3. **Categorical medical laboratory scientist.** "Categorical medical laboratory scientist" means an individual eligible for licensure under this chapter who performs the functions of a medical laboratory scientist in one or more of the following areas of the laboratory depending upon the certification examinations passed: chemistry, hematology, immunohematology, and microbiology.

Subd. 4. **CLIA.** "CLIA" means Clinical Laboratory Improvement Amendments of 1988 and includes Public Law 10-578 and Code of Federal Regulations, title 42, section 493. CLIA regulations provide a minimum foundation upon which personnel standards for entry level technical personnel in this state are built. Qualifications and responsibilities for laboratory director, technical supervisor, and technical consultant are as specified in CLIA regulations. All medical laboratory personnel are under the supervision, control, and responsibility of the laboratory director.

Subd. 5. **Commissioner.** "Commissioner" means the commissioner of health or the commissioner's designee.

Subd. 6. **Cytotechnologist.** "Cytotechnologist" means an individual who specializes in the cellular analysis of patient samples from all body sites, for the purpose of evaluating, detecting, and identifying potential disease processes through the exercise of independent technical judgment, under the supervision, control, and responsibility of the laboratory director, and who:

(1) assists health care providers with the collection, detection, and identification of normal and abnormal cells, infectious agents, and other noncellular material from submitted specimens;

(2) performs a variety of medical laboratory tests that may include the use of molecular techniques with approval and oversight of a medical director, to ascertain information to help in classification of a specimen consistent with the scope of work provided under the Clinical Laboratory Improvement Amendments of 1988;

(3) establishes and implements protocols, quality control, method selection, equipment selection and maintenance, and activities related to the preanalytic, analytic, and postanalytic phases of testing; and

(4) directs, supervises, consults, educates, and performs research functions.

Subd. 7. **Histotechnician.** "Histotechnician" means an individual who, with the approval, supervision, and control of a board-certified anatomic pathologist, may perform the following functions:

(1) prepares tissue specimens for microscopic examination;

(2) monitors, performs, selects, develops, evaluates, correlates, and ensures accuracy and validity of laboratory testing and procedures, including, but not limited to, techniques in fixation, processing, embedding, microtomy, cryotomy, ultramicrotomy, and staining;

(3) prepares gross specimens as defined by and under the direction of a board-certified anatomic pathologist;

(4) establishes and implements protocols, quality assurance, and quality control related to the following procedures: histochemical, immunohistochemical, electron microscopy, cytopreparation, in situ hybridization, enzyme histochemical, DNA hydrolysis, laser capturing, molecular techniques, and research; and

(5) participates in method selection, development, equipment selection and maintenance, and activities related to the preanalytical and analytical phases of tissue preparation.

Subd. 8. **Histotechnologist.** "Histotechnologist" means an individual who, with the approval, supervision, and control of a board-certified anatomic pathologist, may perform the following functions:

(1) prepares tissue specimens for microscopic examination;

(2) monitors, performs, selects, develops, evaluates, correlates, and ensures accuracy and validity of laboratory testing and procedures including, but not limited to, techniques in fixation, processing, embedding, microtomy, cryotomy, ultramicrotomy, and staining;

(3) prepares gross specimens as defined by and under the direction of a board-certified anatomic pathologist;

(4) establishes and implements protocols, quality assurance, and quality control related to the following procedures: histochemical, immunohistochemical, electron microscopy, cytopreparation, in situ hybridization, enzyme histochemical, DNA hydrolysis, laser capturing, molecular techniques, and research;

(5) establishes and implements new protocols and procedures dealing directly in quality assessment, method development, and equipment selection and maintenance and all activities related to preanalytical and analytical phases of tissue preparation; and

(6) directs, supervises, consults, educates, and performs research functions.

Subd. 9. **Independent medical judgment.** In the laboratory, "independent medical judgment" means medical judgment exercised only by a pathologist or other licensed physician in the diagnosis and treatment decisions related to clinical laboratory tests.

Subd. 10. **Independent technical judgment.** "Independent technical judgment" means the performance or conduct of clinical laboratory tests and assumption of responsibility for determination of the validity of clinical laboratory tests. The authorized exercise of independent technical judgment shall not be deemed to include or permit the exercise of independent medical judgment in the diagnosis or treatment of, or reporting of clinical laboratory test results or their interpretation to patients, except as authorized by a laboratory director and according to CLIA.

Subd. 11. **Medical laboratory or laboratory.** "Medical laboratory" or "laboratory" means any facility or office in Minnesota in which medical laboratory tests are performed.

Subd. 12. **Medical laboratory scientist or generalist.** "Medical laboratory scientist" or "generalist" means an individual eligible for licensure under this chapter who:

(1) performs medical laboratory tests, including tests that require the exercise of independent technical judgment;

(2) establishes and implements protocols, quality assessment, method development and selection, equipment selection and maintenance, and all activities related to the preanalytic, analytic, and postanalytic phases of laboratory testing; and

(3) directs, supervises, consults, educates, and performs research functions.

Subd. 13. **Medical laboratory specialist.** "Medical laboratory specialist" means an individual certified in one of the categories described in subdivisions 14, 15, and 16, to perform testing, including tests that require the exercise of independent technical judgment needed to establish and implement protocols, quality assessment, method development and selection, equipment selection and maintenance, and all activities related to the preanalytic, analytic, and postanalytic phases of laboratory testing, and who direct, supervise, consult, and educate in a specific specialized section of the laboratory.

Subd. 14. **Medical laboratory specialist in cytogenetics.** "Medical laboratory specialist in cytogenetics" means an individual eligible for licensure under this chapter to perform standard cytogenetic and molecular testing procedures used to evaluate possible genetic anomalies.

Subd. 15. **Medical laboratory specialist in molecular biology/pathology.** "Medical laboratory specialist in molecular biology/pathology" means an individual eligible for licensure under this

chapter to perform all aspects of molecular analysis, including, but not limited to, recombinant DNA technology, polymerase chain reaction, and sequencing and hybridization techniques.

Subd. 16. **Medical laboratory specialist in histocompatibility.** "Medical laboratory specialist in histocompatibility" means an individual eligible for licensure under this chapter to perform histocompatibility testing procedures, including, but not limited to, molecular and serological techniques.

Subd. 17. **Medical laboratory technician.** "Medical laboratory technician" means an individual eligible for licensure under this chapter who performs medical laboratory tests at all CLIA complexity levels according to established and approved protocols and requiring limited exercise of independent judgment.

Subd. 18. **Medical laboratory test or laboratory test.** "Medical laboratory test" or "laboratory test" means a microbiological, serological, chemical, biological, hematological, immunological, immunohematological, radiobioassay, cytological, histological preparation, molecular, biophysical, or any other test or procedure performed on material derived from or existing in a human body, that provides information for the diagnosis, prevention, or monitoring of a disease or impairment or assessment of a medical condition. A medical laboratory test includes components of the preanalytic and postanalytic phases of testing, as well as the analytic phase, that occurs in the laboratory.

Subd. 19. **Medical laboratory subspecialists.** "Medical laboratory subspecialists" means an individual eligible for licensure under this chapter to perform the functions of a medical laboratory scientist in a subspecialty or esoteric clinical laboratory that is not one of the general categorical areas of the laboratory, and for which a certification examination does not exist. The subspecialty or esoteric laboratories may be disease or medical specialty-oriented or utilize advanced technology not routinely used in the clinical laboratory. The subspecialty or esoteric laboratories may be subspecialized areas within the hematology, chemistry, immunology, transfusion, medicine, genetics, or microbiology disciplines.

Subd. 20. **Nationally recognized certification agency.** "Nationally recognized certification agency" means an agency that provides certification examinations for medical laboratory professionals as set forth in section 148G.07. The commissioner and the advisory council shall recognize any new certification examinations if the examination is defined by the recognized agency.

Subd. 21. **Pathologist's assistant.** "Pathologist's assistant" means an individual specializing in prediagnostic surgical pathology and autopsy pathology who assists pathologists.

Subd. 22. **Phlebotomist.** "Phlebotomist" means an individual who is qualified to obtain blood samples for testing by means of venipuncture, capillary puncture, or access of venous access devices, to perform specimen processing and preparation of samples for testing, and to perform waived and point-of-care testing.

Subd. 23. **Point-of-care testing.** "Point-of-care testing" means analytical patient testing activities provided within a facility that do not require permanent dedicated space, including, but not limited to, analytic instruments that are temporarily brought to a patient care location. Point-of-care testing must be under the direction of an individual licensed under this chapter at the baccalaureate degree level or who qualifies as a laboratory director under federal CLIA regulations.

Subd. 24. **Trainee/student.** "Trainee/student" means an individual who has not fulfilled the educational requirements to take an approved nationally recognized certification examination or who needs to obtain full-time comprehensive experience under supervision.

Subd. 25. **Waived test.** "Waived test" means a laboratory examination or procedure as determined by the United States Food and Drug Administration that has an insignificant risk of an erroneous result, including those that:

- (1) have been approved by the United States Food and Drug Administration for home use;
- (2) employ methodologies that are so simple and accurate as to render the likelihood of erroneous results negligible; or
- (3) pose no reasonable risk of harm to the patient if performed incorrectly.

Sec. 2. **[148G.02] EXCEPTIONS.**

(a) This chapter does not apply to:

(1) the qualifications as established by federal CLIA for laboratory directors, technical supervisors, or technical consultants;

(2) other licensed or registered professionals performing functions within the professional's scope of practice;

(3) medical laboratory science professionals employed by the United States government, or any bureau, division, or agency, while performing duties within the scope of the professional's federal employment;

(4) medical laboratory science professionals engaged exclusively in basic science or investigative research, provided that the results of any examination performed are not used in health maintenance, diagnosis, or treatment of disease as described in federal CLIA regulations under Code of Federal Regulations, title 42, section 493;

(5) professionals engaged exclusively in assay development or management-related activities in the clinical laboratory, provided the results of any examination performed are not used in health maintenance, diagnosis, or treatment of disease as described in federal CLIA regulations;

(6) professionals engaged exclusively in the education of medical laboratory science professionals, provided that results of any examination performed are not used in health maintenance, diagnosis, or treatment of disease as described in federal CLIA regulations;

(7) professionals engaged exclusively in providing phlebotomy services;

(8) pathologist's assistants or individuals performing pathology assistant activities under supervision by pathologists;

(9) students or trainees enrolled in a medical laboratory science education program provided that:

(i) the activities performed by the student or trainee constitute a part of a planned course in the program;

(ii) the student or trainee is clearly designated as intern, trainee, or student; and

(iii) the student or trainee is working directly under an individual licensed under this chapter to practice medical laboratory science or under a professional who is exempt under this section;

(10) individuals who only perform waived tests or moderately complex point-of-care tests under the direction of a qualified CLIA laboratory director according to federal CLIA regulations;

(11) individuals who prepare tissues during a Mohs procedure performed by a dermatologist or Mohs surgeon, under the supervision of a licensed histotechnician or histotechnologist, or a qualified CLIA laboratory director; and

(12) individuals who perform moderately complex testing as defined by federal CLIA regulations provided that the laboratory complies with the following requirements:

(i) within the laboratory, a licensed medical laboratory scientist or individual who qualifies as a laboratory director under federal CLIA regulations is responsible for:

(A) designing, providing, and supervising the training programs for the testing personnel;

(B) supervising and monitoring the quality assurance and quality control activities of the testing site;

(C) assisting in the selection of technology;

(D) reviewing the results of proficiency testing and recommending corrective action, if necessary; and

(E) monitoring the continued laboratory testing competency of the testing personnel;

(ii) documented personnel evaluation processes are in place, which ensure and document the continued competency of the testing personnel; and

(iii) after January 1, 2016, the licensed medical laboratory scientist or individual who qualifies as a laboratory director under CLIA regulations must ensure that new employees have initial certification as a certified or registered medical assistant; certified office laboratory technician or physician office laboratory technician; or certified medical laboratory assistant as certified by the American Medical Technologists (AMT), American Association of Bioanalysts (AAB), the American Association of Medical Assistants (AAMA), or other national certification agency recognized by the commissioner. Individuals employed as a medical assistant or office laboratory technician on January 1, 2016, are not required to be certified. If a laboratory fails to comply with the requirements described in this clause, these individuals will be subject to the requirements of this chapter, and will be required to be licensed under this chapter.

(b) This chapter does not apply to a declared emergency as defined in section 12.03 that reduces laboratory capacity or increases testing demands, or other loss of critical laboratory capacity. Practitioners who are not licensed in any state, but are certified by one of the agencies recognized in this chapter or deemed competent by the affected laboratory director or the director's designee, may practice as needed in the emergency situation.

Sec. 3. [148G.03] LICENSURE REQUIRED; TITLES USED, RESTRICTED, AND ALLOWED.

Subdivision 1. **Unlicensed practice prohibited.** Effective January 1, 2016, no individual shall perform a medical laboratory test unless the individual is licensed under this chapter as a medical

laboratory scientist, medical laboratory technician, or is exempt from licensure under section 148G.02.

Subd. 2. **Protected titles and restrictions on use.** No individual shall use the following phrases: medical laboratory scientist, categorical medical laboratory scientist, medical laboratory technician, medical laboratory specialist in cytogenetics, medical laboratory specialist in molecular biology/pathology, or medical laboratory specialist in histocompatibility, or medical laboratory subspecialist, cytotechnologist, histotechnician, or histotechnologist, or the initials MLS, MLT, CT, HT, or HTL, alone or in combination with any other words or initials to form an occupational title, or to indicate or imply that the individual is licensed as one of the professionals listed, unless the individual is licensed under this chapter.

Subd. 3. **Persons licensed or certified in other states.** An individual who is licensed or certified in another state may use the designation "licensed or certified" with a protected title only if the state of licensure or certification is clearly indicated.

Sec. 4. **[148G.035] SCOPE OF PRACTICE.**

Medical laboratory professionals licensed under this chapter shall perform laboratory tests and provide test results to physicians and patients upon request or upon physician referral according to CLIA. The practice of medical laboratory science includes:

- (1) the production of test data;
- (2) monitoring the accuracy, precision, and utility of laboratory testing;
- (3) analytical correlation and interpretation of test data;
- (4) designing, evaluating, and implementing new laboratory test methods; and
- (5) documenting and reporting test results.

The services provided by medical laboratory professionals must be consistent with good practice and sound professional ethics.

Sec. 5. **[148G.04] DUTIES OF THE COMMISSIONER.**

The commissioner shall:

(1) administer the procedures for this chapter, including, but not limited to, verifying the qualifications and standards for education, experience, examinations, and continuing education, as established by the certification agencies recognized in this chapter, and other methods for determining whether an applicant or licensee is qualified, as specified under this chapter;

(2) issue licenses to qualified individuals;

(3) collect and deposit fees as established under section 148G.16;

(4) on the recommendation of the advisory council, approve future nationally recognized, validated, competency-based written, oral, or practical examinations developed by the American Society for Clinical Pathology Board of Certification, American Medical Technologists, American Association of Bioanalysts, and American Society for Histocompatibility and Immunogenetics, or their successor organizations, for purposes of licensure requirements for medical laboratory science professionals as provided for in this chapter; and

(5) maintain a roster of the names and addresses of individuals currently licensed under this chapter and of all licensees who have been disciplined under this chapter.

Sec. 6. [148G.05] MEDICAL LABORATORY SCIENCE PROFESSIONAL LICENSING ADVISORY COUNCIL.

Subdivision 1. **Membership and qualifications of advisory council.** (a) The commissioner shall appoint a nine-member advisory council that may include applicants recommended by laboratory professional associations. Members must be actively employed for at least two years in their specific area of practice.

(b) Six members must be medical laboratory science professionals who are licensed under this chapter and include:

- (1) one nonphysician laboratory director;
- (2) one medical laboratory scientist;
- (3) one medical laboratory technician;
- (4) one specialist in cytogenetics, histocompatibility, or molecular biology;
- (5) one cytotechnologist; and
- (6) one histotechnician or histotechnologist.

(c) Two members must be physicians certified by the American Board of Pathology or the American Board of Osteopathic Pathology. One must be certified in clinical pathology.

(d) One member must be a public member as defined in section 214.02.

Subd. 2. **Duties.** The advisory council shall:

(1) advise and make recommendations to the commissioner regarding the medical laboratory science practitioner licensure standards;

(2) advise the commissioner on enforcement of this chapter;

(3) provide for distribution of information regarding medical laboratory science practitioners licensure standards;

(4) review applications upon the request of the commissioner and make recommendations on granting or denying licensure or licensure renewal;

(5) advise the commissioner on issues related to receiving and investigating complaints, conducting objective hearings, and imposing disciplinary action in relation to complaints received against medical laboratory science practitioners; and

(6) perform other duties requested by the commissioner.

Subd. 3. **Organization.** The advisory council shall be organized and administered under section 15.059.

Subd. 4. **Support.** The commissioner shall provide the necessary staff support and meeting space for the advisory council.

Sec. 7. [148G.06] LICENSURE REQUIREMENTS FOR MEDICAL LABORATORY SCIENCE PROFESSIONALS EMPLOYED ON JULY 1, 2014.

(a) The commissioner shall issue a license to an individual who does not meet the education, training, and experience qualifications for any license described in this chapter provided the individual:

(1) submits an application to the commissioner, on forms prescribed by the commissioner, by January 1, 2016;

(2) is employed as a medical laboratory science professional on July 1, 2014, or has six months of acceptable experience of at least half time, 1,040 hours per year, in the three years immediately prior to July 1, 2014; and

(3) submits as part of the application, job, title, description of the position, period of employment, and confirmation of competent practice, as attested by the applicant's employer, who shall submit to the commissioner a signed statement stating that the applicant is not the subject of a disciplinary action or past disciplinary action in their employment, professional association membership, or under any credentialing authority in this or another jurisdiction, and is not disqualified on the basis of section 148G.14.

(b) The commissioner and advisory council shall determine which type of license the applicant is eligible for and issue the license if the requirements of this section are met.

(c) An initial license issued under this section may be renewed following the procedures required under section 148G.11, provided the license is maintained without interruption. If the initial license issued under this section is not renewed and is allowed to lapse for any period of time, the licensee must meet the applicable standards for licensure described in section 148G.07 before the lapsed license may be renewed.

Sec. 8. [148G.07] STANDARDS FOR LICENSURE.

Subdivision 1. **Medical laboratory scientist (MLS).** (a) The commissioner shall issue a medical laboratory scientist's license to an individual who meets the following requirements:

(1) has met the medical laboratory experience and training required by the appropriate nationally recognized certification agency; and

(2) passes a nationally recognized certification examination administered by the American Society for Clinical Pathology Board of Certification, American Medical Technologists, American Association of Bioanalysts, the American Board of Histocompatibility and Immunogenetics, or successor organizations in one of the following areas:

(i) medical laboratory scientist or medical technologist generalist;

(ii) medical laboratory scientist, categorical;

(iii) medical laboratory specialist in molecular biology;

(iv) medical laboratory specialist in cytogenetics;

(v) histocompatibility technologist;

(vi) cytotechnologist; or

(vii) histotechnologist.

