

NINETY-FIFTH DAY

St. Paul, Minnesota, Thursday, May 1, 2014

The Senate met at 10:00 a.m. and was called to order by the President.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Rabbi Sim Glaser.

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	Ortman	Senjem
Bakk	Eaton	Jensen	Osmek	Sheran
Benson	Eken	Johnson	Pappas	Sieben
Bonoff	Fischbach	Kent	Pederson, J.	Skoe
Brown	Franzen	Kiffmeyer	Petersen, B.	Sparks
Carlson	Gazelka	Koenen	Pratt	Stumpf
Chamberlain	Goodwin	Latz	Reinert	Thompson
Champion	Hall	Lourey	Rest	Tomassoni
Clausen	Hann	Marty	Rosen	Torres Ray
Cohen	Hawj	Metzen	Ruud	Weber
Dahle	Hayden	Miller	Saxhaug	Westrom
Dahms	Hoffman	Nelson	Scalze	Wiger
Dibble	Housley	Nienow	Schmit	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. 2066.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 30, 2014

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2736: A bill for an act relating to public safety; authorizing counties to establish pilot projects to use GPS to monitor domestic abuse offenders; amending Minnesota Statutes 2012, sections 609.135, subdivision 5a; 629.72, subdivision 2a.

Senate File No. 2736 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 30, 2014

Senator Kent moved that the Senate do not concur in the amendments by the House to S.F. No. 2736, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

S.F. No. 2390: A bill for an act relating to elections; modifying provisions related to election administration; making technical changes to provisions related to voting, voter registration, ballots, and other election-related provisions; amending Minnesota Statutes 2012, sections 201.081; 201.091, subdivision 2; 201.13, subdivision 4; 203B.12, subdivision 7, by adding a subdivision; 203B.22; 204B.09, subdivision 3; 204B.19, subdivision 2; 204C.26, subdivision 1; 204D.13, subdivisions 1, 2; 204D.15, subdivision 1; 205.07, subdivision 1a; 205.13, subdivision 1; 370.05; 375A.12, subdivision 5; 412.091; Minnesota Statutes 2013 Supplement, sections 203B.04, subdivision 1; 204B.45, subdivision 2; 204B.46; 205A.05, subdivision 1; 368.47; proposing coding for new law in Minnesota Statutes, chapter 211C.

Senate File No. 2390 is herewith returned to the Senate.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Returned April 30, 2014

Senator Sieben moved that the Senate do not concur in the amendments by the House to S.F. No. 2390, and that a Conference Committee of 3 members be appointed by the Subcommittee on Conference Committees on the part of the Senate, to act with a like Conference Committee appointed on the part of the House. The motion prevailed.

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2566, 3043 and 3238.

Albin A. Mathiowetz, Chief Clerk, House of Representatives

Transmitted April 30, 2014

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2566: A bill for an act relating to local government; authorizing meetings by telephone or other electronic means; amending Minnesota Statutes 2012, section 469.084, by adding a subdivision.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2166, now on General Orders.

H.F. No. 3043: A bill for an act relating to local government; authorizing local governments to transfer cemetery property to a tribal cemetery association; amending Minnesota Statutes 2012, section 306.02, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1660, now on General Orders.

H.F. No. 3238: A bill for an act relating to public safety; prohibiting persons subject to domestic violence restraining orders from possessing weapons; requiring persons convicted of domestic violence offenses to surrender their firearms while they are prohibited from possessing firearms; providing penalties; amending Minnesota Statutes 2012, sections 260C.201, subdivision 3; 518B.01, subdivision 6; 609.2242, subdivision 3; 609.749, subdivision 8; 624.713, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 624.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2639, now on General Orders.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 1984 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
1984	1919				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1984 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1984, the third engrossment; and insert the language after the enacting clause of S.F. No. 1919, the third engrossment; further, delete the title of H.F. No. 1984, the third engrossment; and insert the title of S.F. No. 1919, the third engrossment.

And when so amended H.F. No. 1984 will be identical to S.F. No. 1919, and further recommends that H.F. No. 1984 be given its second reading and substituted for S.F. No. 1919, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 2214 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2214	2154				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2214 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2214, the third engrossment; and insert the language after the enacting clause of S.F. No. 2154, the second engrossment; further, delete the title of H.F. No. 2214, the third engrossment; and insert the title of S.F. No. 2154, the second engrossment.

And when so amended H.F. No. 2214 will be identical to S.F. No. 2154, and further recommends that H.F. No. 2214 be given its second reading and substituted for S.F. No. 2154, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 2798 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2798	2695				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2798 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2798, the second engrossment; and insert the language after the enacting clause of S.F. No. 2695, the first engrossment; further, delete the title of H.F. No. 2798, the second engrossment; and insert the title of S.F. No. 2695, the first engrossment.

And when so amended H.F. No. 2798 will be identical to S.F. No. 2695, and further recommends that H.F. No. 2798 be given its second reading and substituted for S.F. No. 2695, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 2912 for comparison with companion Senate File, reports the following House File was found identical and recommends the House File be given its second reading and substituted for its companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2912	2538				

and that the above Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Report adopted.

Senator Bakk, from the Committee on Rules and Administration, to which was referred

H.F. No. 2405 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
2405	2011				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 2405 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 2405, the first engrossment; and insert the language after the enacting clause of S.F. No. 2011, the first engrossment; further, delete the title of H.F. No. 2405, the first engrossment; and insert the title of S.F. No. 2011, the first engrossment.

And when so amended H.F. No. 2405 will be identical to S.F. No. 2011, and further recommends that H.F. No. 2405 be given its second reading and substituted for S.F. No. 2011, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

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

S.F. No. 1641: A bill for an act relating to health; permitting the medical use of cannabis; setting fees; authorizing rulemaking; providing criminal and civil penalties; establishing an advisory council; appropriating money; amending Minnesota Statutes 2012, sections 13.3806, by adding a subdivision; 256B.0625, subdivision 13d; proposing coding for new law in Minnesota Statutes, chapter 152.

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 13.3806, is amended by adding a subdivision to read:

Subd. 22. **Medical use of cannabis data.** Data collected by the commissioner of health relating to registrations for the medical use of cannabis are classified in section 152.33.

Sec. 2. [152.22] **DEFINITIONS.**

Subdivision 1. **Applicability.** For purposes of sections 152.22 to 152.40, the terms defined in this section have the meanings given them.

Subd. 2. **Allowable amount of cannabis.** "Allowable amount of cannabis" means:

(1) with respect to a qualifying patient, 2.5 ounces of usable cannabis; and

(2) with respect to a designated caregiver, for each patient assisted by the designated caregiver, 2.5 ounces of usable cannabis.

Subd. 3. **Alternative treatment center.** "Alternative treatment center" means an entity registered under section 152.25 that cultivates, acquires, manufactures, possesses, prepares, packs, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients or registered designated caregivers.

Subd. 4. **Cannabis.** "Cannabis" means all parts of the plant of any species of the genus Cannabis, including all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant; fiber from such stalks; oil or cake made from the seeds of such plant; any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom); fiber, oil, or cake; or the sterilized seed of such plant which is incapable of germination.

Subd. 5. **Cardholder.** "Cardholder" means a qualifying patient or a designated caregiver who has been issued and possesses a valid registry identification card.

Subd. 6. **Commissioner.** "Commissioner" means the commissioner of health.

Subd. 7. **Debilitating medical condition.** "Debilitating medical condition" means:

(1) cancer, glaucoma, acquired immune deficiency syndrome, hepatitis C, Tourette's syndrome, amyotrophic lateral sclerosis, post-traumatic stress disorder, or the treatment of those conditions;

(2) a chronic or debilitating disease or medical condition or its treatment that produces cachexia or wasting syndrome; severe, intractable pain, as defined in section 152.125, subdivision 1; severe nausea; seizures, including those characteristic of epilepsy; severe and persistent muscle spasms, including those characteristic of multiple sclerosis; and Crohn's disease;

(3) the condition of an HIV-positive patient when the patient's physician believes the patient could benefit from consumption of cannabis; or

(4) any other medical condition or its treatment approved by the commissioner.

Subd. 8. **Designated caregiver.** "Designated caregiver" means a person who is at least 21 years old, has not been convicted of a disqualifying felony offense, and has agreed to assist no more than five qualifying patients with the medical use of cannabis.

Subd. 8a. **Disqualifying felony offense.** "Disqualifying felony offense" means a violation of a state or federal controlled substance law that is classified as a felony under Minnesota law, or would be classified as a felony under Minnesota law if committed in Minnesota, regardless of the sentence imposed, unless the commissioner determines that the person's conviction was for the medical use of cannabis or assisting with the medical use of cannabis.

Subd. 9. **Enclosed, locked facility.** "Enclosed, locked facility" means a room, building, or other enclosed area equipped with locks or other security devices that permit access only by an agent of a medical cannabis organization.

Subd. 10. **Medical cannabis organization.** "Medical cannabis organization" means an alternative treatment center or a safety compliance facility.

Subd. 11. **Medical use of cannabis.** "Medical use of cannabis" means the acquisition, possession, use, administration, preparation, processing, testing, compounding, converting, delivery, transfer, or transportation of cannabis or drug paraphernalia, as defined in section 152.01, subdivision 18, relating to the consumption of cannabis to alleviate a registered qualifying patient's debilitating condition or symptoms associated with the medical condition.