(b) As an alternative to paragraph (a), a medical laboratory subspecialist may meet the following requirements in order to be eligible for a license under this subdivision:

(1) possess a baccalaureate degree from a regionally accredited college or university that has been verified by one of the nationally recognized certification agencies;

(2) has met the medical laboratory experience and training required by the nationally recognized certification agency through one year of on-the-job training; and

(3) either is deemed competent through written confirmation by the respective laboratory director or passes a nationally recognized certification examination administered by the American Society for Clinical Pathology Board of Certification, or successor organizations.

(c) The commissioner shall issue a medical laboratory scientist's license to an individual who has completed an official military training program of at least 50 weeks that was approved by the National Accrediting Agency for Clinical Laboratory Sciences (NAACLS) or a national accrediting agency acceptable to the commissioner, and held the military enlisted occupational specialty of medical laboratory specialist and possesses a baccalaureate degree.

Subd. 2. Medical laboratory technician (MLT). (a) The commissioner shall issue a medical laboratory technician's license to an individual who meets the following requirements:

(1) possesses an associate degree from a regionally accredited college or university that has been verified by the appropriate nationally recognized certification agency;

(2) has met the medical laboratory experience and training required by the nationally recognized certification agency; and

(3) passes a nationally recognized certification examination administered by the American Society for Clinical Pathology Board of Certification, American Medical Technologists, American Association of Bioanalysts, or successor organizations in one of the following areas:

(i) medical laboratory technician; or

(ii) histotechnician.

(b) The commissioner shall issue a medical laboratory technician's license to an individual who has completed an official military training program of at least 50 weeks that was approved by the National Accrediting Agency for Clinical Laboratory Sciences (NAACLS) or a national accrediting agency acceptable to the commissioner, and held the military enlisted occupational specialty of medical laboratory specialist, and possesses an associate degree from a regionally accredited college or university.

Sec. 9. [148G.08] RECIPROCITY.

Subdivision 1. Licensure. The commissioner may waive the licensure requirements for an applicant who holds a valid license or its equivalent issued by another state provided that the requirements under which that license or its equivalent was issued are equivalent to or exceed the standards required by this chapter. Once the license is up for renewal, the applicant shall be issued a Minnesota license upon meeting the license renewal requirements in section 148G.11.

Subd. 2. **Current credentials required.** An applicant applying for licensure by reciprocity must provide all necessary evidence to the commissioner that the applicant holds a current and unrestricted license for the practice of medical laboratory science in another jurisdiction that has requirements equivalent to or higher than the standards required to be licensed as a medical laboratory professional in one of the categories defined in this chapter.

Subd. 3. **Verification of credentials required.** An applicant for licensure under this section must have maintained the appropriate and unrestricted credentials in each jurisdiction during the last five years as demonstrated by submitting letters of verification to the commissioner. Each letter must state the applicant's name, date of birth, credential number, date of issuance, a statement regarding disciplinary actions, if any, taken against the applicant, and the terms under which the credential was issued.

Sec. 10. **[148G.09] TEMPORARY LICENSE REQUIREMENTS.**

(a) The commissioner may issue a temporary license to an applicant who:

(1) is eligible to sit for and registered to take a certification examination or has taken the examination and is awaiting results;

(2) meets the educational requirements of the nationally recognized certification agency and is seeking to qualify for the certification examination by completing the required supervised medical laboratory experience; or

(3) meets the educational requirements for the position and is undergoing the required on-the-job training necessary for a specialized clinical laboratory.

(b) A temporary license shall be issued for a 12-month period and may be renewed for two additional 12-month periods at the discretion of the commissioner, in order to allow the applicant to complete the required supervised medical laboratory experience or retake a certification examination, or be deemed competent by the laboratory director.

(c) A temporary license expires 12 months after it is issued or on the date the commissioner issues or denies a permanent license to the holder.

(d) A temporary license authorizes the holder to perform medical laboratory tests only in the area of practice for which the individual seeks to be permanently licensed.

Sec. 11. **[148G.10] LICENSURE APPLICATION PROCEDURES.**

(a) Applicants must submit an application for licensure to the commissioner upon the forms prescribed and furnished by the commissioner, and must submit with the application the designated application fee as specified in section 148G.16.

(b) Upon receipt of the application and the application fee, the commissioner shall determine if the applicant meets the requirements for licensure. The commissioner, or the advisory council at the commissioner's request, may investigate information provided by an applicant to determine whether the information is accurate and complete.

(c) The commissioner shall issue a license for a medical laboratory scientist or a medical laboratory technician to an individual who meets the qualifications and requirements specified in this chapter. The commissioner may issue a license with conditions, or refuse to grant the license if the qualifications and requirements of this chapter have not been met.

(d) The commissioner shall notify an applicant of action taken on the application, and if licensure is denied or issued with conditions, the grounds for the commissioner's determination.

(e) An applicant denied licensure or granted licensure with conditions may make a written request to the commissioner, within 30 days of the date of the commissioner's determination, for reconsideration of the commissioner's determination. Individuals requesting reconsideration may submit information that the applicant wants considered in the reconsideration. After reconsideration of the commissioner's determination to deny licensure or grant licensure with conditions, the commissioner shall determine whether the original determination should be affirmed or modified. An applicant is allowed no more than one request in any one biennial licensure period for reconsideration of the commissioner's determination to deny licensure or approve licensure with conditions.

Sec. 12. [148G.11] LICENSURE RENEWAL.

Subdivision 1. **Renewal term.** Licenses issued under this chapter must be renewed every two years. The renewal term is the effective date of the initial license or renewed license to the date of expiration of the license.

Subd. 2. **Renewal applications.** In order to renew a license, a licensee must submit:

- (1) a completed and signed application for renewal on a form prescribed by the commissioner;
- (2) the applicable renewal fee as specified in section 148G.16; and
- (3) documentation that the licensee has completed continuing education requirements as prescribed by the nationally recognized certification agencies or 24 hours of documented continuing education.

Sec. 13. [148G.12] LICENSURE FOLLOWING LAPSE OF LICENSURE STATUS.

For an applicant whose licensure status has lapsed, the applicant must:

- (1) apply for licensure renewal according to section 148G.11 and document compliance with the continuing education requirements as prescribed by the nationally recognized certification agency since the applicant's license lapsed; and
- (2) fulfill the requirements of section 148G.07 and provide evidence of compliance with the continuing education requirements as prescribed by one of the nationally recognized certification agencies.

Sec. 14. [148G.13] CONTINUING EDUCATION REQUIREMENTS.

Continuing education requirements shall be as described by the applicable certification agencies or their successors as recognized under this chapter.

Sec. 15. [148G.14] INVESTIGATION PROCESS; GROUNDS FOR DISCIPLINARY ACTION.

(a) The commissioner may impose disciplinary action as described in paragraph (b) against an applicant or licensee whom the commissioner, by a preponderance of the evidence, determines has:

- (1) violated a statute, rule, or order that the commissioner issued or is empowered to enforce;

(2) been convicted of or pled guilty to a felony, gross misdemeanor, misdemeanor, an essential element of which is dishonesty, or of any crime that is directly related to the practice of the profession;

(3) made a misrepresentation for the purpose of obtaining licensure, either on an application provided by the commissioner or in response to oral or written questions from the commissioner;

(4) violated the code of professional conduct in subdivisions 2 to 4;

(5) engaged in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public;

(6) failed to perform services with reasonable judgment, skill, or safety due to the use of alcohol, drugs, or other physical or mental impairment;

(7) aided, abetted, or assisted another person in violating any provision of this chapter or any applicable rules;

(8) made any misrepresentation with regard to the existence or category of license or other certification or professional qualification held in connection with any employment application;

(9) intentionally submitted false or misleading information in response to a written request by the commissioner or advisory council;

(10) failed, within 30 days, to provide information in response to a written request by the commissioner or advisory council or otherwise failed to cooperate in an investigation conducted under this section;

(11) performed services for which the license is issued in an incompetent manner or in a manner that falls below community standards;

(12) violated any provision of this chapter;

(13) been convicted of violating any state or federal law, rule, or regulation which directly relates to the practice related to the discipline for which the individual is licensed;

(14) violated a federal or state court order, including a conciliation court judgment, or a disciplinary order issued by the commissioner, related to the individual's practice for which the individual is licensed under this chapter;

(15) been disciplined for conduct in the practice of an occupation by the state of Minnesota, another jurisdiction, or a national professional association, if any of the grounds are the same or substantially equivalent to those in this chapter;

(16) engaged in conduct with a patient that is sexual or may reasonably be interpreted by the patient as sexual, or in any verbal behavior that is or may be reasonably interpreted as seductive or sexually demeaning to a patient; or

(17) engaged in any other behavior that gives rise to just cause for discipline related to the practice for which they are licensed under this chapter.

(b) If grounds for disciplinary action exist under paragraph (a), the commissioner may take one or more of the following actions:

(1) refuse to grant or renew a license;

(2) revoke a license;

(3) suspend a license;

(4) impose limitations or conditions on a license, including, but not limited to, practice under supervision, continued practice on the demonstration of knowledge or skill by appropriate examination or other review of knowledge, skill, and competence;

(5) censure or reprimand the licensee;

(6) impose a civil penalty not exceeding \$10,000 for each separate violation, the amount of the civil penalty to be fixed so as to deprive the applicant or licensee of any economic advantage gained by reason of the violation charged, to discourage similar violations, or to reimburse the commissioner for the cost of the investigation and proceeding including, but not limited to, fees paid for services provided by the Office of Administrative Hearings, legal and investigative services provided by the Office of the Attorney General, court reporters, witnesses, reproduction of records, advisory council members' per diem compensation, staff time, and travel costs and expenses incurred by staff and advisory council members; or

(7) any reasonable lesser action, including, but not limited to, censure, reprimand, or restriction on licensure, or any action authorized by statute.

(c) Upon notice from the commissioner denying licensure renewal or upon notice that disciplinary actions have been imposed and the person is no longer entitled to provide the services for which the person was previously licensed under this chapter, the person shall cease to provide the services under this chapter, to use the protected titles pursuant to this chapter, and to represent to the public that the person is licensed by the commissioner.

(d) A person who has had licensure suspended may request and provide justification for reinstatement following the period of suspension specified by the commissioner. The requirement of this chapter for renewing licensure and any other conditions imposed with the suspension must be met before licensure may be reinstated.

(e) The commissioner shall contract with the health professional services program as authorized by sections 214.31 to 214.37 to provide these services to practitioners under this chapter. The health professional services program does not affect the commissioner's authority to discipline violations of this chapter.

Sec. 16. [148G.15] REPORTING OBLIGATIONS.

Subdivision 1. **Permission to report.** A person who has knowledge of any conduct constituting grounds for disciplinary action under this chapter may report the violation to the commissioner.

Subd. 2. **Institutions.** A state agency, political subdivision, agency of a local unit of government, private agency, hospital, clinic, prepaid medical plan, or other health care institution or organization located in this state shall report to the commissioner any action taken by the agency, institution, or organization or any of its administrators or medical or other committees to revoke, suspend, restrict, or condition a medical laboratory professional's privilege to practice in the institution, or as part of the organization, any denial of privileges, or any other disciplinary action for conduct that might constitute grounds for disciplinary action by the commissioner under this chapter. The institution, organization, or governmental entity shall also report the resignation of any medical laboratory science professional before the conclusion of any disciplinary action proceeding for conduct that

might constitute grounds for disciplinary action under this chapter, or before the commencement of formal charges but after the practitioner had knowledge that formal charges were contemplated or were being prepared.

Subd. 3. **Professional societies.** A state or local professional society for medical laboratory science professionals shall report to the commissioner any termination, revocation, or suspension of membership or any other disciplinary action taken against a medical laboratory science professional. If the society has received a complaint that might be grounds for discipline under this chapter against a member on which it has not taken any disciplinary action, the society shall report the complaint and the reason why it has not taken action on it or shall direct the complainant to the commissioner.

Subd. 4. **Licensed professionals.** A licensed health professional shall report to the commissioner personal knowledge of any conduct that the licensed health professional reasonably believes constitutes grounds for disciplinary action under this chapter by a medical laboratory science professional, including conduct indicating that the individual may be medically incompetent, or may be medically or physically unable to engage safely in the provision of services. If the information was obtained in the course of a client relationship, the client is a medical laboratory science professional, and the treating individual successfully counsels the medical laboratory science professional to limit or withdraw from practice to the extent required by the impairment, the commissioner may deem this limitation of or withdrawal from practice to be sufficient disciplinary action.

Subd. 5. **Self-reporting.** A medical laboratory science professional shall report to the commissioner any personal action that would require that a report be filed with the commissioner by any person, health care facility, business, or organization under subdivisions 2 to 4. The medical laboratory science professional shall also report the revocation, suspension, restriction, limitation, or other disciplinary action in this state and report the filing of charges regarding the practitioner's license or right of practice in another state or jurisdiction.

Subd. 6. **Deadlines; forms.** Reports required by subdivisions 2 to 5 must be submitted no later than 30 days after the reporter learns of the occurrence of the reportable event or transaction. The commissioner may provide forms for the submission of required reports, may require that reports be submitted on the forms provided, and may adopt rules necessary to ensure prompt and accurate reporting.

Subd. 7. **Immunity for reporting.** A person, health care facility, business, or organization is immune from civil liability or criminal prosecution for reporting to the commissioner violations or alleged violations of this chapter. All such reports are classified under section 13.41.

Subd. 8. **Immunity for investigation.** The commissioner, employees of the Minnesota Department of Health, consultants to the department, and advisory council members are immune from civil liability and criminal prosecution for any actions, transactions, or publications in the execution of, or relating to, their duties under this chapter.

Sec. 17. [148G.16] FEES.

Subdivision 1. **Initial licensure fee.** The initial licensure fee for a medical laboratory scientist and a medical laboratory technician is \$155. The commissioner shall prorate fees based on the number of quarters remaining in the biennial licensure period.

Subd. 2. **Licensure renewal fee.** The biennial licensure renewal fee for a medical laboratory scientist and a medical laboratory technician is \$115.

Subd. 3. **Late fee.** The fee for late submission of a renewal application is \$45.

Subd. 4. **Temporary licensure fee.** The fee for temporary licensure is \$50.

Subd. 5. **Verification to other states.** The fee for verification of licensure to other states is \$25.

Subd. 6. **Verification to institutions.** The fee for verification of licensure to institutions is \$10.

Subd. 7. **Nonrefundable fees.** All fees are nonrefundable.

Subd. 8. **Penalty fees.** (a) The penalty fee for practicing medical laboratory science without a current license after the credential has expired and before it is renewed is the amount of the license renewal fee for any part of the first month, plus the license renewal fee for any part of any subsequent month up to 36 months.

(b) The penalty fee for applicants who engage in the unauthorized practice of medical laboratory science before being issued a license is the amount of the license application fee for any part of the first month, plus the license application fee for any part of any subsequent month up to 36 months. This paragraph does not apply to applicants not qualifying for a license who engage in the unauthorized practice of medical laboratory science.

(c) The penalty fee for failing to submit a continuing education report by the due date with the correct number or type of hours in the correct time period is \$50. The licensee must obtain the missing number of continuing education hours by the next reporting due date.

(d) Civil penalties and discipline incurred by licensees prior to January 1, 2016, for conduct described in paragraph (a), (b), or (c), shall be recorded as nondisciplinary penalty fees. For conduct described in paragraph (a) or (b) occurring on or after January 1, 2016, and exceeding six months, payment of a penalty fee does not preclude any disciplinary action reasonably justified by the individual case.

Sec. 18. **ADVISORY COUNCIL; DEADLINES.**

The commissioner of health shall complete the first appointments required by Minnesota Statutes, section 148G.05, no later than January 1, 2015. The commissioner's designee shall convene the first meeting of the council no later than February 1, 2015. The council must select a chair from its membership at the first meeting of the council.

Sec. 19. **APPROPRIATION.**

\$284,000 in fiscal year 2015 is appropriated from the state government special revenue fund to the commissioner of health to implement this act. Base funding is \$488,000 in fiscal year 2016 and \$376,000 in fiscal year 2017.

Sec. 20. **EFFECTIVE DATE.**

Sections 1 to 19 are effective July 1, 2014."

Delete the title and insert:

"A bill for an act relating to health occupations; establishing licensure for medical laboratory science professionals; creating an advisory council; providing penalties; establishing fees; appropriating money; proposing coding for new law as Minnesota Statutes, chapter 148G."

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 1890: A bill for an act relating to health; making changes to the health professionals services program; requiring a disciplinary investigation for noncompliance and temporary license suspension; classifying data amending Minnesota Statutes 2012, sections 214.28; 214.29; 214.31; 214.32, subdivision 1, by adding a subdivision; 214.35; repealing Minnesota Statutes 2012, sections 214.36; 214.37.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 148.261, subdivision 1, is amended to read:

Subdivision 1. **Grounds listed.** The board may deny, revoke, suspend, limit, or condition the license and registration of any person to practice professional, advanced practice registered, or practical nursing under sections 148.171 to 148.285, or to otherwise discipline a licensee or applicant as described in section 148.262. The following are grounds for disciplinary action:

(1) Failure to demonstrate the qualifications or satisfy the requirements for a license contained in sections 148.171 to 148.285 or rules of the board. In the case of a person applying for a license, the burden of proof is upon the applicant to demonstrate the qualifications or satisfaction of the requirements.

(2) Employing fraud or deceit in procuring or attempting to procure a permit, license, or registration certificate to practice professional or practical nursing or attempting to subvert the licensing examination process. Conduct that subverts or attempts to subvert the licensing examination process includes, but is not limited to:

(i) conduct that violates the security of the examination materials, such as removing examination materials from the examination room or having unauthorized possession of any portion of a future, current, or previously administered licensing examination;

(ii) conduct that violates the standard of test administration, such as communicating with another examinee during administration of the examination, copying another examinee's answers, permitting another examinee to copy one's answers, or possessing unauthorized materials; or

(iii) impersonating an examinee or permitting an impersonator to take the examination on one's own behalf.

(3) Conviction of a felony or gross misdemeanor reasonably related to the practice of professional, advanced practice registered, or practical nursing. Conviction as used in this subdivision includes a conviction of an offense that if committed in this state would be considered a felony or gross misdemeanor without regard to its designation elsewhere, or a criminal proceeding

where a finding or verdict of guilt is made or returned but the adjudication of guilt is either withheld or not entered.

(4) Revocation, suspension, limitation, conditioning, or other disciplinary action against the person's professional or practical nursing license or advanced practice registered nursing credential, in another state, territory, or country; failure to report to the board that charges regarding the person's nursing license or other credential are pending in another state, territory, or country; or having been refused a license or other credential by another state, territory, or country.

(5) Failure to or inability to perform professional or practical nursing as defined in section 148.171, subdivision 14 or 15, with reasonable skill and safety, including failure of a registered nurse to supervise or a licensed practical nurse to monitor adequately the performance of acts by any person working at the nurse's direction.

(6) Engaging in unprofessional conduct, including, but not limited to, a departure from or failure to conform to board rules of professional or practical nursing practice that interpret the statutory definition of professional or practical nursing as well as provide criteria for violations of the statutes, or, if no rule exists, to the minimal standards of acceptable and prevailing professional or practical nursing practice, or any nursing practice that may create unnecessary danger to a patient's life, health, or safety. Actual injury to a patient need not be established under this clause.