Subd. 12. **Practitioner.** "Practitioner" means a Minnesota licensed doctor of medicine or a Minnesota licensed doctor of osteopathy licensed to practice medicine, except that if the qualifying patient's debilitating medical condition is post-traumatic stress disorder, the practitioner must be a Minnesota licensed psychiatrist.

Subd. 13. **Qualifying patient.** "Qualifying patient" means a person who has been diagnosed by a practitioner as having a debilitating medical condition.

Subd. 14. **Registration certificate.** "Registration certificate" means a document issued by the commissioner that identifies an entity as an alternative treatment center or a safety compliance facility.

Subd. 15. **Registry identification card.** "Registry identification card" means a document issued by the commissioner that identifies a person as a registered qualifying patient or registered designated caregiver.

Subd. 16. **Safety compliance facility.** "Safety compliance facility" means an entity registered under section 152.25 to provide consumer protection services to the public by means of laboratory

sampling and testing for potency and contaminants or public information and training services regarding:

- (1) the safe and efficient packaging, labeling, and distribution of cannabis;
- (2) security and inventory accountability procedures; or
- (3) scientific and medical research findings related to cannabis.

Subd. 17. **Usable cannabis.** "Usable cannabis" means any cannabis that is not growing and does not include the weight of any non-cannabis ingredients combined with cannabis, including ingredients added to prepare a topical administration, food, drink, or pill.

Subd. 18. **Visiting qualifying patient.** "Visiting qualifying patient" means a person who was diagnosed with a debilitating medical condition by a person who is licensed with authority to prescribe drugs to humans in the state of the person's residence; who possesses a registry identification card, or its equivalent, that was issued pursuant to the laws of another state, district, territory, commonwealth, insular possession of the United States, or country recognized by the United States; and who is not a resident of Minnesota or has been a resident of Minnesota fewer than 30 days.

Subd. 19. **Written certification.** "Written certification" means a document signed and dated by a licensed practitioner stating, that in the practitioner's professional opinion, the patient is likely to receive therapeutic or palliative benefit from the use of cannabis to treat or alleviate the patient's debilitating medical condition. The practitioner must: (1) specify the qualifying patient's debilitating medical condition in the written certification; and (2) sign and date the written certification only in the course of a practitioner-patient relationship after the practitioner has completed a full physical examination of the qualifying patient and a full assessment of the qualifying patient's medical history and current medical condition.

Sec. 3. [152.23] LIMITATIONS.

(a) Sections 152.22 to 152.38 do not permit any person to engage in and do not prevent the imposition of any civil, criminal, or other penalties for:

(1) undertaking any task under the influence of cannabis that would constitute negligence or professional malpractice;

(2) possessing or engaging in the use of cannabis:

(i) on a school bus;

(ii) on the grounds of any preschool or primary or secondary school; or

(iii) in any correctional facility;

(3) smoking cannabis:

(i) on any form of public transportation;

(ii) where the smoke would be inhaled by a minor child; or

(iii) in a public place, including any indoor or outdoor area used by or open to the general public or a place of employment as defined under section 144.413, subdivision 1b; and

(4) operating, navigating, or being in actual physical control of any motor vehicle, aircraft, train, or motorboat, or working on transportation property, equipment, or facilities while under the influence of cannabis.

(b) Nothing in sections 152.22 to 152.38 requires the medical assistance and MinnesotaCare programs to reimburse an enrollee or a provider for costs associated with the medical use of cannabis.

(c) Nothing in sections 152.22 to 152.38 requires any person or establishment in lawful possession of property to allow a guest, client, customer, or other visitor to smoke cannabis on or in that property.

Sec. 4. [152.24] RULEMAKING.

The commissioner shall adopt rules that set forth the procedures and methods for implementing sections 152.22 to 152.38, including:

(1) receiving petitions from the public and requesting guidance from the Medical Cannabis Advisory Council to add debilitating medical conditions or treatments to the list of debilitating medical conditions in section 152.22, subdivision 7, and requiring public notice of a public hearing, and the opportunity to comment upon any petition;

(2) establishing the form and content of registration and renewal applications and forms submitted under sections 152.22 to 152.38;

(3) establishing a system to numerically score competing alternative treatment center applicants that must include analysis of:

(i) the suitability of the proposed location and its accessibility for patients;

(ii) the character, veracity, background, and relevant experience of principal officers and board members; and

(iii) the business plan proposed by the applicant, including its ability to maintain an adequate supply of cannabis, plans to ensure safety and security of patrons and the community, procedures to be used to prevent diversion, and any plan for making cannabis available to low-income registered qualifying patients;

(4) establishing a system to consider applications for and renewals of registry identification cards;

(5) establishing standards, in consultation with law enforcement personnel, for cannabis organizations to prevent diversion and theft without imposing an undue burden or compromising the confidentiality of cardholders, including:

(i) receiving applications for and renewals of registration certificates;

(ii) oversight requirements;

(iii) record-keeping requirements;

(iv) security requirements, including requirements for protection of each location by a fully operational security alarm system, facility access controls, perimeter intrusion detection systems, personnel identification system, and a 24-hour surveillance system that is accessible by law enforcement and to the commissioner;

(v) safety requirements;

(vi) requirements and procedures for the safe and accurate packaging and labeling of cannabis, in compliance with the United States Poison Prevention Packing Act regarding child resistant packaging and exemptions for packaging for elderly patients; and

(vii) requirements for the safe production and testing of cannabis;

(6) requirements for the testing and labeling of cannabis sold by alternative treatment centers, including a numerical indication of potency based on the ratio of THC and CBD to the weight of a cannabis product intended for oral consumption;

(7) establishing procedures and criteria for suspending or revoking the registration certificates or registry identification cards of medical cannabis organizations or cardholders who violate the provisions of sections 152.22 to 152.38 or the rules adopted under this section;

(8) establishing reasonable restrictions relating to signage, marketing, display, and advertising of cannabis;

(9) accepting and investigating complaints;

(10) conducting criminal background checks on principal officers and board members of alternative treatment centers and safety compliance facilities; and

(11) establishing a cannabis inventory tracking system.

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

Sec. 5. [152.245] ADDITIONS TO THE LIST OF DEBILITATING MEDICAL CONDITIONS.

If the commissioner adds a debilitating disease or medical condition, or its treatment to the list of debilitating medical conditions in section 152.22, subdivision 7, the commissioner shall notify in a timely manner the chairs and ranking minority members of the legislative policy committees having jurisdiction over health and criminal justice of the addition and the reasons for its addition, including any written comments received by the commissioner from the public and any guidance received from the Medical Cannabis Advisory Council. The added disease or condition remains in effect unless the legislature by law provides otherwise.

Sec. 6. [152.25] REGISTRATION AND CERTIFICATION OF MEDICAL CANNABIS ORGANIZATIONS.

Subdivision 1. **Registration.** Not later than 90 days after receiving an application for a medical cannabis organization, the commissioner shall register the prospective medical cannabis organization and issue a registration certificate and a random 20-digit alphanumeric identification number if all of the following conditions are satisfied:

(1) the prospective medical cannabis organization has submitted all of the following:

(i) the application fee for an alternative treatment center of \$15,000; if the application is not approved, \$14,000 will be refunded;

(ii) the application fee for a safety compliance facility of \$5,000; if the application is not approved, \$4,000 will be refunded;

(iii) an application, including:

(A) the legal name of the prospective medical cannabis organization;

(B) the physical address of the prospective medical cannabis organization that indicates that it is not within 1,000 feet of a public or private school existing before the date of the medical cannabis organization's application;

(C) the name, date of birth, and address of each principal officer and board member of the proposed medical cannabis organization; and

(D) any additional information requested by the commissioner;

(iv) operating procedures consistent with rules for oversight of the proposed medical cannabis organization, including procedures to ensure accurate record keeping and adequate security measures; and

(v) if the city or county where the proposed medical cannabis organization is located has enacted zoning restrictions, a sworn statement certifying that the proposed medical cannabis organization is in compliance with the restrictions;

(2) none of the principal officers or board members of the medical cannabis organization has been convicted of a disqualifying felony offense or has served as a principal officer or board member for a medical cannabis organization that has had its registration certificate revoked;

(3) none of the principal officers or board members of the medical cannabis organization is under 21 years of age; and

(4) if the proposed medical cannabis organization is an alternative treatment center applicant, it is located in a county with more than 20,000 permanent residents and:

(i) the county does not already contain one alternative treatment center if it has a population of 300,000 or fewer;

(ii) the county does not already contain two alternative treatment centers if the county has a population of at least 300,000 and fewer than 1,000,000; and

(iii) the county does not already contain three alternative treatment centers if the county has a population of at least 1,000,000.

Subd. 2. **Additional alternative treatment centers.** A county that is greater than 5,000 square miles may have two alternative treatment centers, regardless of population.

Subd. 3. **Commissioner discretion.** The commissioner may register alternative treatment centers at the commissioner's discretion.

Subd. 4. **Competing applications.** When competing applications are submitted for a proposed alternative treatment center within a single county, the commissioner shall use the impartial and numerically scored competitive bidding process to determine which application or applications among those competing will be approved. The commissioner may conduct a background check of the principal officers and board members of the prospective alternative treatment centers to carry out this provision.

Subd. 5. **Expiration.** All registration certificates expire one year after the date of issue.

Subd. 6. **Renewal.** The commissioner shall issue a renewal registration certificate within ten days of receipt of the prescribed renewal application and renewal fee from a medical cannabis organization if its registration certificate is not under suspension or has not been revoked.

Sec. 7. **[152.26] REGISTRY IDENTIFICATION CARDS.**

Subdivision 1. **Registration of qualifying patients and designated caregivers.** A qualifying patient may apply to the commissioner for a registry identification card or for the renewal of a registry identification card by submitting all of the following:

(1) written certification issued by a licensed practitioner within the 90 days immediately preceding the date of application;

(2) the application fee of \$100, unless the patient receives Social Security disability or Supplemental Security Insurance payments, or is enrolled in medical assistance and then the fee is \$25; and

(3) an application, including:

(i) name, mailing address, and date of birth of the qualifying patient;

(ii) name, mailing address, and telephone number of the qualifying patient's practitioner;

(iii) name, mailing address, and date of birth of the qualifying patient's designated caregiver, if any;

(iv) a signed statement from the designated caregiver, if applicable, agreeing to be the patient's designated caregiver and certifying that if the application is approved the designated caregiver is not a registered designated caregiver for more than five registered qualifying patients; and

(v) name of the qualifying patient's designated alternative treatment center.

Subd. 2. **Issuance.** (a) Except as provided in clause (2) and subdivision 4, the commissioner shall:

(1) verify the information contained in an application or renewal submitted according to sections 152.22 to 152.38 and approve or deny an application or renewal within ten days of receiving a completed application or renewal; and

(2) issue a registry identification card to a qualifying patient and the patient's designated caregiver, if applicable, within five days of approving the application or renewal. A designated caregiver must have a registry identification card for each of the caregiver's qualifying patients.

(b) The commissioner may not issue a registry identification card to a qualifying patient who is under the age of 18 unless:

(1) the qualifying patient's practitioner has explained the potential risks and benefits of the medical use of cannabis to the qualifying patient and to the parent, guardian, or person having legal custody of the qualifying patient;

(2) at least two practitioners have issued a written certification within the 90 days immediately preceding the date of application;

(3) the parent, guardian, or person having legal custody consents in writing to allow the qualifying patient's medical use of cannabis; and

(4) a parent, guardian, or person having legal custody of the qualifying patient consents in writing to:

(i) serve as the qualifying patient's designated caregiver; and

(ii) control the acquisition of cannabis, the dosage, and the frequency of the medical use of the cannabis by the qualifying patient.

(c) The commissioner must maintain a public list of all registered alternative treatment centers.

Subd. 3. **Contents of registry identification cards.** Registry identification cards for qualifying patients and designated caregivers must contain all of the following:

(1) name and date of birth of the cardholder;

(2) a statement of whether the cardholder is a qualifying patient or a designated caregiver;

(3) the date of issuance and expiration date of the registry identification card;

(4) a random 20-digit alphanumeric identification number that is unique to the cardholder and contains at least four numbers and at least four letters;

(5) if the cardholder is a designated caregiver, the random identification number of the registered qualifying patient the designated caregiver is assisting;

(6) a photograph taken in full-face view directly facing the camera of the cardholder; and

(7) the name of the qualifying patient's designated alternative treatment center.

Subd. 4. **Denial of registry identification cards.** (a) The commissioner may deny an application or renewal of a qualifying patient's registry identification card only if the applicant:

(1) does not meet the requirements of section 152.22, subdivision 13;

(2) does not provide the information required;

(3) previously had a registry identification card revoked for violating sections 152.22 to 152.38;

or

(4) provides false information.

(b) The commissioner may deny an application or renewal of a designated caregiver's registry identification card only if the applicant:

(1) does not meet the requirements of section 152.22, subdivision 8;

(2) does not provide the information required;

(3) previously had a registry identification card revoked for violating sections 152.22 to 152.38;

or

(4) provides false information.

(c) The commissioner shall give written notice to the qualifying patient of the reason for denying a registry identification card to the qualifying patient or to the qualifying patient's designated caregiver.

(d) Denial of an application or renewal is considered a final decision of the commissioner and is subject to judicial review.

Subd. 5. **Expiration.** All registry identification cards expire one year after the date of issue.

Subd. 6. **Lost registry identification cards.** If a registry identification card is lost, the cardholder shall promptly notify the commissioner. Within five days of the notification, and upon payment of a \$25 fee, the commissioner shall issue a new registry identification card with a new random identification number to the cardholder and, if the cardholder is a registered qualifying patient, to the registered qualifying patient's registered designated caregiver, if applicable.

Sec. 8. **[152.27] NOTIFICATIONS.**

(a) A registered qualifying patient shall notify the commissioner within ten days of any change in the registered qualifying patient's name, mailing address, designated caregiver, or if the registered qualifying patient ceases to have a debilitating medical condition, or if the registered qualifying patient's registry identification card has been lost or stolen.

(b) A registered designated caregiver shall notify the commissioner within ten days of any name change or change in mailing address.

(c) A qualifying patient must notify the commissioner of any change in the qualifying patient's preferred designated alternative treatment center.

(d) If a cardholder notifies the commissioner of any changes listed in this section, but remains eligible under sections 152.22 to 152.38, the commissioner shall issue the cardholder a new registry identification card with new random 20-digit alphanumeric identification numbers within ten days of receiving the updated information and a \$10 fee. If the person notifying the commissioner is a registered qualifying patient, the commissioner shall also issue the patient's registered designated caregiver, if any, a new registry identification card within ten days of receiving the updated information.

(e) A practitioner shall notify the commissioner when the practitioner no longer believes that a registered qualifying patient for whom the practitioner has issued a written certification:

(1) suffers from a debilitating medical condition; or

(2) will receive therapeutic or palliative benefit from the medical use of cannabis.

(f) When the registered qualifying patient's certifying practitioner notifies the commissioner that either the registered qualifying patient has ceased to suffer from a debilitating medical condition or that the practitioner no longer believes the patient would receive therapeutic or palliative benefit from the medical use of cannabis, the card is void upon notification to the qualifying patient by the commissioner, and the registered qualifying patient has 15 days to dispose of any cannabis.

(g) When a registered qualifying patient ceases to be a registered qualifying patient or changes the registered designated caregiver, the commissioner shall promptly notify the designated caregiver that the caregiver's duties and rights under sections 152.22 to 152.38 for the qualifying patient expire three days after the commissioner sends notification.

(h) A medical cannabis organization shall notify the commissioner within one business day of any theft or significant loss of cannabis.

(i) The commissioner shall notify all alternative treatment centers when a registry identification card has been lost by either a qualifying patient or a designated caregiver, or has been stolen. The notification must be given within five business days of the registry identification card being reported to the commissioner as lost or stolen.

Sec. 9. [152.28] MEDICAL CANNABIS ORGANIZATION REQUIREMENTS.

(a) The operating documents of a medical cannabis organization must include procedures for the oversight of the medical cannabis organization and procedures to ensure accurate record keeping.

(b) A medical cannabis organization shall implement appropriate security measures to deter and prevent the theft of cannabis and unauthorized entrance into areas containing cannabis.

(c) All cultivation, harvesting, manufacturing, and packing of cannabis must take place in an enclosed, locked facility at a physical address provided to the commissioner during the registration process.

(d) A medical cannabis organization shall not share office space with or refer patients to a practitioner.

(e) A medical cannabis organization may not permit any person to consume cannabis on the property of a medical cannabis organization.

(f) Medical cannabis organizations are subject to reasonable inspection by the commissioner.

(g) A medical cannabis organization may not employ or otherwise allow any person who is under 21 years of age or who has been convicted of a disqualifying felony offense to be an agent of the medical cannabis organization. A medical cannabis organization shall request a criminal history background check on each agent before the agent may begin working with the medical cannabis organization.

(h) Before cannabis may be dispensed to a registered qualifying patient or a registered designated caregiver, a registered alternative treatment center agent must:

(1) verify that the registry identification card presented to the alternative treatment center is valid;

(2) verify that the person presenting the card is the person identified on the registry identification card presented to the alternative treatment center agent; and

(3) verify that the alternative treatment center where the card is being presented is the alternative treatment center designated by the qualifying patient.

(i) Information kept or maintained by a medical cannabis organization must identify cardholders by their registry identification numbers and must not contain names or other personally identifying information on cardholders.

Sec. 10. [152.29] MEDICAL CANNABIS ORGANIZATION LOCATIONS.

In addition to other zoning regulations applicable within a jurisdiction, a county, home rule charter or statutory city, or town may enact reasonable zoning regulations that limit the use of land for alternative treatment centers or safety compliance facilities to specified areas.

Sec. 11. [152.30] NURSING FACILITIES.

Nursing facilities licensed under chapter 144A, or boarding care homes licensed under section 144.50, may adopt reasonable restrictions on the medical use of cannabis by persons receiving services at the facility. The restrictions may include a provision that the facility will not store or maintain the patient's supply of cannabis, that the facility is not responsible for providing the cannabis for qualifying patients, and that cannabis be consumed only in a place specified by the facility. Nothing contained in this section shall require the facilities to adopt such restrictions, and no facility shall unreasonably limit a qualifying patient's access to or medical use of cannabis.

Sec. 12. [152.31] VERIFICATION SYSTEM.

The commissioner shall establish a secure telephone or Web-based verification system. The verification system must allow law enforcement personnel and registered medical cannabis organizations to enter a registry identification number and determine whether the number corresponds with a current, valid registry identification card. The system may disclose only whether the identification card is valid, the name of the cardholder, whether the cardholder is a qualifying patient or a designated caregiver, the name of the qualifying patient's designated alternative treatment center, and the registry identification number of any affiliated registered qualifying patient.