(7) Failure of an advanced practice registered nurse to practice with reasonable skill and safety or departure from or failure to conform to standards of acceptable and prevailing advanced practice registered nursing.

(8) Delegating or accepting the delegation of a nursing function or a prescribed health care function when the delegation or acceptance could reasonably be expected to result in unsafe or ineffective patient care.

(9) Actual or potential inability to practice nursing with reasonable skill and safety to patients by reason of illness, use of alcohol, drugs, chemicals, or any other material, or as a result of any mental or physical condition.

(10) Adjudication as mentally incompetent, mentally ill, a chemically dependent person, or a person dangerous to the public by a court of competent jurisdiction, within or without this state.

(11) Engaging in any unethical conduct, including, but not limited to, conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient. Actual injury need not be established under this clause.

(12) Engaging in conduct with a patient that is sexual or may reasonably be interpreted by the patient as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient, or engaging in sexual exploitation of a patient or former patient.

(13) Obtaining money, property, or services from a patient, other than reasonable fees for services provided to the patient, through the use of undue influence, harassment, duress, deception, or fraud.

(14) Revealing a privileged communication from or relating to a patient except when otherwise required or permitted by law.

(15) Engaging in abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws or state medical assistance laws.

(16) Improper management of patient records, including failure to maintain adequate patient records, to comply with a patient's request made pursuant to sections 144.291 to 144.298, or to furnish a patient record or report required by law.

(17) Knowingly aiding, assisting, advising, or allowing an unlicensed person to engage in the unlawful practice of professional, advanced practice registered, or practical nursing.

(18) Violating a rule adopted by the board, an order of the board, or a state or federal law relating to the practice of professional, advanced practice registered, or practical nursing, or a state or federal narcotics or controlled substance law.

(19) Knowingly providing false or misleading information that is directly related to the care of that patient unless done for an accepted therapeutic purpose such as the administration of a placebo.

(20) Aiding suicide or aiding attempted suicide in violation of section 609.215 as established by any of the following:

(i) a copy of the record of criminal conviction or plea of guilty for a felony in violation of section 609.215, subdivision 1 or 2;

(ii) a copy of the record of a judgment of contempt of court for violating an injunction issued under section 609.215, subdivision 4;

(iii) a copy of the record of a judgment assessing damages under section 609.215, subdivision 5; or

(iv) a finding by the board that the person violated section 609.215, subdivision 1 or 2. The board shall investigate any complaint of a violation of section 609.215, subdivision 1 or 2.

(21) Practicing outside the scope of practice authorized by section 148.171, subdivision 5, 10, 11, 13, 14, 15, or 21.

(22) Practicing outside the specific field of nursing practice for which an advanced practice registered nurse is certified unless the practice is authorized under section 148.284.

(23) Making a false statement or knowingly providing false information to the board, failing to make reports as required by section 148.263, or failing to cooperate with an investigation of the board as required by section 148.265.

(24) Engaging in false, fraudulent, deceptive, or misleading advertising.

(25) Failure to inform the board of the person's certification status as a nurse anesthetist, nurse-midwife, nurse practitioner, or clinical nurse specialist.

(26) Engaging in clinical nurse specialist practice, nurse-midwife practice, nurse practitioner practice, or registered nurse anesthetist practice without current certification by a national nurse certification organization acceptable to the board, except during the period between completion of an advanced practice registered nurse course of study and certification, not to exceed six months or as authorized by the board.

(27) Engaging in conduct that is prohibited under section 145.412.

(28) Failing to report employment to the board as required by section 148.211, subdivision 2a, or knowingly aiding, assisting, advising, or allowing a person to fail to report as required by section 148.211, subdivision 2a.

(29) Discharge from the health professionals services program as described in sections 214.31 to 214.37, or any other alternative monitoring or diversion program for reasons other than satisfactory completion of the program as set forth in the participation agreement.

Sec. 2. Minnesota Statutes 2012, section 148.261, is amended by adding a subdivision to read:

Subd. 1a. **Conviction of a felony-level criminal sexual conduct offense.** (a) The board shall not grant a license to practice nursing to any person who has been convicted of a felony-level criminal sexual conduct offense.

(b) A license to practice nursing is automatically revoked if the licensee is convicted of a felony-level criminal sexual conduct offense on or after August 1, 2014.

(c) A license that has been denied or revoked pursuant to this subdivision is not subject to chapter 364.

(d) For purposes of this subdivision, "criminal sexual conduct offense" means a violation of sections 609.342 to 609.345, or a similar statute in another jurisdiction, and "conviction" means a plea of guilty, a verdict of guilty by a jury, or a finding of guilty by the court, unless the court stays imposition or execution of the sentence and final disposition of the case is accomplished at a nonfelony level.

Sec. 3. Minnesota Statutes 2012, section 148.261, subdivision 4, is amended to read:

Subd. 4. **Evidence.** In disciplinary actions alleging a violation of subdivision 1, clause (3) or (4), or subdivision 1a, a copy of the judgment or proceeding under the seal of the court administrator or of the administrative agency that entered the same shall be admissible into evidence without further authentication and shall constitute prima facie evidence of the violation concerned.

Sec. 4. Minnesota Statutes 2012, section 214.09, subdivision 3, is amended to read:

Subd. 3. **Compensation.** (a) Members of the boards may be compensated at the rate of \$55 \$75 a day spent on board activities, when authorized by the board, plus expenses in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. Members who, as a result of time spent attending board meetings, incur child care expenses that would not otherwise have been incurred, may be reimbursed for those expenses upon board authorization.

(b) Members who are state employees or employees of the political subdivisions of the state must not receive the daily payment for activities that occur during working hours for which they are also compensated by the state or political subdivision. However, a state or political subdivision employee may receive the daily payment if the employee uses vacation time or compensatory time accumulated in accordance with a collective bargaining agreement or compensation plan for board activity. Members who are state employees or employees of the political subdivisions of the state may receive the expenses provided for in this subdivision unless the expenses are reimbursed by another source. Members who are state employees or employees of political subdivisions of the state may be reimbursed for child care expenses only for time spent on board activities that are outside their working hours.

(c) Each board must adopt internal standards prescribing what constitutes a day spent on board activities for purposes of making daily payments under this subdivision.

Sec. 5. Minnesota Statutes 2012, section 214.32, is amended by adding a subdivision to read:

Subd. 6. Duties of a participating board. Upon receiving a report from the program manager in accordance with section 214.33, subdivision 3, that a regulated person has been discharged from the program due to noncompliance based on allegations that the regulated person has engaged in conduct that might cause risk to the public, the participating board shall temporarily suspend the regulated person's professional license until the completion of a disciplinary investigation. The board must complete the disciplinary investigation within 60 days of receipt of the report from the program. If the investigation is not completed by the board within 60 days, the temporary suspension shall be lifted, unless the regulated person requests a delay in the disciplinary proceedings for any reason, upon which the temporary suspension shall remain in place until the completion of the investigation.

Sec. 6. Minnesota Statutes 2012, section 214.33, subdivision 3, is amended to read:

Subd. 3. Program manager. (a) The program manager shall report to the appropriate participating board a regulated person who does not meet program admission criteria, violates the terms of the program participation agreement, or leaves or is discharged from the program except upon fulfilling the terms for successful completion of the program as set forth in the participation agreement.

(b) The program manager shall report to the appropriate participating board a regulated person who is alleged to have committed violations of the person's practice act that are outside the authority of the health professionals services program as described in sections 214.31 to 214.37.

(c) The program manager shall report to the appropriate participating board violations that may be related to a regulated person's impairment, but are also grounds for discipline under the applicable practice act, including, but not limited to, diversion of controlled substances. For purposes of this paragraph, "diversion" means any act or deviation that transfers a prescription drug from a lawful to unlawful channel of distribution or use. Regulated persons reported under this paragraph are not automatically rendered ineligible for the program, but may continue to be monitored with the consent of the regulated person's board.

(d) The program manager shall inform any reporting person of the disposition of the person's report to the program.

EFFECTIVE DATE. Paragraph (c) is effective August 1, 2014, and applies to violations that occur after the effective date.

Sec. 7. Minnesota Statutes 2013 Supplement, section 364.09, is amended to read:

364.09 EXCEPTIONS.

(a) This chapter does not apply to the licensing process for peace officers; to law enforcement agencies as defined in section 626.84, subdivision 1, paragraph (f); to fire protection agencies; to eligibility for a private detective or protective agent license; to the licensing and background study process under chapters 245A and 245C; to eligibility for school bus driver endorsements; to eligibility for special transportation service endorsements; to eligibility for a commercial driver training instructor license, which is governed by section 171.35 and rules adopted under that section; to emergency medical services personnel, or to the licensing by political subdivisions of taxicab

drivers, if the applicant for the license has been discharged from sentence for a conviction within the ten years immediately preceding application of a violation of any of the following:

(1) sections 609.185 to 609.21, 609.221 to 609.223, 609.342 to 609.3451, or 617.23, subdivision 2 or 3;

(2) any provision of chapter 152 that is punishable by a maximum sentence of 15 years or more; or

(3) a violation of chapter 169 or 169A involving driving under the influence, leaving the scene of an accident, or reckless or careless driving.

This chapter also shall not apply to eligibility for juvenile corrections employment, where the offense involved child physical or sexual abuse or criminal sexual conduct.

(b) This chapter does not apply to a school district or to eligibility for a license issued or renewed by the Board of Teaching or the commissioner of education.

(c) Nothing in this section precludes the Minnesota Police and Peace Officers Training Board or the state fire marshal from recommending policies set forth in this chapter to the attorney general for adoption in the attorney general's discretion to apply to law enforcement or fire protection agencies.

(d) This chapter does not apply to a license to practice medicine that has been denied or revoked by the Board of Medical Practice pursuant to section 147.091, subdivision 1a.

(e) This chapter does not apply to any person who has been denied a license to practice chiropractic or whose license to practice chiropractic has been revoked by the board in accordance with section 148.10, subdivision 7.

(f) This chapter does not apply to any license, registration, or permit that has been denied or revoked by the Board of Nursing in accordance with section 148.261, subdivision 1a.

(f) (g) This chapter does not supersede a requirement under law to conduct a criminal history background investigation or consider criminal history records in hiring for particular types of employment."

Delete the title and insert:

"A bill for an act relating to health occupations; modifying grounds for disciplinary action by the Board of Nursing; modifying the health professionals services program; modifying the compensation paid to the health-related licensing board members; amending Minnesota Statutes 2012, sections 148.261, subdivisions 1, 4, by adding a subdivision; 214.09, subdivision 3; 214.32, by adding a subdivision; 214.33, subdivision 3; Minnesota Statutes 2013 Supplement, section 364.09."

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 1595: A bill for an act relating to local government; authorizing certain cities to collect civil penalties and fees as a special assessment; amending Minnesota Statutes 2012, section 412.231.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 13, after "against" insert "one of the following: (1) the"

Page 1, line 14, after "of" insert "the" and delete "fees," and insert "fees;" and before "property" insert "(2) the"

Page 1, after line 17, insert:

"Sec. 2. Minnesota Statutes 2012, section 429.101, subdivision 1, is amended to read:

Subdivision 1. **Ordinances.** (a) In addition to any other method authorized by law or charter, the governing body of any municipality may provide for the collection of unpaid special charges as a special assessment against the property benefited for all or any part of the cost of:

- (1) snow, ice, or rubbish removal from sidewalks;
- (2) weed elimination from streets or private property;
- (3) removal or elimination of public health or safety hazards from private property, excluding any structure included under the provisions of sections 463.15 to 463.26;
- (4) installation or repair of water service lines, street sprinkling or other dust treatment of streets;
- (5) the trimming and care of trees and the removal of unsound trees from any street;
- (6) the treatment and removal of insect infested or diseased trees on private property, the repair of sidewalks and alleys;
- (7) the operation of a street lighting system;
- (8) the operation and maintenance of a fire protection or a pedestrian skyway system;
- (9) inspections relating to a municipal housing maintenance code violation;
- (10) the recovery of any disbursements under section 504B.445, subdivision 4, clause (5), including disbursements for payment of utility bills and other services, even if provided by a third party, necessary to remedy violations as described in section 504B.445, subdivision 4, clause (2); ~~or~~
- (11) [Repealed, 2004 c 275 s 5]
- (12) the recovery of delinquent vacant building registration fees under a municipal program designed to identify and register vacant buildings; or
- (13) civil penalties or fees imposed by a city as a result of a property-related violation pursuant to section 412.231, paragraph (b).

(b) The council may by ordinance adopt regulations consistent with this section to make this authority effective, including, at the option of the council, provisions for placing primary responsibility upon the property owner or occupant to do the work personally (except in the case of street sprinkling or other dust treatment, alley repair, tree trimming, care, and removal, or the operation of a street lighting system) upon notice before the work is undertaken, and for collection from the property owner or other person served of the charges when due before unpaid charges are made a special assessment.

(c) A home rule charter city, statutory city, county, or town operating an energy improvements financing program under section 216C.436 has the authority granted to a municipality under paragraph (a) with respect to energy improvements financed under that section."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 1762: A bill for an act relating to cosmetology; making changes to the Board of Cosmetologist Examiners; authorizing exempt rulemaking; amending Minnesota Statutes 2012, sections 155A.23, subdivision 6; 155A.275, subdivision 1; 155A.29, subdivisions 1, 3, by adding a subdivision; 155A.32; 155A.33, subdivision 4; Minnesota Statutes 2013 Supplement, sections 155A.20; 155A.25, subdivision 4; 155A.27, subdivision 10; repealing Minnesota Statutes 2012, sections 155A.24, subdivisions 3, 4; 155A.27, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 14, before "as" insert ", appointed by the governor"

Page 1, line 21, delete ", appointed by the governor"

Page 3, after line 12, insert:

"Sec. 5. Minnesota Statutes 2013 Supplement, section 155A.271, subdivision 2, is amended to read:

Subd. 2. **Schools and professional associations.** (a) Only a board-licensed school of cosmetology, a postsecondary institution as defined in section 136A.103, paragraph (a), or a board-recognized professional association may offer continuing education curriculum for credit under this section. The school and professional association may offer online and independent study options to achieve maximum involvement of licensees and is encouraged to offer classes available in foreign language formats.

(b) Board recognition of a professional association is valid for three years and is contingent upon submission and preapproval of the general curriculum to be offered. The board may revoke recognition at any time for just cause. The professional association offering continuing education must be organized under chapter 317A.

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

Page 4, after line 4, insert:

"Sec. 10. Minnesota Statutes 2012, section 155A.30, subdivision 1, is amended to read:

Subdivision 1. **Licensing.** Any person who establishes or conducts a school in this state shall be licensed. A license issued to postsecondary licensed cosmetology schools meeting the provisions of subdivision 12 shall include the designation "Postsecondary Cosmetology School License."

Sec. 11. Minnesota Statutes 2012, section 155A.30, is amended by adding a subdivision to read:

Subd. 12. **Minnesota state authorization.** A cosmetology school licensed or applying for licensure under this section shall maintain recognition as an institution of postsecondary study by meeting the following conditions, in addition to the provisions of Minnesota Rules, parts 2110.0310 and 2110.0370:

(1) the school must admit as regular students only those individuals who have a high school diploma or a diploma based on passing general education development (GED) tests or their equivalent, or who is beyond the age of compulsory education as prescribed by section 120A.22; and

(2) the school must be licensed by name and authorized by the Office of Higher Education and the board to offer one or more training programs beyond the secondary level."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "rulemaking;" insert "revises requirements for professional associations offering continuing education; revises requirements for cosmetology postsecondary schools;"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 2076: A bill for an act relating to Dakota County; authorizing adoption of local county government plan; proposing coding for new law in Minnesota Statutes, chapter 383D.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 1807: A bill for an act relating to employment; requiring state agencies and professional licensing boards to expedite license processing for members of the military; providing for temporary licensure for certain military members; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 197.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, before "FORMER" insert "EXPEDITED AND TEMPORARY LICENSING FOR"

Page 1, line 16, delete "an inactive military" and insert "a"

Page 1, line 22, after "each" insert "state agency or"

Page 2, line 1, delete "an inactive military" and insert "a"

And when so amended the bill do pass and be re-referred to the Committee on Health, Human Services and Housing. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was re-referred

S.F. No. 1792: A bill for an act relating to health occupations; establishing registration for massage and bodywork therapy; establishing fees; amending Minnesota Statutes 2013 Supplement, section 116J.70, subdivision 2a; proposing coding for new law in Minnesota Statutes, chapters 148; 325F.

Reports the same back with the recommendation that the bill be amended as follows:

Page 15, line 18, delete "this section" and insert "sections 148.981 to 148.9885"

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 1784: A bill for an act relating to veterans; requiring employers to provide veterans time off for Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 197.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 7, delete ", as defined in section 197.447,"

Page 1, line 8, delete everything after the comma and insert "unless providing time off would (1) impact public health or safety; or (2) cause the employer to experience significant economic or operational disruption. The employer may provide the day off with or without pay, at the employer's discretion."

Page 1, delete subdivision 2

Page 1, line 13, delete "3" and insert "2"

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Agriculture and Rural Development. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 1919: A bill for an act relating to state government; providing for enhancement of accountability and transparency in public construction; establishing a requirement for and a definition of responsible contractor; proposing coding for new law in Minnesota Statutes, chapter 16C.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. [16C.285] RESPONSIBLE CONTRACTOR REQUIREMENT DEFINED.

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given them.

(b) "Construction contract" means a contract for building, erection, construction, alteration, remodeling, demolition, or repair of public buildings, real property, highways, roads, bridges, or other public construction work entered into by or at the direction of a state agency, the Minnesota State Colleges and Universities, the University of Minnesota, the Metropolitan Council, the Metropolitan Airports Commission, or a municipality.

(c) "Contractor" means a vendor that performs building, erection, construction, alteration, remodeling, demolition, or repair of public buildings, real property, highways, roads, bridges, or other public construction work and who submits a bid or proposal or otherwise responds to a solicitation document of a contracting authority.

(d) "Contracting authority" means a state agency, the Minnesota State Colleges and Universities, the University of Minnesota, the Metropolitan Council, the Metropolitan Airports Commission, or a municipality that enters into a construction contract or authorizes or directs entering into a construction contract.

(e) "Municipality" means a county, town, home rule charter or statutory city, school district, housing and redevelopment authority, port authority, economic development authority, sports facilities authority, joint powers board or organization created under section 471.59 or other statute, drainage authority, watershed district, destination medical center corporation, or other municipal corporation or political subdivision of the state authorized by law to enter into contracts.

(f) "Project" means building, erection, construction, alteration, remodeling, demolition, or repair of public buildings, real property, highways, roads, bridges or other public construction work performed pursuant to a construction contract.

(g) "Related entity" means:

(1) a firm, partnership, corporation, joint venture, or other legal entity substantially under the control of a contractor or vendor;

(2) a predecessor corporation or other legal entity having one or more of the same principals as the contractor or vendor;

(3) a subsidiary of a contractor or vendor;

(4) one or more principals of a contractor or vendor; and

(5) a person, firm, partnership, corporation, joint venture, or other legal entity that substantially controls a contractor or vendor.