Sec. 13. [152.32] ANNUAL REPORT.

The commissioner shall report annually to the legislature on the number of applications for registry identification cards, the number of qualifying patients and designated caregivers approved, the nature of the debilitating medical conditions of the qualifying patients, the number of registry identification cards revoked, and the number of practitioners providing written certification for qualifying patients. The commissioner must not include identifying information on qualifying patients, designated caregivers, or practitioners in the report.

Sec. 14. [152.33] DATA PRACTICES.

(a) Data in registration applications and supporting data submitted by qualifying patients, designated caregivers, medical cannabis organizations, and practitioners, are private data on individuals or nonpublic data as defined in section 13.02.

(b) Government data of the commissioner under sections 152.22 to 152.38 may not be used for any purpose not provided for in those sections and may not be combined or linked in any manner with any other list or database.

(c) Data classified under paragraph (a) may be disclosed as necessary for:

(1) the verification of registration certificates and registry identification cards pursuant to section 152.31;

(2) notification to state or local law enforcement of suspected criminal violations of sections 152.22 to 152.36;

(3) notification to state or local law enforcement about falsified or fraudulent information submitted for purposes of obtaining or renewing a registry identification card;

(4) notification to the Board of Medical Practice or the Board of Nursing if there is reason to believe that a practitioner provided a written certification without completing a full assessment of

the qualifying patient's medical history and current medical condition or if the commissioner has reason to believe the practitioner otherwise violated the standard of care for evaluating medical conditions;

(5) purposes of complying with chapter 13; and

(6) purposes of complying with a request from the legislative auditor or the state auditor in the performance of official duties.

(d) The commissioner may confirm the cardholder's status as a registered qualifying patient or a registered designated caregiver to a third party with the cardholder's informed consent.

Sec. 15. [152.34] PROTECTIONS FOR THE MEDICAL USE OF CANNABIS.

Subdivision 1. **Presumption.** (a) There is a presumption that a qualifying patient or designated caregiver is engaged in the authorized medical use of cannabis pursuant to sections 152.22 to 152.38. The presumption exists if the qualifying patient or designated caregiver:

(1) is in possession of a registry identification card; and

(2) is in possession of an amount of cannabis that does not exceed the allowable amount of cannabis.

(b) The presumption may be rebutted by evidence that conduct related to the medical use of cannabis was not for the purpose of treating or alleviating the qualifying patient's debilitating medical condition or symptoms associated with the qualifying patient's debilitating medical condition pursuant to sections 152.22 to 152.38.

Subd. 2. **Qualifying patient and designated caregiver.** A registered qualifying patient or registered designated caregiver who possesses a valid registry identification card is not subject to arrest, prosecution, or penalty in any manner, including any civil penalty, or denial of any right or privilege, or disciplinary action by a court or occupational or professional licensing board or bureau for:

(1) the registered qualifying patient's medical use of cannabis pursuant to sections 152.22 to 152.38, if the registered qualifying patient does not possess more than the allowable amount of cannabis;

(2) the registered designated caregiver assisting a registered qualifying patient to whom the caregiver is connected through the commissioner's registration process with the registered qualifying patient's medical use of cannabis pursuant to sections 152.22 to 152.34, if the registered qualifying patient does not possess more than the allowable amount of cannabis;

(3) reimbursement by a registered qualifying patient to the patient's registered designated caregiver for direct costs incurred by the registered designated caregiver for assisting with the registered qualifying patient's medical use of cannabis;

(4) transferring cannabis to a safety compliance facility for testing;

(5) compensating an alternative treatment center or a safety compliance facility for goods or services provided; or

(6) offering or providing cannabis to a registered qualifying patient, to a registered designated caregiver for a registered qualifying patient's medical use, or to a visiting qualifying patient.

Subd. 3. **Visiting qualifying patient.** A person who demonstrates that the person is a visiting qualifying patient shall not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege including, but not limited to, civil penalty or disciplinary action by a business, occupational, or professional licensing board or entity, for the medical use of cannabis pursuant to sections 152.22 to 152.38, provided that: (1) the visiting qualifying patient does not possess more than 2.5 ounces of usable cannabis; and (2) the visiting qualifying patient produces a statement from a person who is licensed with the authority to prescribe drugs to humans in the state of the person's residence stating that the visiting qualifying patient has a debilitating medical condition as defined in section 152.22.

Subd. 4. **Dismissal of charges.** If a qualifying patient or a designated caregiver who is not in possession of a registry identification card is arrested for possession of an amount of cannabis that does not exceed the allowable amount or is charged with this, the patient or caregiver shall be released from custody and the charges dismissed upon production of a valid registry identification card issued in the person's name.

Subd. 5. **Practitioner.** A practitioner may not be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including civil penalty or disciplinary action by the Board of Medical Practice or the Board of Nursing or by another business, occupational, or professional licensing board or entity, based solely on providing written certifications or for otherwise stating that, in the practitioner's professional opinion, a patient is likely to receive therapeutic or palliative benefit from the medical use of cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the debilitating medical condition. Nothing in sections 152.22 to 152.38 prevents a professional licensing board from sanctioning a practitioner for failing to properly evaluate a patient's medical condition or otherwise violating the standard of care for evaluating medical conditions.

Subd. 6. **Legal counsel.** An attorney may not be subject to disciplinary action by the Minnesota State Bar Association or other professional licensing association for providing legal assistance to prospective or registered alternative treatment centers, prospective or registered safety compliance facilities, or others related to activity that is no longer subject to criminal penalties under state law pursuant to sections 152.22 to 152.38.

Subd. 7. **Arrest and prosecution prohibited.** No person may be subject to arrest, prosecution, or penalty in any manner, or denied any right or privilege, including any civil penalty or disciplinary action by a court or occupational or professional licensing board or bureau, for:

(1) providing or selling cannabis paraphernalia to a cardholder or to a medical cannabis organization upon presentation of a valid registry identification card or registration certificate; or

(2) being in the presence or vicinity of the medical use of cannabis authorized under sections 152.22 to 152.38.

Subd. 8. **Alternative treatment center.** (a) An alternative treatment center or an alternative treatment center's agent is not subject to prosecution, search, or inspection, except by the commissioner pursuant to section 152.28, paragraph (f); seizure; or penalty in any manner; and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity; for acting pursuant to sections 152.22 to 152.38, and rules authorized by sections 152.22 to 152.38 to:

(1) possess, plant, propagate, cultivate, grow, harvest, produce, process, manufacture, compound, convert, prepare, pack, repack, or store cannabis;

(2) possess, produce, store, or transport cannabis paraphernalia;

(3) purchase or obtain cannabis seeds from a cardholder, a visiting qualifying patient, or an entity that is registered to distribute cannabis under the laws of another state;

(4) deliver, transfer, or transport cannabis, cannabis paraphernalia, or related supplies and educational materials to or from other medical cannabis organizations;

(5) compensate a safety compliance facility for services or goods provided;

(6) purchase or otherwise acquire cannabis from another registered alternative treatment center;

or

(7) dispense, supply, or sell, or deliver cannabis, cannabis paraphernalia, or related supplies and educational materials to registered qualifying patients, to registered designated caregivers on behalf of registered qualifying patients, or to other alternative treatment centers.

(b) The immunity provided in paragraph (a) does not apply to activities that are not permitted under sections 152.22 to 152.38, and rules authorized by sections 152.22 to 152.38.

Subd. 9. Safety compliance facility. (a) A safety compliance facility or a safety compliance facility agent is not subject to prosecution, search, or inspection, except by the commissioner pursuant to section 152.28, paragraph (g); seizure; or penalty in any manner; and may not be denied any right or privilege, including civil penalty or disciplinary action by a court or business licensing board or entity; for acting pursuant to sections 152.22 to 152.38 and rules authorized by sections 152.22 to 152.38, to provide the following services:

(1) acquiring, possessing, or transporting cannabis obtained from registry identification cardholders or medical cannabis organizations;

(2) returning the cannabis to the registry identification cardholder or medical cannabis organization from whom it was obtained;

(3) producing or selling educational materials related to cannabis;

(4) producing, possessing, selling, or transporting cannabis paraphernalia and equipment or materials other than cannabis to medical cannabis organizations or to cardholders, including lab equipment and packaging materials;

(5) testing cannabis, including for potency, pesticides, mold, or contaminants;

(6) providing training to cardholders; or

(7) receiving compensation for services or goods other than cannabis provided under sections 152.22 to 152.38.

(b) The immunity provided in paragraph (a) does not apply to activities that are not permitted under sections 152.22 to 152.38, and rules authorized by sections 152.22 to 152.38.

Subd. 10. Property rights. Any interest in or right to property that is lawfully possessed, owned, or used in connection with the medical use of cannabis as authorized in sections 152.22 to 152.38, or acts incidental to such use, is not forfeited under sections 609.531 to 609.5318.

Subd. 11. **Discrimination prohibited.** (a) No school or landlord may refuse to enroll or lease to and may not otherwise penalize a person solely for the person's status as a cardholder, unless failing to do so would violate federal law or regulations or cause the school or landlord to lose a monetary or licensing-related benefit under federal law or regulations. This paragraph does not prevent a landlord from prohibiting the smoking of cannabis on the premises.

(b) For the purposes of medical care, including organ transplants, a registered qualifying patient's medical use of cannabis according to sections 152.22 to 152.38 is considered the equivalent of the authorized use of any other medication used at the discretion of a physician and does not constitute the use of an illicit substance or otherwise disqualify a qualifying patient from needed medical care.

(c) Unless a failure to do so would violate federal law or regulations or cause an employer to lose a monetary or licensing-related benefit under federal law or regulations, an employer may not discriminate against a person in hiring, termination, or any term or condition of employment, or otherwise penalize a person, if the discrimination is based upon either of the following:

(1) the person's status as a registered qualifying patient or a registered designated caregiver; or

(2) a registered qualifying patient's positive drug test for cannabis components or metabolites, unless the patient used, possessed, or was impaired by cannabis on the premises of the place of employment or during the hours of employment.

(d) A person shall not be denied custody of or visitation rights or parenting time with a minor solely for the person's status as a registered qualifying patient or a registered designated caregiver, and there shall be no presumption of neglect or child endangerment for conduct allowed under sections 152.22 to 152.38, unless the person's behavior is such that it creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

Subd. 12. **Card as probable cause.** Possession of or application for a registry identification card by a person entitled to possess or apply for the card does not constitute probable cause or reasonable suspicion, nor shall it be used to support a search of the person or property of the person possessing or applying for the registry identification card, or otherwise subject the person or property of the person to inspection by any governmental agency.

Sec. 16. **[152.35] AFFIRMATIVE DEFENSE.**

(a) Except as provided in section 152.23, a person may assert the medical purpose for using cannabis as a defense to any prosecution involving the possession of cannabis, and the defense shall be presumed valid if the evidence shows that:

(1) at the time of the offense, the person had obtained a written statement from a practitioner dated within the preceding 90 days and stating that, in the practitioner's professional opinion, after having completed a full assessment of the person's medical history and medical condition made in the course of a bona fide practitioner-patient relationship, the person had a debilitating medical condition and the potential benefits of using cannabis for medical purposes would likely outweigh the health risks for the person;

(2) the person was in possession of no more than 2.5 ounces of usable cannabis; and

(3) the person was engaged in the acquisition, possession, use, or transportation of cannabis, paraphernalia, or both, relating to the administration of cannabis to treat or alleviate the person's

debilitating medical condition or symptoms associated with the person's debilitating medical condition.

(b) The defense and motion to dismiss shall not prevail if the prosecution proves that:

(1) the person had a registry identification card revoked for misconduct; or

(2) the purpose of the possession of cannabis was not for palliative or therapeutic use by the person with a debilitating medical condition who raised the defense.

(c) A person is not required to possess a registry identification card to raise the affirmative defense set forth in this section.

(d) A person may assert the medical purpose for using cannabis in a motion to dismiss, and the charges shall be dismissed following an evidentiary hearing where the person shows the elements listed in paragraph (a).

(e) In addition to the person having the medical condition necessitating the use of cannabis, a designated caregiver may assert the affirmative defense described in this section in a prosecution involving the possession or sale for no remuneration of cannabis to a person with a medical condition.

(f) Any interest in or right to property that was possessed, owned, or used in connection with a person's use of cannabis for medical purposes shall not be forfeited if the person or the person's designated caregiver demonstrates the person's medical purpose for using cannabis under this section.

(g) This section shall only apply if:

(1) the person's arrest, citation, or prosecution occurred after the effective date of sections 152.22 to 152.38, but before registration for qualified patients is available; or

(2) the person's arrest or citation occurred after a valid application for a qualifying patient had been submitted but before the registry identification card was received.

(h) This section expires July 1, 2016.

Sec. 17. [152.36] SUSPENSION AND REVOCATION.

Subdivision 1. **Suspension or revocation of registration certificate.** The commissioner may by motion or on complaint, after investigation and opportunity for a public hearing at which the medical cannabis organization has been afforded an opportunity to be heard, suspend or revoke a registration certificate for multiple negligent violations or for a serious and knowing violation by the registrant or any of its agents of sections 152.22 to 152.38, or any rules adopted pursuant to section 152.24.

Subd. 2. **Notice.** The commissioner shall provide notice of suspension, revocation, fine, or other sanction, as well as the required notice of the hearing, by mailing the same in writing to the registered organization at the address on the registration certificate. A suspension shall not be longer than six months.

Subd. 3. **Suspensions.** An alternative medical center may continue to cultivate and possess cannabis during a suspension, but it may not dispense, transfer, or sell cannabis.

Subd. 4. **Diversions by medical cannabis organization.** The commissioner shall immediately revoke the registration certificate of a medical cannabis organization that violates section 152.37, subdivision 2, and its board members and principal officers may not serve as board members or principal officers for any other medical cannabis organization.

Subd. 5. **Diversions by cardholder.** The commissioner shall immediately revoke the registry identification card of any cardholder who transfers cannabis to a person who is not allowed to possess cannabis for medical purposes under sections 152.22 to 152.38, and the cardholder is disqualified from further participation under sections 152.22 to 152.38.

Subd. 6. **Revocation of registry identification card.** The commissioner may revoke the registry identification card of any registered qualifying patient or registered designated caregiver who knowingly commits a serious violation of this chapter.

Subd. 7. **Judicial review.** Revocation is a final decision of the commissioner, subject to judicial review.

Sec. 18. **[152.37] VIOLATIONS.**

Subdivision 1. **Failure to provide required notice; civil penalty.** A registered qualifying patient, designated caregiver, or registered organization that willfully fails to provide a notice required by section 152.27 is guilty of a petty misdemeanor, punishable by a fine of no more than \$150.

Subd. 2. **Intentional diversion; criminal penalty.** In addition to any other applicable penalty in law, a medical cannabis organization or an agent of a medical cannabis organization who intentionally transfers cannabis to a person other than a qualifying patient, a designated caregiver, or a medical cannabis organization or its agent is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both. A person convicted under this subdivision may not continue to be affiliated with the medical cannabis organization and is disqualified from further participation under sections 152.22 to 152.38.

Subd. 3. **Diversions by cardholder; criminal penalty.** In addition to any other applicable penalty in law, a registered qualifying patient or registered designated caregiver who intentionally sells or otherwise transfers cannabis to a person other than a qualifying patient, a designated caregiver, or a visiting qualifying patient is guilty of a felony punishable by imprisonment for not more than two years or by payment of a fine of not more than \$3,000, or both.

Subd. 4. **Transfer of registry identification card; criminal penalty.** In addition to any other applicable penalty in law, a qualifying patient or designated caregiver who sells, transfers, loans, or otherwise gives another person the qualifying patient's or designated caregiver's registry identification card, or a person who without authority uses another's card, is guilty of a felony and may be sentenced to imprisonment for not more than two years, or payment of a fine of not more than \$3,000, or both.

Subd. 5. **False statement; criminal penalty.** A person who intentionally makes a false statement to a law enforcement official about any fact or circumstance relating to the medical use of cannabis to avoid arrest or prosecution is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or by payment of a fine of not more than \$1,000, or both. The penalty is in addition to any other penalties that may apply for making a false statement or for the possession, cultivation, or sale of cannabis not protected by sections 152.22 to 152.38. If a person convicted of violating

this section is a qualifying patient or a designated caregiver, the person is disqualified from further participation under sections 152.22 to 152.38.

Subd. 6. **Submission of false records; criminal penalty.** A person who knowingly submits false records or documentation required by the commissioner to certify a medical cannabis organization under sections 152.22 to 152.38 is guilty of a felony and may be sentenced to imprisonment for not more than two years, or payment of a fine of not more than \$3,000, or both.

Subd. 7. **Violation by practitioner; criminal penalty.** A practitioner who knowingly refers patients to a medical cannabis organization or to a designated caregiver, who advertises in a medical cannabis organization, or who issues written certifications while holding a financial interest in a medical cannabis organization is guilty of a misdemeanor and may be sentenced to imprisonment for not more than 90 days, or payment of a fine of not more than \$1,000, or both.

Subd. 8. **Breach of confidentiality; criminal penalty.** It is a misdemeanor for any person, including the commissioner or another state agency or local government, to breach the confidentiality of information obtained pursuant to sections 152.22 to 152.38.

Subd. 9. **Other violations; civil penalty.** A medical cannabis organization shall be fined up to \$1,000 for any violation of sections 152.22 to 152.38, or the regulations issued pursuant to them, where no penalty has been specified. This penalty is in addition to any other applicable penalties in law.

Sec. 19. [152.38] IMPLEMENTATION.

The commissioner must begin issuing registry identification cards and registration certificates under sections 152.22 to 152.37 by July 1, 2015.

Sec. 20. [152.39] FEES.

(a) The fees in sections 152.22 to 152.37 are annually appropriated and deposited in the state government special revenue fund for use by the commissioner to administer sections 152.22 to 152.38.

(b) The total fees collected must generate revenues sufficient to implement and administer sections 152.22 to 152.38, except fee revenue may be offset or supplemented by private donations.

(c) The total amount of revenue from registration certificate application and renewal fees must be sufficient to implement and administer the provisions of sections 152.22 to 152.38 relating to medical cannabis organizations, including the verification system, except fee revenue may be offset or supplemented by private donations.

(d) The commissioner may establish a sliding scale of patient application and renewal fees based upon a qualifying patient's household income.

(e) The commissioner may accept private donations to reduce application and renewal fees.

Sec. 21. [152.40] MEDICAL CANNABIS ADVISORY COUNCIL.