(h) "Solicitation document" means an invitation to bid, bid specifications, request for proposals, request for qualifications, or other solicitation of contractors or vendors for purposes of a construction contract.

(i) "Vendor" means a business, including a construction contractor or a natural person, and includes both if the natural person is engaged in a business.

Subd. 2. Responsible contractor required. (a) A contractor or vendor must meet the minimum criteria in subdivision 3 to be eligible to be awarded a construction contract as the lowest responsible bidder or the vendor or contractor offering the best value, as provided in sections 16C.28, 103D.811, 103E.505, 116A.13, 123B.52, 160.17, 160.262, 161.32, 161.3206, 161.3209, 161.38, 162.17, 365.37, 374.13, 375.21, 383C.094, 412.311, 429.041, 458D.21, 469.015, 469.068,

469.101, 471.345, 473.4057, 473.523, 473.652, 473.756, and 473J.11, or any of their successor provisions.

(b) This section applies where the amount of a construction contract is estimated to exceed \$50,000 and where a construction contract is awarded pursuant to a lowest responsible bidder requirement or a best-value selection method.

Subd. 3. **Minimum criteria.** "Responsible contractor" means a contractor or vendor that conforms to the requirements in the solicitation document and certifies that it meets the following minimum criteria at the time that it responds to the solicitation document:

(1) the contractor or vendor is in compliance with workers' compensation and unemployment insurance requirements; is currently registered with the Department of Revenue and the Department of Employment and Economic Development if it has employees; and has a valid federal tax identification number or a valid Social Security number if an individual;

(2) the contractor, vendor, or related entity is in compliance with, and, during the three-year period before responding to the solicitation document, has not violated sections 177.24, 177.25, 177.41 to 177.44, 181.13, 181.14, or 181.722, and has not violated United States Code, title 29, sections 201 to 219, or United States Code, title 40, sections 3141 to 3148. For purposes of this clause, a violation occurs when a contractor, vendor, or related entity fails to pay statutorily required wages or penalties of \$10,000 or more, has been issued an order to comply by the commissioner of labor and industry or authorized designee or representative, has been issued a determination letter by the Department of Transportation finding a violation, or has been found liable in an action brought in a court having jurisdiction;

(3) the contractor, vendor, or related entity is in compliance with and, during the three-year period before responding to the solicitation document, has not violated any municipality's requirements for payment of wages for construction work performed for that municipality as provided in ordinance, resolution, policy, or contractual provision. For purposes of this clause, a violation occurs when a municipality determines that a contractor, vendor, or related entity fails to pay wages or penalties required by the municipality in the amount of \$10,000 or more;

(4) the contractor, vendor, or related entity is in compliance with, and, during the three-year period before responding to the solicitation document, has not violated section 181.723 or chapter 326B. For purposes of this clause, a violation occurs when a contractor, vendor, or related entity has been issued a final administrative or licensing order;

(5) the contractor, vendor, or related entity has no current tax liens or tax delinquencies;

(6) the contractor, vendor, or related entity has not operated under false names or fronts as a small business, a socially or economically disadvantaged small business, or a disadvantaged business enterprise;

(7) the contractor, vendor, or related entity is not currently debarred by the federal government, the state, or a municipality, and is currently not ineligible to be awarded a contract by a contracting authority or perform work under a construction contract under subdivision 4; and

(8) all subcontractors or vendors of whatever tier the contractor intends to use to perform project work have verified to the contractor or vendor through a signed statement under oath by an owner or officer that they meet the minimum criteria listed in clauses (1) to (7).

Subd. 4. **Verification of compliance.** The contractor or vendor must submit a signed statement under oath by an owner or officer verifying compliance with each of the minimum criteria in subdivision 3. A contracting authority may accept a sworn statement as sufficient to demonstrate that a contractor or vendor is a responsible contractor and shall not be held liable for awarding a contract in reasonable reliance on such a statement. Failure to verify compliance with any one of the minimum criteria will render the contractor or vendor ineligible to be awarded a contract. A false statement under oath verifying compliance with any of the minimum criteria may result in termination of the contract awarded to the contractor, subcontractor, or vendor that submits a false statement, and will render that contractor, subcontractor, or vendor ineligible to be awarded a contract by a contracting authority or allowed to perform work under a construction contract, as defined in subdivision 1, for a period of three years. The period of ineligibility may be reduced by the commissioner of administration in the event of an emergency.

Subd. 5. **Subcontractor verifications.** The contractor's or vendor's verification of compliance under subdivision 4 must include an accurate list of all subcontractors and vendors to be used on the project. The contractor or vendor must submit to the contracting authority upon request copies of the signed verifications of compliance obtained from all subcontractors and vendors as provided in subdivision 3, clause (8).

Subd. 6. **Additional criteria.** Nothing in this section shall restrict the discretion of a contracting authority to establish additional criteria for defining a responsible contractor.

Subd. 7. **Implementation.** The definition of responsible contractor, as defined in subdivision 3, must be included in the solicitation document for all construction projects covered by this section. The solicitation document for any project must state that any contractor or vendor that does not meet the minimum criteria in subdivision 3 is not a responsible contractor and is not eligible to be awarded the construction contract for the project. The solicitation document must provide that a false statement under oath verifying compliance with any of the minimum criteria may result in termination of the contract awarded to the contractor, subcontractor, or vendor that submits a false statement, and will render that contractor, subcontractor, or vendor ineligible to be awarded a contract by a contracting authority or allowed to perform work under a construction contract, as defined in subdivision 1, for a period of three years. The solicitation document must state that the contractor or vendor must submit to the contracting authority upon request copies of the signed verifications of compliance obtained from all subcontractors and vendors as provided in subdivision 3, clause (8).

Subd. 8. **Severability.** If any provision of this section is declared legally invalid or unenforceable, or if any part of this section is suspended or restrained by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

EFFECTIVE DATE. This section is effective January 1, 2015, and applies to all contracts entered into on or after that date."

Delete the title and insert:

"A bill for an act relating to state government; providing for enhancement of accountability and transparency in public construction; establishing a requirement for a definition of responsible contractor; proposing coding for new law in Minnesota Statutes, chapter 16C."

And when so amended the bill do pass and be re-referred to the Committee on Transportation and Public Safety. Amendments adopted. Report adopted.

Senator Pappas from the Committee on State and Local Government, to which was referred

S.F. No. 1958: A bill for an act relating to local government; increasing the maximum number of connections allowed for the Cedar Lake area water and sanitary sewer district; authorizing Helena Township in Scott County to use surplus land, property, or money for certain purposes after removal of a subordinate service district; amending Laws 1999, chapter 243, article 14, section 5, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 11, delete "following final enactment" and insert "after the governing body of the Cedar Lake area water and sanitary sewer district and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3"

Page 2, line 28, delete "following final enactment" and insert "after the governing body of Helena Township and its chief clerical officer timely complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

Senator Cohen from the Committee on Finance, to which was referred

S.F. No. 347: A bill for an act relating to families; updating the Uniform Interstate Family Support Act; amending Minnesota Statutes 2012, sections 518C.101; 518C.102; 518C.103; 518C.201; 518C.202; 518C.203; 518C.204; 518C.205; 518C.206; 518C.207; 518C.208; 518C.209; 518C.301; 518C.303; 518C.304; 518C.305; 518C.306; 518C.307; 518C.308; 518C.310; 518C.311; 518C.312; 518C.313; 518C.314; 518C.316; 518C.317; 518C.318; 518C.319; 518C.401; 518C.501; 518C.503; 518C.504; 518C.505; 518C.506; 518C.508; 518C.601; 518C.602; 518C.603; 518C.604; 518C.605; 518C.606; 518C.607; 518C.608; 518C.609; 518C.610; 518C.611; 518C.612; 518C.613; 518C.701; 518C.801; 518C.902; proposing coding for new law in Minnesota Statutes, chapter 518C; repealing Minnesota Statutes 2012, section 518C.502.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Dibble from the Committee on Transportation and Public Safety, to which was referred

S.F. No. 2252: A bill for an act relating to public safety; pupil transportation; requiring seat belt cutters in type III vehicles; requiring school bus drivers to conduct post-trip inspections; modifying reporting and cancellation requirements for bus endorsements; amending Minnesota Statutes 2012, sections 169.443, by adding a subdivision; 169.451, subdivision 4, by adding a subdivision; 169.454, by adding a subdivision; 169.4582, by adding a subdivision; 171.02, subdivision 2b; 171.3215, subdivisions 1, 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 9, insert:

"Section 1. Minnesota Statutes 2012, section 169.443, subdivision 7, is amended to read:

Subd. 7. **Misdemeanor.** Except as provided in subdivision 10, paragraph (b), a person who violates this section is guilty of a misdemeanor."

Page 1, line 12, before "Each" insert "(a)"

Page 1, after line 13, insert:

"(b) If a child is left unattended on a school bus after a posttrip inspection or as the result of the failure to conduct a posttrip inspection under this subdivision, the driver is guilty of a gross misdemeanor."

Page 2, line 9, delete "carrier, district," and insert "carrier or district"

Page 2, line 10, delete "operator, or driver" and after "10," insert "paragraph (b),"

Page 2, line 11, delete "with" and insert "within" and after the period, insert "A violation of this subdivision is a misdemeanor."

Page 4, line 10, delete "employee" and insert "operator"

Page 4, line 35, after "10" insert ", paragraph (b)"

Page 5, line 8, before "Within" insert "Except as otherwise provided in this section,"

Page 5, line 34, delete "of" and insert "for" and after "10," insert "paragraph (b),"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing for criminal penalties;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Senator Sheran from the Committee on Health, Human Services and Housing, to which was referred

S.F. No. 2047: A bill for an act relating to health; modifying the newborn screening program; amending Minnesota Statutes 2012, section 144.125, subdivisions 3, 4, 5, 8, 9, 10; Minnesota Statutes 2013 Supplement, section 144.125, subdivision 7; repealing Minnesota Statutes 2012, section 144.125, subdivision 6.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 144.125, subdivision 3, is amended to read:

Subd. 3. **Information provided to parents and legal guardians.** (a) The department shall make information and forms available to childbirth education programs and health care providers who provide prenatal care describing the newborn screening program and the provisions of this section to be used in a discussion with expectant parents and parents of newborns. The department shall make information and forms about newborn screening available to the persons with a duty to perform

testing under this section and to expectant parents and parents of newborns using electronic and other means.

(b) Prior to collecting a sample, persons with a duty to perform testing under subdivision 1 must:

(1) provide parents or legal guardians of infants with a document that provides the following information:

(i) the benefits of newborn screening;

(ii) that the blood sample will be used to test for heritable and congenital disorders, as determined under subdivision 2;

(iii) the data that will be collected as part of the testing;

~~(iv) the standard retention periods for blood samples and test results as provided in subdivision 6~~ the benefits associated with the department's storage of an infant's blood sample and test results;

(v) that the Department of Health may store the blood samples and test results unless the parent or legal guardian elects to not have them stored;

~~(v) (vi) that blood samples and test results will be used for program operations during the standard retention period in accordance with subdivision 5, unless the parents or legal guardians elect not to have the blood samples and test results stored;~~

~~(vi) the Department of Health's Web site address where more information and forms may be obtained; and~~

(vii) that parents or legal guardians have a right to elect not to have newborn screening performed and a right to secure private testing;

(viii) that parents or legal guardians have a right to elect to have the newborn screening performed, but not have the blood samples and test results stored;

(ix) that parents or legal guardians may authorize in writing that the blood samples and test results may be used for public health studies or research; and

(x) the Department of Health's Web site address where more information and forms may be obtained; and

(2) upon request, promptly provide parents or legal guardians of infants with forms necessary to request that the infant not have blood collected for testing or to request to have the newborn screening performed, but not have the blood samples and test results stored; and

(3) record in the infant's medical record that a parent or legal guardian of the infant has received the information provided pursuant to this subdivision and has had an opportunity to ask questions.

(c) Nothing in this section prohibits a parent or legal guardian of an infant from having newborn screening performed by a private entity.

Sec. 2. Minnesota Statutes 2012, section 144.125, subdivision 4, is amended to read:

Subd. 4. **Parental options.** (a) The parent or legal guardian of an infant otherwise subject to testing under this section may elect not to have newborn screening performed, or may elect to have newborn screening tests performed, but not to have the blood samples and test results stored.

(b) If a parent or legal guardian elects not to have newborn screening performed or elects not to allow the blood samples and test results to be stored, then the election ~~shall~~ must be recorded on a form that is signed by the parent or legal guardian. The signed form ~~shall~~ must be made part of the infant's medical record and a copy shall be provided to the Department of Health. When a parent or legal guardian elects not to have newborn screening performed, the person with the duty to perform testing under subdivision 1 must follow that election. A written election to decline testing exempts persons with a duty to perform testing and the Department of Health from the requirements of this section and section 144.128.

Sec. 3. Minnesota Statutes 2012, section 144.125, subdivision 5, is amended to read:

Subd. 5. **Newborn screening program operations.** (a) "Newborn screening program operations" means actions, testing, and procedures directly related to the operation of the newborn screening program, limited to the following:

- (1) confirmatory testing;
- (2) laboratory quality control assurance and improvement;
- (3) calibration of equipment;
- (4) evaluating and improving the accuracy of newborn screening tests for conditions approved for screening in Minnesota;
- (5) validation of equipment and screening methods; ~~and~~
- (6) continuity of operations to ensure testing can continue as required by Minnesota law in the event of an emergency; and
- (7) utilization of blood samples and test results for studies related to newborn screening, including studies used to develop new tests.

~~(b) No research; or public health studies; or development of new newborn screening tests shall be conducted under this subdivision other than those described in paragraph (a) shall be conducted without written consent as described under subdivision 7.~~

Sec. 4. Minnesota Statutes 2013 Supplement, section 144.125, subdivision 7, is amended to read:

Subd. 7. **Parental options for ~~extended storage and use~~ additional research.** (a) The parent or legal guardian of an infant ~~otherwise~~ subject to testing under this section may authorize in writing that the infant's blood sample and test results be retained and used by the Department of Health ~~beyond the standard retention periods provided in subdivision 6~~ for the purposes described in subdivision 9.

(b) The Department of Health must provide a consent form, with an attached Tennesen warning pursuant to section 13.04, subdivision 2. The consent form must provide the following:

~~(1) information as to the personal identification and use of samples and test results for studies, including studies used to develop new tests;~~

~~(2)~~ (1) information as to the personal identification and use of samples and test results for public health studies or research not related to newborn screening;

~~(3) information that explains that the Department of Health will not store a blood sample or test result for longer than 18 years from an infant's birth date;~~

~~(4) (2) information that explains that, upon approval by the Department of Health's Institutional Review Board, blood samples and test results may be shared with external parties for public health studies or research; and~~

~~(5) (3) information that explains that blood samples contain various components, including deoxyribonucleic acid (DNA); and~~

~~(6) the benefits and risks associated with the department's storage of a child's blood sample and test results.~~

Sec. 5. Minnesota Statutes 2012, section 144.125, subdivision 8, is amended to read:

Subd. 8. **Extended Storage and use of samples and test results.** ~~When authorized in writing by a parent or legal guardian under subdivision 7, (a) The Department of Health may store blood samples and test results for a time period not to exceed 18 years from the infant's birth date, and may use the blood samples and test results in accordance with subdivision 9 5, unless a parent or legal guardian elects against the storage of the blood samples and test results, and in accordance with subdivision 9, if written informed consent of a parent or legal guardian is obtained.~~

~~(b) If a parent, legal guardian, or individual elects against storage or revokes prior consent for storage, the blood samples must be destroyed within one week of receipt of the request, and test results must be destroyed at the earliest time allowed under Clinical Laboratory Improvement Amendments (CLIA) regulations.~~

Sec. 6. Minnesota Statutes 2012, section 144.125, subdivision 9, is amended to read:

Subd. 9. **Written, informed consent for other use of samples and test results.** With the written, informed consent of a parent or legal guardian, the Department of Health may:

~~(1) use blood samples and test results for studies related to newborn screening, including studies used to develop new tests; and~~

~~(2) use blood samples and test results for public health studies or research not related to newborn screening, and upon approval by the Department of Health's Institutional Review Board, share samples and test results with external parties for public health studies or research.~~

Sec. 7. Minnesota Statutes 2012, section 144.125, subdivision 10, is amended to read:

Subd. 10. **Revoking consent for storage and use.** A parent or legal guardian, or the individual whose blood was tested as an infant if the individual is 18 years of age or older, may revoke approval for extended storage or use of blood samples or test results at any time by providing a signed and dated form requesting destruction of the blood samples or test results. The Department of Health shall make necessary forms available on the department's Web site. Blood samples must be destroyed within one week of receipt of a request or within one week of the standard retention period for blood samples provided in subdivision 6, whichever is later, and test results must be destroyed within one month of receipt of a request or within one month of the standard retention period for test results provided in subdivision 6, whichever is later at the earliest time allowed under Clinical Laboratory Improvement Amendments (CLIA) regulations.

Sec. 8. **LIMITED OPT IN EXCEPTION.**

Parents and legal guardians of infants born prior to the effective date of this act may give the Department of Health written consent for storage and use as described in Minnesota Statutes, section 144.125, subdivisions 5 and 8.

Sec. 9. **REPEALER.**

Minnesota Statutes 2012, section 144.125, subdivision 6, is repealed.

Sec. 10. **EFFECTIVE DATE.**

Sections 1 to 9 are effective the day following final enactment."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Senator Dibble from the Committee on Transportation and Public Safety, to which was referred

S.F. No. 2174: A bill for an act relating to public safety; making conforming changes to the ignition interlock program to include limited licenses for program participants who do not have a driver's license due to criminal vehicular operation; amending Minnesota Statutes 2013 Supplement, section 171.306, subdivision 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 9, after "harm" insert ", where the participant has fewer than two qualified prior impaired driving incidents within the past ten years or fewer than three qualified prior impaired driving incidents ever"

Page 2, line 17, after the second "harm" insert ", where the participant has two or more qualified prior impaired driving incidents within the past ten years or three or more qualified prior impaired driving incidents ever"

Page 2, line 35, delete everything after "2014" and insert a period

Page 2, delete line 36

And when so amended the bill do pass and be re-referred to the Committee on Judiciary. Amendments adopted. Report adopted.

Senator Dibble from the Committee on Transportation and Public Safety, to which was referred

S.F. No. 2154: A bill for an act relating to transportation; making technical changes to provisions affecting the Department of Transportation; clarifying contracting requirements; modifying U-turn rules; providing bridge inspection authority in certain instances; modifying reporting requirements; modifying appropriations; amending Minnesota Statutes 2012, sections 16A.124, subdivision 5; 161.32, subdivisions 1f, 5; 161.3209, subdivision 2; 161.3420, subdivision 4; 161.3426, subdivisions 1, 4; 162.06, subdivision 1; 162.12, subdivision 1; 165.03, subdivision 3; 165.12, subdivision 1; 169.19, subdivision 2; 169.781, subdivision 10; 169.782, subdivision 4; 169.865, subdivision 2; 171.02, subdivision 2; 171.03; 174.37, subdivision 6; 221.031, by adding subdivisions; Minnesota Statutes 2013 Supplement, sections 161.44, subdivision 1a; 169.19,

subdivision 1; 174.12, subdivision 2; Laws 2010, chapter 189, section 15, subdivision 12; Laws 2012, chapter 287, article 2, section 1; Laws 2012, First Special Session chapter 1, article 1, section 28; Laws 2013, chapter 127, section 67; repealing Minnesota Statutes 2012, section 161.115, subdivision 240; Minnesota Statutes 2013 Supplement, section 221.0314, subdivision 9a.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, lines 27 to 29, delete the new language and insert "For a construction contract utilizing partial payments based on an engineer's estimate or a payment application approved by an architect, an invoice includes an engineer's estimate or a payment application, as applicable, if made in regular intervals that are: (1) as specified in the contract, and (2) no less frequent than once per month."

Page 2, delete section 2

Page 2, line 13, after "accrue" insert "under this section"

Page 3, delete section 4

Page 4, delete sections 5 and 6

Page 5, delete section 7

Page 7, after line 5, insert:

"Sec. 5. Minnesota Statutes 2012, section 162.081, subdivision 4, is amended to read:

Subd. 4. **Formula for distribution to towns; purposes.** (a) Money apportioned to a county from the town road account must be distributed to the treasurer of each town within the county, according to a distribution formula adopted by the county board. The formula must take into account each town's ~~levy for road and bridge purposes,~~ its population and town road mileage, and other factors the county board deems advisable in the interests of achieving equity among the towns. Distribution of town road funds to each town treasurer must be made by March 1, annually, or within 30 days after receipt of payment from the commissioner. Distribution of funds to town treasurers in a county which has not adopted a distribution formula under this subdivision must be made according to a formula prescribed by the commissioner by rule.

(b) Money distributed to a town under this subdivision may be expended by the town only for the construction, reconstruction, and gravel maintenance of town roads within the town."

Page 13, line 11, delete "or" and insert a comma and after "B" insert ", or class C"

Page 15, line 6, delete "with" and insert "within"

Page 15, after line 26, insert:

"Sec. 21. Laws 2012, chapter 287, article 2, section 3, is amended to read:

Sec. 3. TRUNK HIGHWAY FUND BOND PROCEEDS ACCOUNT.

To provide the money appropriated in this article from the bond proceeds account in the trunk highway fund, the commissioner of management and budget shall sell and issue bonds of the state in an amount up to ~~\$16,120,000~~ \$17,613,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 167.50 to 167.52, and by the Minnesota Constitution, article XIV, section 11, at the times and in the amounts requested by the commissioner of

transportation. The proceeds of the bonds, except accrued interest and any premium received from the sale of the bonds, must be credited to the bond proceeds account in the trunk highway fund.

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

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was referred

S.F. No. 2156: A bill for an act relating to liquor; extending University of Minnesota service of alcohol; repealing Laws 2012, chapter 235, section 11.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Commerce. Report adopted.

Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was referred

S.F. No. 2285: A bill for an act relating to state government; modifying laws governing certain executive branch advisory groups; amending Minnesota Statutes 2013 Supplement, section 136A.031, subdivision 3; repealing Minnesota Statutes 2012, section 124D.94.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2013 Supplement, section 136A.031, subdivision 3, is amended to read:

Subd. 3. **Student Advisory Council.** (a) A Student Advisory Council (SAC) to the ~~Minnesota office of Higher Education~~ is established. The members of SAC shall include: the chair of the University of Minnesota student senate; the state chair of the Minnesota State University Student Association; the president of the Minnesota State College Student Association and an officer of the Minnesota State College Student Association, one in a community college course of study and one in a technical college course of study; ~~the president of the Minnesota Association of Private College Students; and a student who is enrolled in a private vocational school, to be appointed by the Minnesota Career College Association~~ a student who is enrolled in a private nonprofit postsecondary institution, to be elected by students enrolled in Minnesota Private College Council institutions; and a student who is enrolled in a private for-profit postsecondary institution, to be elected by students enrolled in Minnesota Career College Association institutions. If students from the Minnesota Private College Council institutions do not elect a representative, the Minnesota Private College Council must appoint the private nonprofit representative. If students from the Minnesota Career College Association institutions do not elect a representative, the Minnesota Career College Association must appoint the private for-profit representative. A member may be represented by a student designee who attends an institution from the same system that the absent member represents. The SAC shall select one of its members to serve as chair.

(b) The ~~Minnesota office of Higher Education~~ shall inform the SAC of all matters related to student issues under consideration. The SAC shall report to the ~~Minnesota office of Higher Education~~ quarterly and at other times that the SAC considers desirable. The SAC shall determine its meeting times, but it shall also meet with the office within 30 days after the commissioner's request for a meeting.

(c) The SAC shall:

(1) bring to the attention of the ~~Minnesota office of Higher Education~~ any matter that the SAC believes needs the attention of the office;

(2) make recommendations to the ~~Minnesota office of Higher Education~~ as it finds appropriate; and

(3) approve student appointments by the ~~Minnesota office of Higher Education~~ for each advisory group as provided in subdivision 4."

And when so amended the bill do pass and be re-referred to the Committee on State and Local Government. Amendments adopted. Report adopted.

Senator Marty from the Committee on Environment and Energy, to which was referred

S.F. No. 2164: A bill for an act relating to energy; regulating terms of sale and service and the discontinuance of service during the heating season with respect to residential propane customers; requiring registration of and reporting by propane distributors; proposing coding for new law in Minnesota Statutes, chapter 216B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. **[216B.0991] DEFINITIONS.**

Subdivision 1. **Scope.** For the purposes of sections 216B.0991 to 216B.0998, the terms defined in this section have the meanings given them.

Subd. 2. **Customer.** "Customer" means a person who purchases or signs a contract to purchase propane from a propane distributor for residential heating.

Subd. 3. **Low-income customer.** "Low-income customer" means any customer whose household income is at or below 50 percent of the state median household income.

Subd. 4. **Delinquent.** "Delinquent" means a customer's account with a propane distributor that is in arrears because the customer has failed to pay a valid bill or charge in full within 20 days of its due date.

Subd. 5. **Discontinuance or discontinue.** "Discontinuance" or "discontinue" means the refusal of a propane distributor to deliver propane to a customer previously receiving residential heating service from the propane distributor.

Subd. 6. **Heating season.** "Heating season" means the time period from October 15 through April 15.

Subd. 7. **LIHEAP.** "LIHEAP" means the low-income home energy assistance program.

Subd. 8. **Propane distributor.** "Propane distributor" means a person who:

- (1) sells propane at retail to customers; and
- (2) received more than \$200,000 in payments from the LIHEAP program for propane delivered during the previous heating season; or
- (3) received less than \$200,000 in payments from the LIHEAP program for propane delivered during the previous heating season, and meets one of the following conditions:
 - (i) markets propane under a single brand and the aggregate amount of payments received from the LIHEAP program for propane delivered during the previous heating season by all entities selling propane under that brand within the state exceeds \$200,000;
 - (ii) is organized as a cooperative association under chapter 308A or 308B; or
 - (iii) operates a pipeline, rail or pipeline terminal, or bulk plant at which propane is received.

For the purposes of this subdivision, "bulk plant" means an aboveground or underground tank facility with a storage capacity of more than 1,000 gallons that dispenses propane into cargo tanks for transportation and sale at another location.

Subd. 9. **Residential heating service.** "Residential heating service" means the provision of the primary source of heat for the interior of a residential structure.

Sec. 2. [216B.0992] PRICE AND FEE DISCLOSURE.

A propane distributor must prepare a document listing the current per-gallon price of propane and all additional charges, fees, and discounts that pertain to residential heating service. The document must be:

- (1) made available to a person upon request;
- (2) posted on the propane distributor's Web site, if applicable; and
- (3) provided to a new customer before residential service is initiated.

Sec. 3. [216B.0993] BUDGET PAYMENT PLAN.

(a) A propane distributor must offer a reasonable and effective budget payment plan to a customer whose payments for residential heating service are current, or who has entered into and is complying with a contract with the propane distributor for residential heating service, without regard to the length of time the customer has purchased propane from the propane distributor.

(b) A budget payment plan must levelize a customer's estimated annual propane bill by dividing it into 12 equal monthly payments.

(c) A propane distributor must notify a customer on a budget payment plan within 30 days of a price or fee change that may affect the monthly amount due under the budget payment plan by more than 20 percent.

Sec. 4. [216B.0994] DELINQUENT ACCOUNT; PAYMENT AGREEMENT.

(a) A propane distributor must offer a reasonable payment agreement to a low-income customer whose account is delinquent that allows the customer to pay the delinquent bill over time. The

propane distributor and the customer may negotiate the terms of a payment agreement to arrive at a mutually acceptable agreement. A reasonable payment agreement must consider at least the following factors:

- (1) the amount that is delinquent;
- (2) the customer's financial resources and circumstances;
- (3) the reason the account became delinquent; and
- (4) the customer's eligibility for LIHEAP and other emergency energy assistance programs.

(b) A reasonable payment agreement must have a term no less than six months.

(c) A reasonable payment agreement may not require a customer to pay more than ten percent of the customer's monthly household income toward current and past propane bills, unless the customer agrees to pay more.

(d) A customer who has entered into a payment agreement with a propane distributor may request a modification of the terms of the payment agreement if the customer's financial circumstances have changed or the customer is unable to make timely payments.

Sec. 5. [216B.0995] SERVICE DISCONTINUANCE.

Subdivision 1. **During heating season.** A propane distributor may not discontinue residential propane heating service during the heating season if all of the following conditions are met:

(1) the customer is a low-income customer. A propane distributor may:

(i) verify income on forms it provides; or

(ii) obtain verification of income from the local energy assistance provider. A customer is deemed to meet the income requirements of this clause if the customer receives any form of public assistance, including energy assistance that uses an income eligibility threshold set at or below 50 percent of the state median household income; and

(2) a customer enters into and makes reasonably timely payments under a payment agreement that considers the financial resources of the household.

Subd. 2. **Notice.** A propane distributor must, between August 15 and October 15 each year, notify all residential customers of the provisions of this subdivision.

Subd. 3. **Refusal to deliver.** (a) A propane distributor may refuse to deliver propane to a customer if the customer's account is delinquent and the customer has failed to pay two consecutive monthly payments under a payment agreement entered into with the propane distributor.

(b) A refusal to deliver during the heating season must not occur on a weekend, holiday, or the day before a holiday or when the propane distributor offices are closed.

(c) This subdivision shall not apply to any discontinuance of propane service made necessary for reasons of the immediate health or safety of the customer or the general public.

Subd. 4. **Discontinuation notice.** Before discontinuing propane delivery service during the heating season, a propane distributor must provide a notice of discontinuance at least 14 days, but

not more than 20 days, prior to the date of discontinuance. The discontinuance notice must include the following information to a customer:

(1) a notice of proposed supply refusal, including the delinquent amount and the date on which propane delivery will be discontinued unless the customer pays the delinquency in full by a specified date;

(2) a statement explaining the customer's rights and responsibilities;

(3) a list of local energy assistance providers; and

(4) a statement explaining available time payment plans and other opportunities to secure continued supply of propane.

Sec. 6. [216B.0996] NONDISCRIMINATION.

A propane distributor that offers customers payment and service options, including, but not limited to, prepurchase contracts, keep-fill delivery, and credit payments, must offer the same terms and conditions to all new and existing customers, including residents of mobile home parks.

Sec. 7. [216B.0997] TERMS OF SALE.

Subdivision 1. **Minimum delivery.** (a) During the heating season, a propane distributor may not require a customer to purchase, per delivery, more than:

(1) 150 gallons of propane, if the customer's propane tank has a capacity below 500 gallons; or

(2) 200 gallons of propane, if the customer's propane tank has a capacity of 500 gallons or more.

(b) At times other than during the heating season, a propane distributor may not require a customer to purchase, per delivery, more than the lesser of 250 gallons of propane or 35 percent of the capacity of the customer's propane tank.

(c) The purchase limits in this subdivision apply to all deliveries including the initial delivery of propane following installation of a customer's propane tank.

(d) A propane dealer may not charge an additional minimum delivery fee to a customer because the customer has purchased propane in the minimum amounts allowed under this subdivision, unless the customer is making payments under a payment agreement or budget plan and the charge for the minimum delivery fee is included in the payment agreement or budget plan. If a customer is not under a payment agreement or budget plan, a propane dealer must allow the customer to pay for any minimum service delivery fee in four monthly installments.

Subd. 2. **Cannot refuse certain sales.** (a) A propane distributor with an available supply of propane must not refuse to sell propane to a customer who:

(1) pays the lawful price upon delivery in cash, by certified or cashier's check, or by commercial money order or its equivalent; or

(2) receives energy assistance from LIHEAP or a governmental or private agency that has funds available to pay for a delivery.

(b) A propane distributor must apply 75 percent of a cash payment made by a customer whose account is delinquent toward the current propane delivery bill and 25 percent to the delinquent bill

until the delinquent amount owed is paid in full. The distributor must deliver to the customer the quantity of gas purchased by 75 percent of the cash payment.

Subd. 3. **Delivery charge; additional fees.** A propane distributor may not charge a customer a delivery fee, except when the customer requests a delivery to be made outside of the propane distributor's:

(1) normal business hours, as posted at the propane distributor's place of business or on its Web site; or

(2) same day or emergency delivery service.

Subd. 4. **Minimal usage charge.** No propane distributor may charge an additional fee to a residential customer for metered gas minimum usage or minimum volume requirement propane usage or minimal usage.

Subd. 5. **LIHEAP participation and payments.** A propane distributor must make available to its customers information regarding LIHEAP, including income eligibility and contact information for organizations accepting LIHEAP applications, upon request and with each bill and receipt for propane delivered to a customer. A propane distributor must accept payments from LIHEAP and must deliver the full amount of propane and any related cost or service paid for by LIHEAP funds.

Subd. 6. **Third-party credit disclosure.** A propane distributor must not make known the names of past or present delinquent customers to other propane distributors, except in the course of a routine credit check performed when a prospective customer applies for credit privileges.

Subd. 7. **Security deposits.** During the heating season, a propane distributor may not require a customer eligible to receive heating assistance under LIHEAP to pay a security deposit as a condition of service. At all other times, a security deposit may not exceed the lesser of \$200 or five percent of the customer's estimated annual heating bill.

Sec. 8. [216B.0998] REGISTRATION; REPORTING.

Subdivision 1. **Registration.** Annually by September 1, a propane distributor shall register with the department on a form prescribed by the commissioner. A propane distributor may not sell propane at retail in this state unless the propane distributor has received a registration certificate from the commissioner.

Subd. 2. **Reporting.** (a) Annually by September 1, a propane distributor must submit the following information to the commissioner:

(1) the amount of fees associated with propane delivery to a customer, including, but not limited to, tank purchasing, leasing, installation, inspection, pump-out and pick-up fees, emergency and after-hours delivery fees, and meter service fees;

(2) a copy of the standard contract between the propane distributor and a customer;

(3) terms and conditions of payment and credit options made available to a customer, including but not limited to prepurchase, fixed-price, and capped-price options, payment agreements and budget payment plans, and price discounts; and

(4) the capacity of propane storage located on site at the propane distributor's place of business, and the capacity of any other storage locations owned or leased by the propane distributor.

(b) Beginning at the start of the heating season of 2014-2015, and continuing each subsequent heating season, a propane distributor must submit to the commissioner each week the average wholesale price the distributor paid for propane delivered that week, and the average retail price per gallon charged by the propane distributor to a customer in a form prescribed by the commissioner.

EFFECTIVE DATE. This section is effective the day following final enactment and the initial registration and reporting required must be submitted on or before September 1, 2014.

Sec. 9. Minnesota Statutes 2012, section 239.051, subdivision 29, is amended to read:

Subd. 29. **Refinery, terminal.** "Refinery" or "terminal" means a liquefied petroleum gas refinery or a petroleum refinery, pipeline terminal, river terminal, storage facility, or other point of origin where liquefied petroleum gas or petroleum products are manufactured, or imported by rail, truck, barge, or pipe; and held, stored, transferred, offered for distribution, distributed, offered for sale, or sold. For the purpose of restricting petroleum product blending, this definition includes all refineries and terminals within and outside of Minnesota, but does not include a licensed distributor's bulk storage facility that is used to store petroleum products for which the petroleum inspection fee charged under this chapter is either not due or has been paid.

Sec. 10. Minnesota Statutes 2012, section 239.785, is amended by adding a subdivision to read:

Subd. 7. **Notification of product unavailability; terminal operators.** A person who operates a terminal where liquefied petroleum gas is loaded into transport trucks for subsequent distribution, shall notify the commissioner when liquefied petroleum gas is physically not available for sale to licensed distributors.

Sec. 11. Minnesota Statutes 2012, section 325E.027, is amended to read:

325E.027 DISCRIMINATION PROHIBITION.

(a) No dealer or distributor of liquid propane gas or number 1 or number 2 fuel oil who has signed a low-income home energy assistance program vendor agreement with the Department of Commerce may refuse to deliver liquid propane gas or number 1 or number 2 fuel oil to any person located within the dealer's or distributor's normal delivery area who receives direct grants under the low-income home energy assistance program if:

- (1) the person has requested delivery;
- (2) the dealer or distributor has product available;
- (3) the person requesting delivery is capable of making full payment at the time of delivery; and
- (4) the person is not in arrears regarding any previous fuel purchase from that dealer or distributor.

(b) A dealer or distributor making delivery to a person receiving direct grants under the low-income home energy assistance program may not charge that person any additional costs or fees that would not be charged to any other customer and must make available to that person any discount program on the same basis as the dealer or distributor makes available to any other customer.

(c) The commissioner of commerce may enforce this section using any of the authority granted to the commissioner under section 45.027.

Sec. 12. **EFFECTIVE DATE.**

Sections 1 to 11 are effective the day following final enactment."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "providing additional regulatory authority to the commissioner of commerce regarding the propane industry; requiring notice of lack of propane supply by propane terminal operators;"

And when so amended the bill do pass and be re-referred to the Committee on Commerce. Amendments adopted. Report adopted.

Senator Marty from the Committee on Environment and Energy, to which was referred

S.F. No. 2193: A bill for an act relating to environment; classifying certain data; modifying certain reporting requirements; modifying and creating certain permitting efficiencies; modifying duties of Pollution Control Agency; modifying administrative penalty order and field citation provisions; providing civil penalties; requiring rulemaking; appropriating money; amending Minnesota Statutes 2012, sections 13.741, by adding a subdivision; 84.027, subdivision 14a, by adding a subdivision; 115.03, subdivisions 1, 10; 116.03, subdivision 2b; 116.07, subdivision 4d; 116.072, subdivision 2; 116.073, subdivisions 1, 2; 116J.035, subdivision 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 15, delete "final version of" and after "transmitted" insert "through"

Page 1, line 16, after "Agency" insert "from the online data submission system"

Page 7, line 23, before the period, insert ". A point source participating in a water quality offset authorized by this subdivision must have pollutant load reduction requirements for the traded pollutants based on water quality based effluent limits or wasteload allocations in place prior to the offset"

Page 7, after line 30, insert:

"Sec. 6. Minnesota Statutes 2012, section 115.551, is amended to read:

115.551 TANK FEE.

(a) An installer shall pay a fee of \$25 for each septic system tank installed in the previous calendar year. ~~The fees required under this section must be paid~~ By January 30 each year, the installer shall submit to the commissioner by January 30 of each year a form showing the number of tanks installed in each jurisdiction in the previous calendar year. The commissioner shall invoice the installers with the final fee due. Tank fee payment is due within 30 days of receiving the invoice. The revenue derived from the fee imposed under this section shall be deposited in the environmental fund and is exempt from section 16A.1285.