Subdivision 1. **Membership.** The Medical Cannabis Advisory Council consists of the following nine members:

(1) four health care practitioners with experience in treating patients with debilitating medical conditions, appointed by the commissioner of health;

(2) a representative of patients with debilitating medical conditions, appointed by the commissioner of health;

(3) the commissioner of public safety or a designee;

(4) the commissioner of health or a designee;

(5) the commissioner of human services or a designee; and

(6) a chemist or other scientist with professional expertise in evaluating the properties and qualities of cannabis, appointed by the commissioner of health.

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

(1) make recommendations to the commissioner and the legislature on implementing sections 152.22 to 152.39;

(2) assist the commissioner in reviewing petitions to add medical conditions, symptoms, or treatments to the list of debilitating medical conditions;

(3) provide recommendations on rules to be adopted;

(4) investigate and make recommendations related to the effectiveness of alternative treatment centers, individually and collectively, in serving the needs of qualifying patients;

(5) investigate and make recommendations related to the sufficiency of the regulatory and security safeguards adopted; and

(6) investigate and make recommendations related to best practices in other states that allow for the medical use of cannabis.

Subd. 3. **Governance.** The council shall be governed by section 15.059.

Subd. 4. **Chair; meetings.** The commissioner of health or the commissioner's designee shall serve as chair of the council and must convene meetings at least quarterly. A quorum is not required for council action.

Subd. 5. **Reports.** The council must report to the commissioner of health on an ongoing basis on the actions of the council, and must consult with the commissioner in the preparation of the report to the legislature under section 152.45.

Subd. 6. **Staffing.** The commissioner of health must provide staffing and administrative support to the council as needed for the council to fulfill its duties.

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

Sec. 22. **[152.45] ASSESSMENT OF THE MEDICINAL USE OF CANNABIS.**

(a) The commissioner of health, in consultation with the Medical Cannabis Advisory Council, shall assess the impacts of the use of cannabis for medical purposes in Minnesota. The assessment must address issues and concerns identified by community representatives with particular emphasis on:

(1) program design and implementation, including verification procedures and provisions to prevent diversion;

- (2) patient experiences;
- (3) impact on the health care provider community;
- (4) impact on substance abuse;
- (5) access to and quality of product;
- (6) law enforcement activities and concerns;
- (7) public awareness and perception; and
- (8) any unintended consequences.

(b) The commissioner shall submit a biennial report on the assessment to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over health and human services, judiciary, and civil law with the first report due February 15, 2015, and every other February 15th thereafter.

(c) As part of the report submitted on February 15, 2015, the commissioner shall include an assessment of experiences of other states with current medical cannabis programs and a review of existing medical research and literature on the necessary amounts of product and the effectiveness of different delivery systems.

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

Sec. 23. Minnesota Statutes 2012, section 256B.0625, subdivision 13d, is amended to read:

Subd. 13d. **Drug formulary.** (a) The commissioner shall establish a drug formulary. Its establishment and publication shall not be subject to the requirements of the Administrative Procedure Act, but the Formulary Committee shall review and comment on the formulary contents.

(b) The formulary shall not include:

- (1) drugs, active pharmaceutical ingredients, or products for which there is no federal funding;
- (2) over-the-counter drugs, except as provided in subdivision 13;
- (3) drugs or active pharmaceutical ingredients used for weight loss, except that medically necessary lipase inhibitors may be covered for a recipient with type II diabetes;
- (4) drugs or active pharmaceutical ingredients when used for the treatment of impotence or erectile dysfunction;
- (5) drugs or active pharmaceutical ingredients for which medical value has not been established; and
- (6) drugs from manufacturers who have not signed a rebate agreement with the Department of Health and Human Services pursuant to section 1927 of title XIX of the Social Security Act; and
- (7) cannabis as defined in sections 152.22 to 152.39.

(c) If a single-source drug used by at least two percent of the fee-for-service medical assistance recipients is removed from the formulary due to the failure of the manufacturer to sign a rebate agreement with the Department of Health and Human Services, the commissioner shall notify

prescribing practitioners within 30 days of receiving notification from the Centers for Medicare and Medicaid Services (CMS) that a rebate agreement was not signed.

Sec. 24. **ADVISORY COUNCIL INITIAL APPOINTMENTS; INITIAL MEETING.**

The commissioner of health shall make initial appointments to the Medical Cannabis Advisory Council established in Minnesota Statutes, section 152.40, by July 15, 2014, and shall convene the first meeting of the council by August 1, 2014.

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

Sec. 25. **APPROPRIATIONS.**

(a) \$256,000 in fiscal year 2014 and \$48,000 in fiscal year 2015 are appropriated from the state government special revenue fund to the commissioner of health to implement Minnesota Statutes, sections 152.22 to 152.38.

(b) \$...... in fiscal year 2014 is appropriated from the state government special revenue fund to the commissioner of health to conduct the assessment of the medicinal use of cannabis as described in section 21.

Sec. 26. **EFFECTIVE DATE.**

Sections 1 to 3, 5 to 20, and 23 are effective July 1, 2014."

Amend the title numbers accordingly

And when so amended the bill be re-referred to the Committee on Finance without recommendation. Amendments adopted. Report adopted.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1984, 2214, 2798, 2912 and 2405 were read the second time.

MOTIONS AND RESOLUTIONS

Senator Brown moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 1660. The motion prevailed.

Senator Hoffman moved that the name of Senator Tomassoni be added as a co-author to S.F. No. 2643. The motion prevailed.

Senator Petersen, B. moved that S.F. No. 847 be withdrawn from the Committee on Taxes and returned to its author. The motion prevailed.

Senator Petersen, B. moved that S.F. No. 848 be withdrawn from the Committee on Taxes and returned to its author. The motion prevailed.

Senator Petersen, B. moved that S.F. No. 938 be withdrawn from the Committee on Education and returned to its author. The motion prevailed.

Senator Petersen, B. moved that S.F. No. 1357 be withdrawn from the Committee on Judiciary and returned to its author. The motion prevailed.

Senator Clausen introduced –

Senate Resolution No. 242: A Senate resolution honoring Kelly Kausel on receiving a Changemaker Award.

Referred to the Committee on Rules and Administration.

Senators Clausen and Carlson introduced –

Senate Resolution No. 243: A Senate resolution honoring Roxanne Minderman on being named one of the Women of Distinction in the Minnesota DFL Women's Hall of Fame.

Referred to the Committee on Rules and Administration.

Senators Kent, Saxhaug, Wiger, Chamberlain and Johnson introduced –

Senate Resolution No. 244: A Senate resolution honoring June Fremont for being selected to join a World War II Honor Flight.

Referred to the Committee on Rules and Administration.

Senator Schmit introduced –

Senate Resolution No. 245: A Senate resolution congratulating Leanna Nielsen of Kellogg, Minnesota, for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Schmit introduced –

Senate Resolution No. 246: A Senate resolution honoring Vanessa Lee of Wabasha, Minnesota, for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Schmit introduced –

Senate Resolution No. 247: A Senate resolution honoring Alexis Johnson of Wabasha, Minnesota, for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Schmit introduced –

Senate Resolution No. 248: A Senate resolution honoring Emily Norgrant of Kellogg, Minnesota for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Schmit introduced –

Senate Resolution No. 249: A Senate resolution congratulating Cassandra Dulek of Cannon Falls for receiving the Girl Scout Gold Award.

Referred to the Committee on Rules and Administration.

Senator Stumpf introduced –

Senate Resolution No. 250: A Senate resolution honoring the members of the Plummer Volunteer Fire Department for their prompt and professional response to a chemical spill emergency in March 2012.

Referred to the Committee on Rules and Administration.

Senator Stumpf introduced –

Senate Resolution No. 251: A Senate resolution honoring the 2014 Win-E-Mac Lady Patriots, Class A state basketball champions.

Referred to the Committee on Rules and Administration.

RECESS

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

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

CALL OF THE SENATE

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Saxhaug moved that the following members be excused for a Conference Committee on H.F. No. 1926 from 12:00 to 12:40 p.m.:

Senators Saxhaug, Ingebrigtsen and Sparks. The motion prevailed.

APPOINTMENTS

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

S.F. No. 2736: Senators Kent, Goodwin and Rosen.

S.F. No. 2390: Senators Sieben, Hoffman and Newman.

H.F. No. 2090: Senator Hall replaces Senator Limmer.

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

MOTIONS AND RESOLUTION - CONTINUED**SPECIAL ORDERS**

Pursuant to Rule 26, Senator Bakk, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. Nos. 2722, 1851, 1425, 1951, 2166, 2694, S.F. No. 2614, H.F. Nos. 3084, 2313, 2854, 1604, S.F. No. 511 and H.F. No. 2660.

SPECIAL ORDER

H.F. No. 2722: A bill for an act relating to family law; making changes to custody and parenting time provisions; amending Minnesota Statutes 2012, sections 518.17, subdivision 2; 518.175, subdivisions 1, 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 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1851: A bill for an act relating to public safety; enhancing penalties for certain repeat criminal sexual conduct offenders; amending Minnesota Statutes 2012, sections 243.167, subdivision 1; 609.135, subdivision 2; 609.3451, subdivision 3.

Senator Latz moved to amend H.F. No. 1851, as amended pursuant to Rule 45, adopted by the Senate April 30, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1675.)

Page 3, after line 19, insert:

"Sec. 3. Minnesota Statutes 2012, section 609.713, is amended to read:

609.713 ~~TERRORISTIC~~ VIOLENT THREATS.