(b) Notwithstanding paragraph (a), for the purposes of performance-based subsurface sewage treatment systems, the tank fee is limited to \$25 per household system installation.

EFFECTIVE DATE. This section is effective January 1, 2015, and applies to tanks installed on or after January 1, 2015."

Page 8, line 2, after the period, insert "For the purposes of this section, "Tier 1 permits" are permits that do not require individualized actions or public comment periods, and "Tier 2 permits" are permits that require individualized actions or public comment periods."

Page 13, line 17, delete "certificates of" and after "compliance" insert "inspection forms"

Page 13, line 25, delete "prohibit" and insert "provide control measures to prevent the pollution of underground waters from"

Page 15, line 19, delete "prohibit" and insert "provide control measures to prevent the pollution of underground waters from"

Page 15, line 29, delete "certificates of" and after "compliance" insert "inspection forms"

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Jobs, Agriculture and Rural Development. Amendments adopted. Report adopted.

Senator Lutz from the Committee on Judiciary, to which was referred

S.F. No. 2053: A bill for an act relating to corporations; providing for the organization and operation of public benefit corporations; proposing coding for new law as Minnesota Statutes, chapter 304A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 17, delete "Articles; bylaws." and insert "Chapter not to be varied."

Page 3, delete section 4

Page 3, line 21, delete "304A.102" and insert "304A.101"

Page 4, line 5, delete "304A.103" and insert "304A.102"

Page 4, line 10, delete "304A.102" and insert "304A.101"

Page 4, line 27, delete "304A.104" and insert "304A.103"

Page 4, line 32, delete "304A.102" and insert "304A.101"

Page 4, line 33, delete "304A.102" and insert "304A.101"

Page 5, after line 12, insert:

"Sec. 7. **[304A.104] PUBLIC BENEFIT CORPORATION PURPOSES.**

Subdivision 1. **General benefit corporation purpose.** A general benefit corporation has a purpose of pursuing general public benefit. A general benefit corporation may also state in its articles one or more specific public benefit purposes the general benefit corporation elects to pursue. Purposes under these subdivisions are in addition to the purposes under section 302A.101.

Subd. 2. **Specific benefit corporation purpose.** A specific benefit corporation shall have a purpose of pursuing one or more specific public benefit purposes stated in its articles. Purposes under this subdivision are in addition to the purposes under section 302A.101. The election to pursue a

specific public benefit purpose under this subdivision does not require a specific benefit corporation to pursue general public benefit under subdivision 1.

Subd. 3. **Effect of purposes.** The pursuit of general public benefit or a specific public benefit purpose under subdivision 1, or a specific public benefit purpose under subdivision 2, is in the best interests of a public benefit corporation.

Subd. 4. **Amendment of a specific public benefit purpose.** In accordance with the procedures stated in chapter 302A and with approval by the minimum status vote, a general benefit corporation or a specific benefit corporation may amend its articles to add, amend, or delete a specific public benefit purpose unless the amendment would cause a termination of public benefit corporation status under section 304A.103."

Page 5, line 18, delete "produce" and insert "pursue"

Page 5, line 20, delete "produce that" and insert "pursue its"

Page 7, line 2, delete "304A.104" and insert "304A.103"

Page 7, line 28, delete "purpose"

Page 8, line 12, after "to" insert "pursue or"

Page 9, after line 10, insert:

"Sec. 11. **EFFECTIVE DATE.**

Sections 1 to 10 are effective January 1, 2015."

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Latz from the Committee on Judiciary, to which was re-referred

S.F. No. 2027: A bill for an act relating to health; regulating e-cigarettes; amending Minnesota Statutes 2012, sections 144.413, subdivision 4; 144.4165; 461.12; 461.18; 461.19; 609.685; 609.6855.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State and Local Government. Report adopted.

Senator Latz from the Committee on Judiciary, to which was referred

S.F. No. 704: A bill for an act relating to human services; establishing a child protection screening work group for the purpose of establishing consistency in child protection screening; requiring a report; amending Minnesota Statutes 2012, section 626.556, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 2 and insert:

"Sec. 2. Minnesota Statutes 2012, section 626.556, subdivision 11c, is amended to read:

Subd. 11c. **Welfare, court services agency, and school records maintained.** Notwithstanding sections 138.163 and 138.17, records maintained or records derived from reports of abuse by local

welfare agencies, agencies responsible for assessing or investigating the report, court services agencies, or schools under this section shall be destroyed as provided in paragraphs (a) to (d) by the responsible authority.

(a) For family assessment cases and cases where an investigation results in no determination of maltreatment or the need for child protective services, the assessment or investigation records must be maintained for a period of four years. Records under this paragraph may not be used for employment, background checks, or purposes other than to assist in future risk and safety assessments.

(b) All records relating to reports which, upon investigation, indicate either maltreatment or a need for child protective services shall be maintained for at least ten years after the date of the final entry in the case record.

(c) All records regarding a report of maltreatment, including any notification of intent to interview which was received by a school under subdivision 10, paragraph (d), shall be destroyed by the school when ordered to do so by the agency conducting the assessment or investigation. The agency shall order the destruction of the notification when other records relating to the report under investigation or assessment are destroyed under this subdivision.

(d) Private or confidential data released to a court services agency under subdivision 10h must be destroyed by the court services agency when ordered to do so by the local welfare agency that released the data. The local welfare agency or agency responsible for assessing or investigating the report shall order destruction of the data when other records relating to the assessment or investigation are destroyed under this subdivision.

(e) For reports alleging child maltreatment that were not accepted for assessment or investigation, counties shall maintain sufficient information to identify repeat reports alleging maltreatment of the same child or children for 365 days from the date the report was screened out. The commissioner of human services shall specify to the counties the minimum information needed to accomplish this purpose. Counties shall enter this data into the state social services information system."

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "requiring compliance with Department of Human Services guidelines for screening child maltreatment reports; requiring retention of certain information to identify repeated reports of maltreatment of the same child;"

Page 1, delete line 3

Page 1, line 4, delete everything before "amending"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Latz from the Committee on Judiciary, to which was referred

S.F. No. 2108: A bill for an act relating to commerce; prohibiting certain practices in connection with a sales representative agreement; amending Minnesota Statutes 2012, section 325E.37, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, line 16, before the first "or" insert ", renewed,"

And when so amended the bill do pass and be re-referred to the Committee on Commerce. Amendments adopted. Report adopted.

Senator Latz from the Committee on Judiciary, to which was referred

S.F. No. 2277: A bill for an act relating to safe at home program; regulating participant data and real property records; amending Minnesota Statutes 2013 Supplement, sections 5B.05; 13.045; proposing coding for new law in Minnesota Statutes, chapter 386.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2013 Supplement, section 5B.05, is amended to read:

5B.05 USE OF DESIGNATED ADDRESS.

(a) When a program participant presents the address designated by the secretary of state to any person, that address must be accepted as the address of the program participant. The person may not require the program participant to submit any address that could be used to physically locate the participant either as a substitute or in addition to the designated address, or as a condition of receiving a service or benefit, unless the service or benefit would be impossible to provide without knowledge of the program participant's physical location.

(b) A program participant may use the address designated by the secretary of state as the program participant's work address.

(c) The Office of the Secretary of State shall forward all mail sent to the designated address to the proper program participants.

(d) If a program participant has notified a person in writing, on a form prescribed by the program, that the individual is a program participant and of the requirements of this section, the person must not knowingly disclose the program participant's name, home address, work address, or school address, unless the person to whom the address is disclosed also lives, works, or goes to school at the address disclosed, or the participant has provided written consent to disclosure of the participant's name, home address, work address, or school address for the purpose for which the disclosure will be made. This paragraph does not apply to records of the judicial branch governed by rules adopted by the Supreme Court or government entities governed by section 13.045.

Sec. 2. Minnesota Statutes 2013 Supplement, section 13.045, is amended to read:

13.045 SAFE AT HOME PROGRAM PARTICIPANT DATA.

Subdivision 1. **Definitions.** As used in this section:

(1) "program participant" has the meaning given in section 5B.02, paragraph (g); ~~and~~

(2) "~~identity and location data~~" means any data that may be used to ~~identify or~~ physically locate a program participant, including but not limited to the program participant's ~~name~~, residential address, work address, and school address, and that is collected, received, or maintained by a government

entity prior to the date a program participant's certification expires, or the date the entity receives notice that the program participant has withdrawn from the program, whichever is earlier; and

(3) "identity data" means data that may be used to identify a program participant, including the program participant's name, phone number, e-mail address, address designated under chapter 5B, Social Security number, or driver's license number, and that is collected, received, or maintained by a government entity before the date a program participant's certification expires, or the date the entity receives notice that the program participant has withdrawn from the program, whichever is earlier.

Subd. 2. **Notification of certification.** (a) A program participant may submit a notice, in writing, to the responsible authority of any government entity other than the county recorder or registrar of titles that the participant is certified in the Safe at Home address confidentiality program pursuant to chapter 5B. The notice must include the date the program participant's certification in the program expires and any other information specified by the secretary of state. A program participant may submit a subsequent notice of certification, if the participant's certification is renewed. The contents of the notification of certification, and the fact that a notice has been submitted, are private data on individuals.

(b) To affect real property records maintained by the county recorder or registrar of titles, a program participant must submit a real property notice in writing to the county recorder or registrar of titles in the county where the property identified in the real property notice is located. A real property notice must be on a form prescribed by the secretary of state and must include:

- (1) the full legal name of the program participant, including middle name;
- (2) the last four digits of the program participant's Social Security number;
- (3) the designated address of the program participant as assigned by the secretary of state, including lot number;
- (4) the date the program participant's certification in the program expires; and
- (5) the legal description and street address of the real property affected by the notice.

Only one parcel of real property may be included in each notice, but more than one notice may be presented to the recorder or registrar. The recorder or registrar may require a program participant to provide additional information necessary to identify the records of the program participant or the real property described in the notice. A program participant may submit a subsequent real property notice for the real property if the participant's certification is renewed. The real property notice is private data on individuals.

Subd. 3. **Classification of identity and location data; sharing and dissemination.** (a) Identity and location data on a program participant that are not otherwise classified by law are private data on individuals. Notwithstanding any provision of law to the contrary, private or confidential identity and location data on a program participant who submits a notice under subdivision 2, paragraph (a), may not be shared with any other government entity, or disseminated to any person, unless: or nongovernmental entity except as provided in paragraph (b).

(b) Private or confidential location data on a program participant must not be shared or disclosed by a government entity unless:

(1) the program participant has expressly consented in writing to sharing or dissemination of the data for the purpose for which the sharing or dissemination will occur;

(2) the data are subject to sharing or dissemination pursuant to court order; or

(3) the data are subject to sharing pursuant to section 5B.07, subdivision 2;

(4) the location data related to county of residence are needed to provide public assistance or other government services, or to allocate financial responsibility for the assistance or services;

(5) the data are necessary to perform a government entity's health, safety, or welfare functions, including the provision of emergency 911 services, the assessment and investigation of child or vulnerable adult abuse or neglect, or the assessment or inspection of services or locations for compliance with health, safety, or professional standards; or

(6) the data are necessary to aid an active law enforcement investigation of the program participant.

(c) Data disclosed under paragraph (b), clauses (4) to (6), may be used only for the purposes authorized in this subdivision and may not be further disclosed to any other person or government entity. Government entities receiving or sharing private or confidential data under this subdivision shall establish procedures to protect the data from further disclosure.

(d) Real property record data are governed by subdivision 4a.

Subd. 4. **Acceptance of alternate address required.** Regardless of whether a notice of certification has been submitted under subdivision 2, a government entity must accept the address designated by the secretary of state as a program participant's address, and is subject to the requirements contained in section 5B.05, paragraphs (a) to (c).

Subd. 4a. **Real property records.** (a) If a program participant submits a notice to a county recorder or registrar of titles under subdivision 2, paragraph (b), the county recorder, registrar of titles, assessor, or any other county official controlling or with access to real property records must not disclose the program participant's identity data in conjunction with the property identified in the written notice, unless:

(1) the program participant has consented to sharing or dissemination of the data for the purpose for which the sharing or dissemination will occur in a writing acknowledged by the program participant;

(2) the data are subject to sharing or dissemination pursuant to court order; or

(3) the secretary of state authorizes the sharing or dissemination of the data under subdivision 4b for the purpose for which the sharing or dissemination will occur.

This section does not prevent the county from returning original documents to the individuals that submitted the documents for recording or filing. This section does not prevent the public disclosure of the participant's name and designated address in the county reception index if the participant's name and designated address are not disclosed in conjunction with location data. County recorders and registrars of title shall establish procedures for recording or filing documents to comply with this subdivision. These procedures may include masking identity or location data and making documents or certificates of title containing the data private and unviewable except as allowed by this paragraph. The procedure must comply with the requirements of chapters 386, 507, 508, and 508A to the extent

these requirements do not conflict with this section. The procedures must provide public notice of the existence of recorded or filed but private and unviewable documents or certificates of title and the provisions for viewing under this paragraph. Documents that are recorded but not publicly viewable, and accompanied by a notice that the documents are private and viewable only under this subdivision or subdivision 4b, are deemed to be constructive notice of those documents.

(b) A real property notice is notice only to the county recorder, registrar of titles, county auditor, treasurer, or other person performing the duties of a county auditor or treasurer. A notice that does not conform to the requirements of a real property notice under subdivision 2, paragraph (b), is not effective as a notice to the county recorder, registrar of titles, county auditor, treasurer, or any person performing the duties of county auditor or treasurer. On receipt of a real property notice, the county recorder or registrar shall provide a copy of the notice to the county auditor and treasurer, or the person performing the functions of the county auditor and treasurer in that county, and provide a copy to the secretary of state at the address specified by the secretary of state in the notice. Notwithstanding any rule or law to the contrary, the county recorder, registrar of titles, auditor, treasurer, and any county official performing the duties of a county recorder, registrar of titles, auditor, or treasurer, are subject to paragraph (a).

(c) Paragraph (a) applies only to a participant's records recorded or filed concurrently with the real property notice specified in subdivision 2, paragraph (b), and real property records recorded subsequent to the county's receipt of the real property notice.

(d) The prohibition on disclosure in paragraph (a) continues until:

(1) the program participant has consented to the termination of the real property notice in a writing acknowledged by the program participant;

(2) the real property notice is terminated pursuant to a court order;

(3) the program participant no longer holds a record interest in the real property identified in the real property notice; or

(4) the secretary of state has given written notice to the county recorder or registrar of titles who provided the secretary of state with a copy of a participant's real property notice that the program participant's certification has terminated. Notification under this paragraph must be given by the secretary of state within 90 days of the termination.

Upon termination of the prohibition of disclosure, the county recorder or registrar of titles shall make public all documents relative to the participant that were previously partially or wholly private and unviewable.

Subd. 4b. **Access to real property data; title examination.** (a) Upon request, the secretary of state may share data regarding a program participant's real property records for the purpose of confirming or denying that the program participant's real property is the property subject to a legitimate title examination. The request must include:

(1) the name, title, address, and affiliated organization, if applicable, of the person requesting data;

(2) the purpose for requesting data;

(3) the requestor's relationship, if any, to the program participant subject to the data; and

(4) the legal description of the property subject to the title examination and any other information required by the secretary of state to respond to the request.

The secretary of state shall approve or deny a request for access to data within two business days.

(b) In responding to a legitimate request, the secretary of state may respond by an affirmation in writing that the property subject to the title examination is or is not the property subject to a program participant's real property notice. Notwithstanding subdivision 4a, or any law to the contrary, a party examining title may rely conclusively on the information contained in a written affirmation from the Office of the Secretary of State.

(c) Location data disclosed under this subdivision may be used only for the purposes authorized in this subdivision and may not be further disclosed to any other person. A person receiving private data under this subdivision shall establish procedures to protect the data from further disclosure.

Subd. 5. Duties of the secretary of state and other government entities limited. Nothing in this section establishes a duty for:

(1) the Office of the Secretary of State to identify other government entities that may hold data on a program participant; or

(2) the responsible authority of any government entity to independently determine whether it maintains data on a program participant, unless a request is received pursuant to section 13.04 or a notice of certification is submitted pursuant to this section.

Subd. 6. Service of process upon program participants. Notwithstanding any law to the contrary, service of process upon a program participant must be made by personal service or service by mail upon the secretary of state under section 5B.03, subdivision 1, clause (3). In an action in which service by publication is required or necessary, publication is valid if the publication omits the name of the program participant and the secretary of state has received service as provided in this subdivision.

Subd. 7. Sharing of program participant data with the secretary of state. Nothing in this section prevents a government entity from sharing program participant data with the secretary of state for the purpose of facilitating compliance with this section.

Sec. 3. EFFECTIVE DATE; EARLY COMPLIANCE.

Sections 1 and 2 are effective the day following final enactment. A government entity may comply with section 2 before the effective date and this compliance is not a violation of Minnesota Statutes, chapter 13."

Delete the title and insert:

"A bill for an act relating to the safe at home program; regulating participant data and real property records; amending Minnesota Statutes 2013 Supplement, sections 5B.05; 13.045."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Marty from the Committee on Environment and Energy, to which was referred

S.F. No. 2092: A bill for an act relating to public utilities; regulating low-income residential electric customer programs; amending Minnesota Statutes 2012, section 216B.16, subdivision 14.

Reports the same back with the recommendation that the bill be amended as follows:

Page 2, line 3, delete "January 1, 2015" and insert "October 1, 2014"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Marty from the Committee on Environment and Energy, to which was referred

S.F. No. 2206: A bill for an act relating to energy; making changes to the energy improvements program for local governments; making technical changes; amending Minnesota Statutes 2012, sections 216C.41, subdivision 4; 216C.436, subdivision 4, by adding a subdivision; repealing Minnesota Rules, parts 3300.0800; 3300.0900; 3300.1000, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 25a, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36; 3300.1100; 3300.1200; 3300.1300; 3300.1400; 3300.1500; 3300.1600; 3300.1700; 3300.1800; 3300.1900; 7607.0100; 7607.0120; 7607.0130; 7607.0140; 7607.0150; 7607.0160; 7607.0170; 7607.0180; 7610.0300; 7685.0100; 7685.0120; 7685.0130; 7685.0140.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 12, insert:

"Section 1. Minnesota Statutes 2012, section 16C.144, subdivision 3, is amended to read:

Subd. 3. **Lease purchase agreement.** The commissioner may enter into a lease purchase agreement with any party for the implementation of utility cost-savings measures in accordance with the guaranteed energy-savings agreement. The implementation costs of the utility cost-savings measures recommended in the engineering report shall not exceed the amount to be saved in utility and operation and maintenance costs over the term of the lease purchase agreement. The term of the lease purchase agreement shall not exceed ~~15~~ 25 years from the date of final installation. The lease is assignable in accordance with terms approved by the commissioner of management and budget."

Page 2, line 1, strike "weighted" and insert "cost-weighted"

Page 2, after line 10, insert:

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

Page 2, after line 18, insert:

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

Page 2, line 25, after the semicolon, insert "7607.0110;"

Page 2, delete lines 28 and 29

Page 2, line 30, delete "4" and insert "3"

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, after the semicolon, insert "extending the payment deadline for certain renewable energy production incentive; making a conforming change to the state guaranteed energy-savings program;"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Skoe from the Committee on Taxes, to which were referred the following appointments:

TAX COURT
JUDGE
Bradford S. Delapena
Thomas G. Haluska
Joanne H. Turner

Reports the same back with the recommendation that the appointments be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 1762, 2076, 347, 2053, 704, 2277, 2092 and 2206 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Koenen introduced—

S.F. No. 2447: A bill for an act relating to bonds; modifying requirements relating to certain bonds issued by the state agricultural society; repealing Minnesota Statutes 2012, section 37.31, subdivisions 7, 8.

Referred to the Committee on Finance.

Senator Marty introduced—

S.F. No. 2448: A bill for an act relating to energy; eliminating antiquated, unnecessary, redundant, or obsolete laws; making conforming changes; amending Minnesota Statutes 2012, sections 216C.03; 256E.25, subdivision 5a; repealing Minnesota Statutes 2012, sections 216C.14; 216C.262; 216C.263; 216C.373; 216C.38; 216C.44.

Referred to the Committee on Environment and Energy.

Senators Hawj, Koenen and Scalze introduced—

S.F. No. 2449: A bill for an act relating to state lands; modifying disposition of certain land and revenue; modifying requirement for commissioner's approval of certain land sales; adding to and deleting from state forests and recreation areas; authorizing public and private sales and exchanges of certain state lands; merging certain state parks; amending Minnesota Statutes 2012, sections 89.022; 282.01, subdivision 3; 282.011, subdivision 1; 282.018, subdivision 1; 282.02; 459.06, subdivisions 1, 3; 477A.17; Minnesota Statutes 2013 Supplement, section 85.012, subdivision 38a; repealing Minnesota Statutes 2012, section 85.012, subdivision 53a.

Referred to the Committee on Environment and Energy.

Senators Dahms, Weber, Gazelka and Rosen introduced—

S.F. No. 2450: A bill for an act relating to energy; exempting ethanol plants from rate charges related to utility compliance with the solar energy standard; amending Minnesota Statutes 2013 Supplement, section 216B.1691, subdivision 2f.

Referred to the Committee on Environment and Energy.

Senator Housley introduced—

S.F. No. 2451: A bill for an act relating to capital investment; appropriating money for Lake Elmo water supply improvements.

Referred to the Committee on Finance.

Senator Housley introduced—

S.F. No. 2452: A bill for an act relating to clean water; appropriating money for Lake Elmo water supply improvements.

Referred to the Committee on Finance.

Senators Kiffmeyer, Senjem, Nienow and Housley introduced—

S.F. No. 2453: A bill for an act relating to taxation; individual income; modifying the Minnesota education credit by adding additional allowances; amending Minnesota Statutes 2012, sections 290.0674, subdivisions 1, 2, 4, by adding subdivisions; 290.0679, subdivision 1.

Referred to the Committee on Taxes.

Senator Marty introduced—

S.F. No. 2454: A bill for an act relating to natural resources; modifying and repealing certain obsolete laws; providing for certain regulatory efficiencies; amending Minnesota Statutes 2012, sections 13.7411, subdivision 8; 84.025, subdivision 10; 84.028, subdivision 3; 84.081, subdivision 1; 84.781; 88.6435, subdivision 1; 103C.211; 103C.311, subdivision 1; 103C.401, subdivision 1; 103F.135, subdivision 1; 103G.005, subdivisions 9, 9a; 103G.315, subdivision 12; 115.06, subdivision 4; 115A.54, subdivision 4; 116.03, subdivision 2b; 116.07, subdivision 4j; repealing Minnesota Statutes 2012, sections 14.04; 84.083, subdivisions 3, 4; 84.163; 84.361; 84.43; 84.44; 84.45; 84.46; 84.47; 84.48; 84.49; 84.50; 84.51; 84.52; 84.521; 84.53; 84.55; 84.965; 85.015, subdivision 3; 103B.701; 103B.702; 103F.131; 103F.155; 103F.378; 103F.381; 103F.383, subdivision 3; 103F.387; 103F.389, subdivisions 1, 2; 103F.391; 103G.305; 115.445; 115B.412, subdivision 10; 116.181; 116.182, subdivision 3a; 116.195, subdivision 5; 116.54; 116.90; 116C.712; 116C.833, subdivision 2; 173.0845; Laws 2010, chapter 215, article 3, section 5, subdivision 4; Laws 2013, chapter 114, article 4, section 100.

Referred to the Committee on Environment and Energy.

Senators Sieben, Housley and Ruud introduced—

S.F. No. 2455: A bill for an act relating to clean water; providing for loans to individuals for repair or replacement of subsurface sewage treatment systems; appropriating money.

Referred to the Committee on Finance.

Senator Clausen introduced—

S.F. No. 2456: A bill for an act relating to human services; modifying home and community-based services standards; requiring review of the use of monitoring technology; imposing sanctions; amending Minnesota Statutes 2012, sections 245A.11, by adding a subdivision; 245A.155, subdivisions 1, 2, 3; 245A.65, subdivision 2; Minnesota Statutes 2013 Supplement, sections 245D.02, by adding a subdivision; 245D.05, subdivisions 1, 1b; 245D.06, subdivision 1; 245D.07, subdivision 2; 245D.071, subdivisions 1, 3, 4, 5; 245D.09, subdivisions 3, 4, 4a, 5; 245D.095, subdivision 3; 245D.22, subdivision 4; 245D.31, subdivisions 3, 4, 5; repealing Minnesota Statutes 2013 Supplement, section 245D.071, subdivision 2.

Referred to the Committee on Health, Human Services and Housing.

Senators Ingebrigtsen, Senjem and Westrom introduced—

S.F. No. 2457: A bill for an act relating to capital investment; appropriating money for acquisition and redevelopment of the Jefferson High School site in Alexandria; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Johnson and Hoffman introduced—

S.F. No. 2458: A bill for an act relating to family law; child support; modifying withholding requirements for child support obligors in arrears; amending Minnesota Statutes 2012, section 518A.53, subdivisions 1, 4, 10; Minnesota Statutes 2013 Supplement, section 518A.60.

Referred to the Committee on Judiciary.

Senator Clausen introduced—

S.F. No. 2459: A bill for an act relating to education; aligning teacher evaluation programs; amending Minnesota Statutes 2012, section 122A.414, subdivision 2; Minnesota Statutes 2013 Supplement, sections 122A.40, subdivision 8; 122A.41, subdivision 5; 124D.10, subdivision 8.

Referred to the Committee on Education.

Senators Wiger, Bonoff, Nelson, Wiklund and Franzen introduced—

S.F. No. 2460: A bill for an act relating to education; establishing response to intervention requirements; establishing a committee to review statewide testing; requiring rulemaking.

Referred to the Committee on Education.

Senator Franzen introduced—

S.F. No. 2461: A bill for an act relating to health; making changes to home care provider licensing and compliance monitoring; amending Minnesota Statutes 2013 Supplement, sections 144A.474, subdivision 12; 144A.475, subdivision 3, by adding subdivisions.

Referred to the Committee on Health, Human Services and Housing.

Senators Franzen, Dibble, Housley and Jensen introduced—

S.F. No. 2462: A bill for an act relating to transportation; amending regulation of limousines; amending Minnesota Statutes 2012, sections 65B.135; 168.002, subdivision 15; 168.128, subdivisions 2, 3; 221.84, subdivisions 1, 4.

Referred to the Committee on Transportation and Public Safety.

Senator Eken introduced—

S.F. No. 2463: A bill for an act relating to counties; providing a process for combining and making the offices of county auditor-treasurer and recorder appointive in Becker County.

Referred to the Committee on State and Local Government.

Senators Franzen and Jensen introduced—

S.F. No. 2464: A bill for an act relating to taxation; estate and gift; repealing the gift tax; amending Minnesota Statutes 2013 Supplement, sections 270B.01, subdivision 8; 270B.03, subdivision 1; 291.005, subdivision 1; 291.03, subdivision 1; repealing Minnesota Statutes 2013 Supplement, sections 292.16; 292.17; 292.18; 292.19; 292.20; 292.21.

Referred to the Committee on Taxes.

Senator Lourey introduced—

S.F. No. 2465: A bill for an act relating to capital investment; appropriating money for a lift station and water main in Pine City; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Petersen, B.; Champion; Nienow; Dibble and Chamberlain introduced—

S.F. No. 2466: A bill for an act relating to public safety; requiring law enforcement to secure a search 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.

Referred to the Committee on Judiciary.

Senators Pappas and Marty introduced—

S.F. No. 2467: A bill for an act relating to state government; regulating agency rulemaking; amending Minnesota Statutes 2012, sections 3.842, subdivision 4a; 14.05, subdivisions 5, 6, by

adding a subdivision; 14.07, subdivision 4; 14.08; 14.101, subdivision 1; 14.116; 14.125; 14.126, subdivision 2; 14.131; 14.14, subdivisions 1a, 2a; 14.15, subdivision 1; 14.16, subdivisions 1, 3; 14.22; 14.25; 14.26; 14.365; 14.388, subdivision 1; 14.389, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 14; repealing Minnesota Statutes 2012, sections 14.04; 14.101, subdivisions 3, 4; 14.14, subdivision 1b; 14.23; 14.3895.

Referred to the Committee on State and Local Government.

Senators Dahle and Sheran introduced—

S.F. No. 2468: A bill for an act relating to human services; providing a nursing facility operating payment rate increase for a facility in Le Sueur County; amending Minnesota Statutes 2012, section 256B.431, by adding a subdivision.

Referred to the Committee on Finance.

Senators Bakk and Tomassoni introduced—

S.F. No. 2469: A bill for an act relating to capital investment; appropriating money for a new water main in Rice Lake Township, St. Louis County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Tomassoni introduced—

S.F. No. 2470: A bill for an act relating to education; authorizing an innovative partnership to deliver certain technology and educational services; proposing coding for new law in Minnesota Statutes, chapter 123A.

Referred to the Committee on Education.

Senators Weber, Dahms, Koenen, Rosen and Westrom introduced—

S.F. No. 2471: A bill for an act relating to capital investment; appropriating money for construction of the Lewis and Clark Rural Water Project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Torres Ray introduced—

S.F. No. 2472: A bill for an act relating to state government; making changes to the open meeting law; amending Minnesota Statutes 2012, section 13D.04, subdivision 6.

Referred to the Committee on State and Local Government.

Senator Saxhaug introduced—

S.F. No. 2473: A bill for an act relating to state lands; authorizing sales of certain tax-forfeited lands.

Referred to the Committee on Environment and Energy.

Senators Petersen, B. and Hoffman introduced—

S.F. No. 2474: A bill for an act relating to transportation; capital investment; appropriating money for a project on U.S. Highway 10; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Brown and Osmek introduced—

S.F. No. 2475: A bill for an act relating to energy; providing for a coal energy standard; proposing coding for new law in Minnesota Statutes, chapter 216B.

Referred to the Committee on Environment and Energy.

Senator Gazelka introduced—

S.F. No. 2476: A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited lands that border public water.

Referred to the Committee on Environment and Energy.

Senator Skoe introduced—

S.F. No. 2477: A bill for an act relating to energy; requesting the Legislative Energy Commission to investigate strategies to convert certain users of propane gas to natural gas or other fuels.

Referred to the Committee on Environment and Energy.

Senator Newman introduced—

S.F. No. 2478: A bill for an act relating to elections; requiring a special election to fill a vacancy in the office of county attorney; amending Minnesota Statutes 2012, sections 375.08; 382.02.

Referred to the Committee on State and Local Government.

Senators Dahle and Kent introduced—

S.F. No. 2479: A bill for an act relating to education; further clarifying key elements of Minnesota's career pathways and technical education system; enlisting P-20 partnership support in this work; amending Minnesota Statutes 2012, sections 122A.60, subdivisions 1a, 2, 3; 127A.70, by adding a subdivision; Minnesota Statutes 2013 Supplement, sections 120B.11, subdivisions 1, 1a; 120B.115; 120B.125.

Referred to the Committee on Education.

Senators Latz, Limmer, Champion, Sieben and Chamberlain introduced—

S.F. No. 2480: A bill for an act relating to public safety; compensating exonerated persons; amending Minnesota Statutes 2012, section 609A.02, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 611.

Referred to the Committee on Judiciary.

Senators Sieben and Kent introduced—

S.F. No. 2481: A bill for an act relating to capital investment; appropriating money for connection of the Dakota and Washington County regional trail systems at the site of the new Hastings Bridge; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Koenen and Marty introduced—

S.F. No. 2482: A bill for an act relating to taxation; property; exempting solar energy systems from property taxation; establishing a solar energy production tax; requiring reports; amending Minnesota Statutes 2012, section 272.02, subdivision 24; proposing coding for new law in Minnesota Statutes, chapter 272.

Referred to the Committee on Taxes.

Senators Hawj, Marty and Koenen introduced—

S.F. No. 2483: A bill for an act relating to energy; regulating siting large electric power generating plants; allowing solar generation facilities to be eligible for alternative review; amending Minnesota Statutes 2012, sections 216E.01, by adding a subdivision; 216E.04, subdivision 2; 216E.05, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 216E.

Referred to the Committee on Environment and Energy.

Senators Dzedzic, Skoe, Hayden, Schmit and Jensen introduced—

S.F. No. 2484: A bill for an act relating to taxation; individual income; extending the working family credit phaseout for married filers to conform to the Internal Revenue Code; increasing the maximum allowed credit; amending Minnesota Statutes 2012, section 290.0671, subdivisions 1, 7.

Referred to the Committee on Taxes.

Senator Dzedzic introduced—

S.F. No. 2485: A bill for an act relating to public safety; requiring a study of county attorney and public defender sentencing recommendations and racial data; requiring a study of the efficacy and access for minority offenders of reentry services, expungement, and treatment programs.

Referred to the Committee on Judiciary.

Senators Rosen and Nienow introduced—

S.F. No. 2486: A bill for an act relating to health insurance; prohibiting any appropriation from the health care access fund to MNsure other than for specified purposes; amending Minnesota Statutes 2012, section 16A.724, subdivision 4.

Referred to the Committee on Health, Human Services and Housing.

Senators Rosen, Housley and Nienow introduced—

S.F. No. 2487: A bill for an act relating to insurance; requiring that policy forms and premium rates for health insurance coverage be submitted to, and approved by, the commissioner of commerce or health and MNsure by specified dates; making premium rates available to the public; requiring that MNsure funding and premium assessment changes be authorized in law; requiring MNsure reports be provided by an independent third party; amending Minnesota Statutes 2012, section 62A.02, subdivision 2; Minnesota Statutes 2013 Supplement, sections 62A.02, subdivision 8; 62V.05, subdivision 2; 62V.07; 62V.08.

Referred to the Committee on Health, Human Services and Housing.

Senators Bonoff, Franzen and Senjem introduced—

S.F. No. 2488: A bill for an act relating to taxation; income and franchise; extending the research credit to sole proprietors; amending Minnesota Statutes 2012, section 290.068, subdivision 1.

Referred to the Committee on Taxes.

Senators Bonoff and Senjem introduced—

S.F. No. 2489: A bill for an act relating to taxation; income and franchise; modifying the research credit to be refundable; amending Minnesota Statutes 2012, section 290.068, subdivision 2; Minnesota Statutes 2013 Supplement, section 290.068, subdivisions 3, 6a.

Referred to the Committee on Taxes.

Senators Tomassoni, Dahle, Eaton, Pappas and Hayden introduced—

S.F. No. 2490: A bill for an act relating to labor and employment; providing employee protections in joint powers agreements; proposing coding for new law in Minnesota Statutes, chapter 179A.

Referred to the Committee on State and Local Government.

Senators Latz and Franzen introduced—

S.F. No. 2491: A bill for an act relating to capital investment; appropriating money for the Southwest Corridor light rail transit line; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senators Schmit, Tomassoni, Ruud and Ingebrigtsen introduced—

S.F. No. 2492: A bill for an act relating to economic development; adopting the Minnesota New Markets Jobs Act; providing capital for business growth in economically distressed communities; imposing penalties; proposing coding for new law as Minnesota Statutes, chapter 116X.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Rosen, Brown and Hoffman introduced—

S.F. No. 2493: A bill for an act relating to human services; modifying certain long-term care provider rates; appropriating money; amending Minnesota Statutes 2012, section 256B.5012, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 256B.

Referred to the Committee on Finance.

Senators Rosen, Metzen and Weber introduced—

S.F. No. 2494: A bill for an act relating to energy; allocating costs of meeting certain local energy goals; amending Minnesota Statutes 2012, section 216B.36.

Referred to the Committee on Finance.

Senator Senjem introduced—

S.F. No. 2495: A bill for an act relating to human services; requiring the commissioner of human services to make a waiver request for public health programs.

Referred to the Committee on Health, Human Services and Housing.

Senators Senjem, Eken and Ruud introduced—

S.F. No. 2496: A bill for an act relating to labor and industry; prohibiting mandatory fire sprinkler installation; amending Minnesota Statutes 2012, section 299F.01, by adding a subdivision.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Koenen, Dziedzic, Weber, Ruud and Tomassoni introduced—

S.F. No. 2497: A bill for an act relating to agriculture; establishing a Farm-to-Foodshelf program; appropriating money.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senator Eken introduced—

S.F. No. 2498: A bill for an act relating to education; permitting a September 1 school start date for the 2015-2016 school year only.

Referred to the Committee on Education.

Senator Eken introduced—

S.F. No. 2499: A bill for an act relating to taxation; individual income; conforming to the federal extension of allowable qualified student loan interest; amending Minnesota Statutes 2013 Supplement, section 290.01, subdivision 19.

Referred to the Committee on Taxes.

Senators Dziezic and Saxhaug introduced—

S.F. No. 2500: A bill for an act relating to state government; changing provisions in grants management process and contract management; providing an encumbrance exception in the grant process; amending Minnesota Statutes 2012, sections 16B.98, subdivision 5, by adding a subdivision; 16C.05, subdivision 2.

Referred to the Committee on State and Local Government.

Senators Hawj and Marty introduced—

S.F. No. 2501: A bill for an act relating to energy; utilities; requiring certain information and a report related to interconnection of distributed renewable electric generation; amending Minnesota Statutes 2012, section 216B.1611, subdivision 4, by adding a subdivision.