Subdivision 1. **Threaten violence; intent to terrorize cause extreme fear.** Whoever threatens, directly or indirectly, to commit any crime of violence with purpose to ~~terrorize~~ cause extreme fear

in another or to cause evacuation of a building, place of assembly, vehicle or facility of public transportation or otherwise to cause serious public inconvenience, or in a reckless disregard of the risk of causing such ~~terror~~ extreme fear or inconvenience may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both. As used in this subdivision, "crime of violence" has the meaning given "violent crime" in section 609.1095, subdivision 1, paragraph (d).

Subd. 2. **Communicates to terrorize cause extreme fear.** Whoever communicates to another with purpose to ~~terrorize~~ cause extreme fear in another or in reckless disregard of the risk of causing such ~~terror~~ extreme fear, that explosives or an explosive device or any incendiary device is present at a named place or location, whether or not the same is in fact present, may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$3,000, or both.

Subd. 3. **Display replica of firearm.** (a) Whoever displays, exhibits, brandishes, or otherwise employs a replica firearm or a BB gun in a threatening manner, may be sentenced to imprisonment for not more than one year and one day or to payment of a fine of not more than \$3,000, or both, if, in doing so, the person either:

- (1) causes or attempts to cause ~~terror~~ extreme fear in another person; or
- (2) acts in reckless disregard of the risk of causing ~~terror~~ extreme fear in another person.

(b) For purposes of this subdivision:

(1) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less in diameter; and

(2) "replica firearm" means a device or object that is not defined as a dangerous weapon, and that is a facsimile or toy version of, and reasonably appears to be a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, or any other firearm. The term replica firearm includes, but is not limited to, devices or objects that are designed to fire only blanks.

Sec. 4. REVISOR'S INSTRUCTION.

In the next edition of Minnesota Statutes, the revisor of statutes shall change references to "terroristic threats" when that term is referring to Minnesota Statutes, section 609.713, to "violent threats."

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 1851 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chamberlain	Dahms	Fischbach	Hann
Benson	Champion	Dibble	Franzen	Hawj
Bonoff	Clausen	Dziedzic	Gazelka	Hayden
Brown	Cohen	Eaton	Goodwin	Housley
Carlson	Dahle	Eken	Hall	Jensen

Johnson	Metzen	Pederson, J.	Scalze	Thompson
Kent	Miller	Petersen, B.	Schmit	Tomassoni
Kiffmeyer	Nelson	Pratt	Senjem	Torres Ray
Koenen	Nienow	Reinert	Sheran	Weber
Latz	Ortman	Rest	Sieben	Westrom
Lourey	Osmek	Rosen	Skoe	Wiger
Marty	Pappas	Ruud	Stumpf	Wiklund

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

SPECIAL ORDER

H.F. No. 1425: A bill for an act relating to local government; providing for municipal annexation by ordinance; changing or adding certain definitions for purposes of boundary adjustments; amending Minnesota Statutes 2012, sections 414.011, subdivision 5, by adding a subdivision; 414.033, subdivision 2.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 1951: A bill for an act relating to retirement; various Minnesota public employee retirement plans; allowing MSRS-General deferred members to vote in board elections; continuing Stevens County Housing and Redevelopment Authority employees in PERA-General; excluding fixed-route bus drivers employed by the St. Cloud Metropolitan Transit Commission from PERA-General coverage; increasing member and employer contribution rates for certain retirement plans; providing for the consolidation of the Duluth Teachers Retirement Fund Association retirement plan and fund into the statewide Teachers Retirement Association; revising an amortization target date, creating new state aid programs; appropriating money; extending a MnSCU early retirement incentive program; increasing the limit for certain reemployed MnSCU retirees; extending the applicability of a second chance at tenure retirement coverage election opportunity for MnSCU faculty members; revising investment authority for various defined contribution plans or programs; authorizing the State Board of Investment to revise, remove, or create investment options for the Minnesota supplemental investment fund; expanding permissible investments under the unclassified state employees retirement program, the public employees

defined contribution plan, the deferred compensation program, and the health care savings plan; revising salary reporting requirements; clarifying retirement provision applications to sheriffs; revising local government postretirement option program requirements and extending expiration date; clarifying future postretirement adjustment rates for former members of the former Minneapolis Firefighters Relief Association and the former Minneapolis Police Relief Association; making technical changes to amortization state aid and supplemental state aid; clarifying the eligibility of independent nonprofit firefighting corporations to receive police and fire supplemental retirement state aid; implementing the recommendations of the 2013-2014 state auditor volunteer fire working group; modifying the disability benefit application deadline for certain former Wadena County sheriff's deputies; authorizing city of Duluth and Duluth Airports Authority employee salary-supplement payments coverage following Court of Appeals decision; specifying interest rate for computing joint and survivor annuities; revising postretirement adjustment triggers; revising reemployed annuitant withholding in certain divorce situations; clarifying medical advisor and resumption of teaching provisions; specifying explicit postretirement adjustment assumptions; allowing volunteer firefighter relief associations to pay state fire chiefs association dues from the special fund; authorizing MnSCU employee to elect TRA coverage and transfer past service from IRAP to TRA; clarifying the applicability of 2013 postretirement adjustment modifications to certain county sheriffs; ratifying or grandparenting MSRS-Correctional plan coverage for Department of Human Services employees; allowing various service credit purchases; requiring a PERA report on certain survivor benefit amounts; amending Minnesota Statutes 2012, sections 3A.01, subdivision 1a; 11A.17, subdivisions 1, 9; 13.632, subdivision 1; 122A.18, subdivision 7a; 136F.481; 352.01, subdivisions 2b, 12; 352.03, subdivision 1, by adding a subdivision; 352.04, subdivisions 2, 3; 352.115, subdivisions 8, 10; 352.1155, subdivisions 1, 4; 352.90; 352.91, subdivisions 1, 2, 3c, 3d, 3e, 3f, by adding a subdivision; 352.92, subdivisions 1, 2; 352.965, subdivision 4, by adding subdivisions; 352.98, subdivision 2; 352B.08, subdivision 3; 352D.04, by adding subdivisions; 353.01, subdivision 14; 353.27, subdivisions 2, 3, 3b, 4, by adding a subdivision; 353.30, subdivision 3; 353.37, by adding a subdivision; 353.371, by adding a subdivision; 353.6511, subdivision 7; 353.6512, subdivision 7; 353D.05, subdivision 1, by adding a subdivision; 354.05, subdivisions 2, 7, 13; 354.42, subdivisions 2, 3; 354.44, subdivision 5; 354.445; 354.48, subdivision 6a; 354A.011, subdivisions 11, 15a, 27; 354A.021, subdivision 1; 354A.092; 354A.093, subdivision 1; 354A.096; 354A.12, subdivision 2; 354A.29, subdivision 8; 354A.31, subdivisions 1, 3a; 354A.32, subdivision 1; 354A.35, subdivision 1; 354A.37, subdivisions 3, 4; 354A.39; 354A.41; 354B.21, subdivisions 2, 3a; 355.01, subdivision 2c; 356.215, subdivision 11; 356.24, subdivision 1; 356.302, subdivision 7; 356.303, subdivision 4; 356.32, subdivision 2; 356.415, subdivision 1d; 356.42, subdivision 3; 356.465, subdivision 3; 356.47, subdivision 3; 356.635, subdivision 6; 356.99, subdivision 1; 356A.06, subdivisions 7, 7a; 424A.015, by adding a subdivision; 424A.016, subdivisions 4, 7; 424A.05, subdivision 3; 424A.08; 424B.12; 490.121, subdivision 2a; Minnesota Statutes 2013 Supplement, sections 69.051, subdivisions 1a, 3; 352.01, subdivision 2a; 352.03, subdivision 4; 353.01, subdivisions 2a, 2b; 353.651, subdivision 4; 354.436; 354.44, subdivision 6; 354A.12, subdivisions 1, 2a, 3a, 3c; 354A.27, subdivision 6a; 356.20, subdivision 2; 356.214, subdivision 1; 356.215, subdivision 8; 356.219, subdivision 8; 356.30, subdivision 3; 356.401, subdivision 3; 356.415, subdivisions 1a, 1c, 1e, 1f; 356.91; 363A.36, subdivision 1; 423A.02, subdivision 3; 423A.022, subdivisions 2, 3; 424A.016, subdivision 6; 424A.02, subdivisions 3, 7; 424A.092, subdivision 6; 424A.093, subdivisions 2, 6; 424A.094, subdivision 2; 424A.10, subdivision 2; Laws 2009, chapter 169, article 5, section 2, as amended; article 6, section 1; proposing coding for new law in Minnesota Statutes, chapters 354; 354A; 356; repealing Minnesota Statutes 2012, sections 11A.17, subdivision

4; 352.965, subdivision 5; 352D.04, subdivision 1; 353D.05, subdivision 2; 354A.021, subdivision 5; 354A.108; 354A.24; 354A.27, subdivision 5; 356.415, subdivision 3; Minnesota Statutes 2013 Supplement, sections 354A.27, subdivisions 6a, 7; 354A.31, subdivision 4a.

Senator Pappas moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 79, line 7, delete "and section 22 are" and insert "is"

Page 79, line 8, delete "21, 23 to"

Page 144, lines 6 and 10, delete "26" and insert "27"

The motion prevailed. So the amendment was adopted.

Senator Pratt moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 45, line 3, after the period, insert "The additional employer contribution to the fund by Independent School District No. 709, Duluth, is an amount equal to 3.64 percent of the salary of each teacher in that school district."