Referred to the Committee on Environment and Energy.

Senator Rosen introduced—

S.F. No. 2502: A bill for an act relating to retirement; increasing the size of the board of trustees of the Teachers Retirement Association by adding an additional elected retired member; amending Minnesota Statutes 2012, section 354.06, subdivision 1.

Referred to the Committee on State and Local Government.

Senators Reinert and Skoe introduced—

S.F. No. 2503: A bill for an act relating to taxation; income and corporate franchise small business investment credit; modifying certain qualification requirements; appropriating money; amending Minnesota Statutes 2012, section 116J.8737, subdivisions 3, 5, 7, 9, 12; Minnesota Statutes 2013 Supplement, section 116J.8737, subdivisions 1, 2.

Referred to the Committee on Taxes.

Senator Carlson introduced—

S.F. No. 2504: A bill for an act relating to human services; appropriating money for the collaboration of community services partners demonstration project.

Referred to the Committee on Health, Human Services and Housing.

Senators Eken, Clausen, Hoffman and Rosen introduced—

S.F. No. 2505: A bill for an act relating to human services; modifying provisions governing community first services and supports; amending Minnesota Statutes 2013 Supplement, section 256B.85, subdivisions 1, 2, 7.

Referred to the Committee on Health, Human Services and Housing.

Senators Pappas, Bakk, Saxhaug, Miller and Eaton introduced—

S.F. No. 2506: A bill for an act relating to labor; creating the Public Employment Relations Board; authorizing rulemaking; amending Minnesota Statutes 2012, sections 179A.03, by adding a subdivision; 179A.04, subdivision 3; 179A.051; 179A.06, by adding a subdivision; 179A.10, subdivision 1; 179A.13; proposing coding for new law in Minnesota Statutes, chapter 179A.

Referred to the Committee on State and Local Government.

Senator Hayden introduced—

S.F. No. 2507: A bill for an act relating to human services; modifying eligibility criteria for group residential housing; amending Minnesota Statutes 2012, section 2561.04, subdivision 1.

Referred to the Committee on Health, Human Services and Housing.

Senator Hayden introduced—

S.F. No. 2508: A bill for an act relating to human services; providing a nursing facility rate adjustment; amending Minnesota Statutes 2013 Supplement, section 256B.441, subdivision 53.

Referred to the Committee on Finance.

Senator Kiffmeyer introduced—

S.F. No. 2509: A bill for an act relating to transportation; capital investment; appropriating money for construction at the intersection of marked Trunk Highway 101, U.S. Highway 10, and U.S. Highway 169; authorizing the sale and issuance of trunk highway bonds.

Referred to the Committee on Finance.

Senators Rosen, Nelson and Sheran introduced—

S.F. No. 2510: A bill for an act relating to health; providing an exemption for dental cone beam computerized tomography from diagnostic imaging requirements; amending Minnesota Statutes 2012, section 144.565, subdivision 4; Minnesota Statutes 2013 Supplement, section 144.1225, subdivision 2.

Referred to the Committee on Health, Human Services and Housing.

Senators Johnson, Tomassoni, Dziejczak and Sparks introduced—

S.F. No. 2511: A bill for an act relating to health; appropriating money for a program to reduce childhood obesity.

Referred to the Committee on Finance.

Senator Johnson introduced—

S.F. No. 2512: A bill for an act relating to education; capital investment; appropriating money for the library accessibility and improvement grants program; establishing the Books 4 Bricks program; authorizing the sale and issuance of state bonds; amending Minnesota Statutes 2012, section 134.45; proposing coding for new law in Minnesota Statutes, chapter 134.

Referred to the Committee on Education.

Senators Jensen and Sheran introduced—

S.F. No. 2513: A bill for an act relating to transportation; appropriating money for the construction of marked Trunk Highway 14 in Steele County and Dodge Center.

Referred to the Committee on Finance.

Senators Dziejczak, Jensen and Clausen introduced—

S.F. No. 2514: A bill for an act relating to taxation; individual income; conforming to the federal extension of the deduction for qualified tuition and related expenses for tax year 2013; amending Minnesota Statutes 2013 Supplement, section 290.01, subdivision 19.

Referred to the Committee on Taxes.

Senators Goodwin, Hayden, Eaton, Torres Ray and Dziejczak introduced—

S.F. No. 2515: A bill for an act relating to local government; establishing procedures and standards for contracting with private entities for the provision of services provided by public employees; providing for public accountability; proposing coding for new law in Minnesota Statutes, chapter 471.

Referred to the Committee on State and Local Government.

Senator Carlson introduced—

S.F. No. 2516: A bill for an act relating to public safety; traffic regulations; modifying provisions governing disability parking; amending Minnesota Statutes 2012, section 168.021, subdivisions 1, 3; Minnesota Statutes 2013 Supplement, section 169.346, subdivision 2.

Referred to the Committee on Transportation and Public Safety.

Senator Sieben introduced—

S.F. No. 2517: A bill for an act relating to capital investment; appropriating money for a health and emergency occupations center in Cottage Grove; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Saxhaug introduced—

S.F. No. 2518: A bill for an act relating to natural resources; appropriating money for the Minnesota forests for the future program; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Saxhaug introduced—

S.F. No. 2519: A bill for an act relating to plumbing; exempting certain resorts from restricted plumbing licensure; amending Minnesota Statutes 2012, section 326B.46, subdivision 1a.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senator Hoffman introduced—

S.F. No. 2520: A bill for an act relating to education finance; revising debt service equalization, health and safety levy equalization, alternative facilities revenue equalization, and deferred maintenance revenue equalization; amending Minnesota Statutes 2012, sections 123B.53, subdivision 4; 123B.59, subdivision 6, by adding subdivisions; Minnesota Statutes 2013 Supplement, sections 123B.53, subdivisions 1, 5; 123B.57, subdivision 4; 123B.591, subdivision 3.

Referred to the Committee on Finance.

Senator Hoffman introduced—

S.F. No. 2521: A bill for an act relating to human services; requiring a public comment period for Medicaid waiver requests and state plan amendments; exempting federally qualified health centers and rural health clinics from payment limits for Medicare crossover claims; appropriating money for subsidies to federally qualified health centers; amending Minnesota Statutes 2012, sections 256B.04, by adding a subdivision; 256B.0625, subdivision 57.

Referred to the Committee on Health, Human Services and Housing.

Senator Hoffman introduced—

S.F. No. 2522: A bill for an act relating to veterans; veterans housing and long-term care; providing exemptions for certain moratoriums on new residential facilities; providing grants for housing needs assessments for veterans; appropriating money; amending Minnesota Statutes 2012, section 256I.04, subdivision 3; Minnesota Statutes 2013 Supplement, section 245A.03, subdivision 7.

Referred to the Committee on Health, Human Services and Housing.

Senator Osmek introduced—

S.F. No. 2523: A bill for an act relating to capital investment; appropriating money for improvements at Excelsior Commons; authorizing the sale and issuance of state bonds.

Referred to the Committee on Finance.

Senator Wiklund introduced—

S.F. No. 2524: A bill for an act relating to education finance; authorizing a grant for The Works Museum; appropriating money; amending Laws 2013, chapter 116, article 9, section 1, subdivision 2.

Referred to the Committee on Finance.

Senator Wiklund introduced—

S.F. No. 2525: A bill for an act relating to health professions; licensing genetic counselors; proposing coding for new law as Minnesota Statutes, chapter 147F.

Referred to the Committee on Health, Human Services and Housing.

Senator Wiklund introduced—

S.F. No. 2526: A bill for an act relating to human services; modifying provisions related to human services operations and health care; modifying bond requirements for medical suppliers; repealing certain reports and obsolete rules; authorizing rulemaking; requiring the commissioner to seek federal authority to amend the state Medicaid plan; making technical changes; amending Minnesota Statutes 2012, sections 256B.5016, subdivision 1; 256B.69, subdivision 16; 393.01, subdivisions 2, 7; Minnesota Statutes 2013 Supplement, section 256B.04, subdivision 21; Laws 2011, First Special Session chapter 9, article 9, section 17; repealing Minnesota Statutes 2012, section 256.01, subdivision 32; Minnesota Rules, parts 9500.1126; 9500.1450, subpart 3; 9500.1452, subpart 3; 9500.1456; 9505.5300; 9505.5305; 9505.5310; 9505.5315; 9505.5325; 9525.1580.

Referred to the Committee on Health, Human Services and Housing.

Senators Bonoff and Clausen introduced—

S.F. No. 2527: A bill for an act relating to economic development; establishing pilot programs to develop competency standards for apprenticeships in precision manufacturing, health care services, and information technology; appropriating money; amending Minnesota Statutes 2012, section 181A.07, by adding a subdivision.

Referred to the Committee on Higher Education and Workforce Development.

Senator Franzen introduced—

S.F. No. 2528: A bill for an act relating to state financial management; increasing the budget reserve; setting priorities for additional forecast revenues; amending Minnesota Statutes 2012,

section 16A.152, subdivisions 1a, 2; repealing Minnesota Statutes 2012, section 16A.152, subdivision 1b.

Referred to the Committee on Finance.

Senator Schmit introduced—

S.F. No. 2529: A bill for an act relating to broadband; appropriating money for broadband service mapping.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senators Schmit and Koenen introduced—

S.F. No. 2530: A bill for an act relating to agriculture; establishing an educating tomorrow's sustainable food producers pilot program; requiring a report; appropriating money.

Referred to the Committee on Jobs, Agriculture and Rural Development.

Senator Schmit introduced—

S.F. No. 2531: A bill for an act relating to natural resources; requiring a native quail recovery plan.

Referred to the Committee on Environment and Energy.

Senator Hayden introduced—

S.F. No. 2532: A bill for an act relating to retirement; modifying the Public Employees Retirement Association police and fire plan; former Minneapolis Police and Firefighters Relief Association; amending Minnesota Statutes 2012, sections 353.6511, subdivision 7; 353.6512, subdivision 7.

Referred to the Committee on State and Local Government.

Senators Sheran and Schmit introduced—

S.F. No. 2533: A bill for an act relating to insurance; specifying geographical considerations in regard to implementing and adjusting the Affordable Care Act in this state; appropriating money; amending Minnesota Statutes 2013 Supplement, sections 62A.65, subdivision 3; 62K.10, subdivisions 2, 3.

Referred to the Committee on Health, Human Services and Housing.

Senator Hayden introduced—

S.F. No. 2534: A bill for an act relating to crime victims; appropriating money to provide emergency shelter for East African women and children victims of abuse.

Referred to the Committee on Finance.

Senator Hayden introduced—

S.F. No. 2535: A bill for an act relating to education; requiring cultural competency training for teachers and school administrators seeking to renew their professional license; amending Minnesota Statutes 2012, sections 122A.09, subdivision 4; 122A.14, subdivision 3.

Referred to the Committee on Education.

Senator Hayden introduced—

S.F. No. 2536: A bill for an act relating to health; eliminating a grant-in-aid requirement for the Minnesota Board on Aging; amending Minnesota Statutes 2012, section 144A.33, subdivision 2.

Referred to the Committee on Health, Human Services and Housing.

Senator Hayden introduced—

S.F. No. 2537: A bill for an act relating to state government; adding urban agriculture development zones in land use planning; amending Minnesota Statutes 2012, section 473.859, subdivisions 1, 2, 5.

Referred to the Committee on State and Local Government.

Senator Champion introduced—

S.F. No. 2538: A bill for an act relating to liens; regulating liens on personal property; providing for the sale of a motor vehicle held by a licensed dealer; amending Minnesota Statutes 2012, section 514.21.

Referred to the Committee on Judiciary.

Senators Bonoff and Wiger introduced—

S.F. No. 2539: A bill for an act relating to education; modifying certain teacher licensure provisions; amending Minnesota Statutes 2013 Supplement, section 122A.23, subdivision 2.

Referred to the Committee on Education.

Senator Hoffman introduced—

S.F. No. 2540: A bill for an act relating to teachers; limiting placement of practice or student teachers; amending Minnesota Statutes 2012, section 122A.69.

Referred to the Committee on Education.

Senators Stumpf and Dziejcz introduced—

S.F. No. 2541: A bill for an act relating to taxation; tax increment financing; modifying requirements for housing projects; amending Minnesota Statutes 2012, section 469.1761, subdivision 2; repealing Minnesota Statutes 2012, section 469.1761, subdivision 3.

Referred to the Committee on Taxes.

Senators Latz, Jensen, Goodwin and Metzen introduced—

S.F. No. 2542: A bill for an act relating to insurance; regulating conduct of an insurer in collision cases; amending Minnesota Statutes 2012, section 72B.092, subdivision 1.

Referred to the Committee on Commerce.

Senator Eaton introduced—

S.F. No. 2543: A bill for an act relating to human services; establishing a Minnesota TANF Expenditures Task Force.

Referred to the Committee on Health, Human Services and Housing.

Senator Eaton introduced—

S.F. No. 2544: A bill for an act relating to health; modifying exemption procedures related to immunizations; amending Minnesota Statutes 2012, section 121A.15, subdivision 3.

Referred to the Committee on Health, Human Services and Housing.

Senator Eaton introduced—

S.F. No. 2545: A bill for an act relating to health; modifying the cancer surveillance system; amending Minnesota Statutes 2012, section 144.671.

Referred to the Committee on Health, Human Services and Housing.

MOTIONS AND RESOLUTIONS

Senator Hayden moved that the name of Senator Wiklund be added as a co-author to S.F. No. 1692. The motion prevailed.

Senator Koenen moved that the name of Senator Housley be added as a co-author to S.F. No. 1784. The motion prevailed.

Senator Metzen moved that the name of Senator Carlson be added as a co-author to S.F. No. 1830. The motion prevailed.

Senator Rest moved that the name of Senator Latz be added as a co-author to S.F. No. 1860. The motion prevailed.

Senator Wiger moved that the name of Senator Reinert be added as a co-author to S.F. No. 1920. The motion prevailed.

Senator Rest moved that the name of Senator Reinert be added as a co-author to S.F. No. 1983. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Thompson be added as a co-author to S.F. No. 1991. The motion prevailed.

Senator Jensen moved that the name of Senator Reinert be added as a co-author to S.F. No. 2046. The motion prevailed.

Senator Osmek moved that the name of Senator Reinert be added as a co-author to S.F. No. 2112. The motion prevailed.

Senator Latz moved that the name of Senator Newman be added as a co-author to S.F. No. 2152. The motion prevailed.

Senator Stumpf moved that the name of Senator Reinert be added as a co-author to S.F. No. 2170. The motion prevailed.

Senator Westrom moved that the name of Senator Eken be added as a co-author to S.F. No. 2180. The motion prevailed.

Senator Jensen moved that the name of Senator Reinert be added as a co-author to S.F. No. 2181. The motion prevailed.

Senator Dibble moved that the name of Senator Dziejic be added as a co-author to S.F. No. 2208. The motion prevailed.

Senator Dibble moved that the name of Senator Dziejic be added as a co-author to S.F. No. 2210. The motion prevailed.

Senator Skoe moved that the name of Senator Reinert be added as a co-author to S.F. No. 2250. The motion prevailed.

Senator Bakk moved that the name of Senator Reinert be added as a co-author to S.F. No. 2265. The motion prevailed.

Senator Osmek moved that the name of Senator Reinert be added as a co-author to S.F. No. 2286. The motion prevailed.

Senator Hawj moved that the names of Senators Reinert and Rosen be added as co-authors to S.F. No. 2291. The motion prevailed.

Senator Dahle moved that the name of Senator Franzen be added as a co-author to S.F. No. 2305. The motion prevailed.

Senator Koenen moved that the name of Senator Gazelka be added as a co-author to S.F. No. 2333. The motion prevailed.

Senator Marty moved that the name of Senator Champion be added as a co-author to S.F. No. 2338. The motion prevailed.

Senator Bakk moved that the name of Senator Reinert be added as a co-author to S.F. No. 2339. The motion prevailed.

Senator Reinert moved that the name of Senator Rest be added as a co-author to S.F. No. 2369. The motion prevailed.

Senator Skoe moved that the name of Senator Rest be added as a co-author to S.F. No. 2388. The motion prevailed.

Senator Skoe moved that the name of Senator Rest be added as a co-author to S.F. No. 2389. The motion prevailed.

Senator Wiger moved that the name of Senator Bonoff be added as a co-author to S.F. No. 2408. The motion prevailed.

Senator Marty moved that the name of Senator Sieben be added as a co-author to S.F. No. 2443. The motion prevailed.

Senator Wiger moved that S.F. No. 1797 be withdrawn from the Committee on Finance and re-referred to the Committee on Higher Education and Workforce Development. The motion prevailed.

Senator Eken moved that S.F. No. 1986 be withdrawn from the Committee on Education and re-referred to the Committee on Finance. The motion prevailed.

Senator Anderson moved that S.F. No. 2165 be withdrawn from the Committee on Commerce and returned to its author. The motion prevailed.

Senator Bonoff moved that S.F. No. 2391 be withdrawn from the Committee on Higher Education and Workforce Development and re-referred to the Committee on Finance. The motion prevailed.

Senator Latz moved that S.F. No. 2445 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Commerce. The motion prevailed.

Senator Reinert introduced –

Senate Resolution No. 169: A Senate resolution recognizing University of Minnesota Duluth students during National Student Employment Week.

Referred to the Committee on Rules and Administration.

Senator Pederson, J. introduced –

Senate Resolution No. 170: A Senate resolution congratulating Thomas Merchlewicz of St. Cloud, Minnesota, for receiving the Eagle Award.

Referred to the Committee on Rules and Administration.

Pursuant to Rule 26, Senator Bakk, Chair of the Committee on Rules and Administration, designated S.F. No. 1952 a Special Order to be heard immediately.

SPECIAL ORDER

S.F. No. 1952: A bill for an act relating to state government; ratifying labor agreements and compensation plans; amending Minnesota Statutes 2013 Supplement, section 15A.0815, subdivision 5.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 43 and nays 22, as follows:

Those who voted in the affirmative were:

Bakk	Eaton	Johnson	Pappas	Sieben
Bonoff	Eken	Kent	Pederson, J.	Skoe
Carlson	Fischbach	Koenen	Pratt	Stumpf
Champion	Franzen	Latz	Reinert	Tomassoni
Clausen	Goodwin	Lourey	Rest	Torres Ray
Cohen	Hawj	Marty	Saxhaug	Wiger
Dahle	Hayden	Metzen	Scalze	Wiklund
Dibble	Hoffman	Miller	Schmit	
Dziedzic	Jensen	Nienow	Sheran	

Those who voted in the negative were:

Anderson	Gazelka	Kiffmeyer	Petersen, B.	Weber
Benson	Hall	Limmer	Rosen	Westrom
Brown	Hann	Nelson	Ruud	
Chamberlain	Housley	Newman	Senjem	
Dahms	Ingebrigtsen	Osmeck	Thompson	

So the bill passed and its title was agreed to.

MEMBERS EXCUSED

Senators Ortman and Sparks were excused from the Session of today. Senator Ruud was excused from the Session of today from 11:00 to 11:20 a.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Wednesday, March 12, 2014. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