Page 45, line 25, delete "\$14,377,000" and insert "\$12,593,000"

CALL OF THE SENATE

Senator Pappas imposed a call of the Senate for the balance of the proceedings on H.F. No. 1951. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Pratt amendment.

The roll was called, and there were yeas 26 and nays 37, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

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

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Latz moved that the following members be excused for a Conference Committee on H.F. No. 2090 at 1:00 p.m.:

Senators Latz, Hall and Jensen. The motion prevailed.

Senator Nelson moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 37, delete article 6

Renumber the articles in sequence

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Osmek	Senjem
Benson	Gazelka	Miller	Pederson, J.	Thompson
Brown	Hann	Nelson	Petersen, B.	Weber
Chamberlain	Housley	Nienow	Rosen	Westrom
Dahms	Ingebrigtsen	Ortman	Ruud	Wiger

Those who voted in the negative were:

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

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

Senator Thompson moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 45, lines 25 and 26, delete the new language

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Osmek	Ruud
Benson	Gazelka	Miller	Pederson, J.	Senjem
Brown	Hann	Nelson	Petersen, B.	Thompson
Chamberlain	Housley	Nienow	Pratt	Weber
Dahms	Ingebrigtsen	Ortman	Rosen	Westrom

Those who voted in the negative were:

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

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

Senator Benson moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 37, delete article 6 and insert:

"ARTICLE 6

TRA AID

Section 1. Minnesota Statutes 2013 Supplement, section 354.436, is amended to read:

354.436 DIRECT STATE AID ON BEHALF OF THE FORMER MINNEAPOLIS TO THE TEACHERS RETIREMENT FUND ASSOCIATION.

Subdivision 1. **Aid authorization.** The state shall pay \$14,377,000 to the Teachers Retirement Association and shall pay an additional \$12,954,000 to the Teachers Retirement Association on behalf of the former Minneapolis Teachers Retirement Fund Association.

Subd. 2. **Aid appropriation.** The commissioner of management and budget shall pay the aid amounts under subdivision 1 annually on October 1. The amount required is appropriated annually from the general fund to the commissioner of management and budget.

Subd. 3. **Aid expiration.** The aid amounts specified in this section ~~terminates~~ terminate and this section expires on the October 1 next following the later of the following dates when: (1) the current assets of the Teachers Retirement Association fund equal or exceed the actuarial accrued liabilities of the fund as determined in the most recent actuarial valuation report for the Teachers Retirement Association fund by the actuary retained under section 356.214, or on the established date for full funding under section 356.215, subdivision 11, whichever occurs earlier; and (2) the member and employer contribution rates are first determined to be eligible for a reduction under section 354.42, subdivisions 4a, 4b, 4c, and 4d.

EFFECTIVE DATE. This section is effective June 15, 2015."

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 35, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Miller	Petersen, B.	Weber
Benson	Gazelka	Nelson	Pratt	Westrom
Brown	Hann	Nienow	Rosen	
Chamberlain	Housley	Ortman	Ruud	
Dahle	Ingebrigtsen	Osmek	Senjem	
Dahms	Kiffmeyer	Pederson, J.	Thompson	

Those who voted in the negative were:

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

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

Senator Chamberlain moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 79, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

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

Senator Benson moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 45, line 23, after "pay" insert "\$7,000,000 to the Teachers Retirement Association and shall pay an additional"

Page 79, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 25 and nays 36, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Osmek	Ruud
Benson	Gazelka	Miller	Pederson, J.	Senjem
Brown	Hann	Nelson	Petersen, B.	Thompson
Chamberlain	Housley	Nienow	Pratt	Weber
Dahms	Ingebrigtsen	Ortman	Rosen	Westrom

Those who voted in the negative were:

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

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

Senator Rosen moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 45, line 25, delete "year 2017 and later" and insert "years 2017 to 2021"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 26 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Fischbach	Kiffmeyer	Petersen, B.	Weber
Benson	Gazelka	Miller	Pratt	Westrom
Bonoff	Hall	Nienow	Rosen	
Brown	Hann	Ortman	Ruud	
Chamberlain	Housley	Osmek	Senjem	
Dahms	Ingebrigtsen	Pederson, J.	Thompson	

Those who voted in the negative were:

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

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

Senator Westrom moved to amend H.F. No. 1951, the unofficial engrossment, as follows:

Page 22, after line 15, insert:

"(c) \$21,000,000 shall be appropriated annually from the general fund to the Department of Human Services for the purposes of funding rate increases to long-term care facilities."

Page 45, lines 25 and 26, delete the new language

Page 79, delete section 1

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Pappas questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

H.F. No. 1951 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 40 and nays 24, as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Anderson	Fischbach	Ingebrigtsen	Osmek	Senjem
Benson	Gazelka	Kiffmeyer	Pederson, J.	Thompson
Brown	Hall	Nelson	Petersen, B.	Weber
Chamberlain	Hann	Nienow	Pratt	Westrom
Dahms	Housley	Ortman	Ruud	

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

CONFERENCE COMMITTEE EXCUSED

Pursuant to Rule 12.5, Senator Champion moved that the following members be excused for a Conference Committee on H.F. No. 2576 at 2:10 p.m.:

Senators Champion, Goodwin and Petersen, B. The motion prevailed.

SPECIAL ORDER

H.F. No. 2166: A bill for an act relating to elections; providing a study of the use of electronic rosters in elections; requiring secretary of state to evaluate electronic rosters in 2014 election; authorizing the use of electronic rosters statewide; proposing coding for new law in Minnesota Statutes, chapter 201.

Senator Bonoff moved to amend H.F. No. 2166, as amended pursuant to Rule 45, adopted by the Senate April 29, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 1811.)

Page 3, line 9, delete "or the number of voter receipts"

Page 3, line 13, delete "; preelection testing"

Page 3, delete lines 25 to 28

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2166 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

H.F. No. 2694: A bill for an act relating to commerce; modifying regulation of real estate brokers and salespersons; amending Minnesota Statutes 2012, sections 82.55, subdivisions 13, 15, 16, by adding subdivisions; 82.57, subdivisions 1, 3, 7; 82.58, subdivisions 2, 4; 82.59, subdivision 7; 82.61; 82.62, subdivisions 1, 3; 82.63, subdivisions 1, 3, 6, 10, 12; 82.64; 82.66, subdivision 2; 82.67, subdivision 3; 82.68, subdivision 3; 82.69; 82.70, subdivisions 1, 5; 82.71, subdivision 5; 82.72, subdivisions 2, 3; 82.735, subdivision 1; 82.75, subdivisions 1, 2, 5; 82.81, subdivision 6; Minnesota Statutes 2013 Supplement, sections 82.62, subdivision 7; 82.63, subdivision 8; repealing Minnesota Statutes 2012, section 82.55, subdivision 17.

Senator Jensen moved that the amendment made to H.F. No. 2694 by the Committee on Rules and Administration in the report adopted April 25, 2014, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

H.F. No. 2694 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 56 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

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 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dziedzic	Ingebrigtsen	Osmek	Sieben
Benson	Eaton	Johnson	Pederson, J.	Skoe
Bonoff	Eken	Kent	Pratt	Sparks
Brown	Fischbach	Kiffmeyer	Rest	Stumpf
Carlson	Franzen	Koenen	Rosen	Thompson
Chamberlain	Gazelka	Lourey	Ruud	Tomassoni
Clausen	Hann	Metzen	Saxhaug	Torres Ray
Cohen	Hawj	Miller	Scalze	Weber
Dahle	Hayden	Nelson	Schmit	Westrom
Dahms	Hoffman	Nienow	Senjem	Wiger
Dibble	Housley	Ortman	Sheran	Wiklund

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 3084: A bill for an act relating to transportation; eliminating certain reporting requirements; eliminating or modernizing antiquated, unnecessary, redundant, and obsolete

provisions; making conforming changes; amending Minnesota Statutes 2012, sections 12A.16, subdivision 5; 16A.633, subdivision 4; 16B.335, subdivision 1; 16B.51, subdivision 1; 161.082, subdivision 2a; 161.20, subdivision 2; 161.3410, subdivision 1; 161.3412, subdivision 2; 161.3414, subdivision 1; 161.3418, subdivision 2; 161.36, subdivision 7; 162.06, subdivision 3; 162.12, subdivision 3; 162.13, subdivision 1; 165.09, subdivision 3; 169.86, subdivision 5; 173.02, subdivisions 6, 16; 173.13, subdivision 4; 174.02, subdivisions 6, 8; 174.06, subdivision 7; 174.30, subdivision 9; 174.40, subdivision 8; 174.66; 221.022; 221.0252, subdivision 7; 221.026, subdivision 2; 221.031, subdivision 1; 221.036, subdivisions 1, 3; 302A.021, subdivision 10; 322B.02; 336.9-201; 360.015, subdivision 2; 360.511, subdivision 4; 360.55, subdivision 4; 360.59, subdivision 7; Laws 2013, chapter 117, article 1, section 3, subdivision 7; repealing Minnesota Statutes 2012, sections 160.27, subdivision 3; 160.283, subdivision 1; 161.05; 161.06; 161.07; 161.08, subdivision 1; 161.082, subdivision 3; 161.1231, subdivisions 3, 9; 161.13; 161.161; 161.201; 161.22; 161.31, subdivision 2; 161.3205; 161.3428; 161.51; 162.02, subdivision 2; 162.06, subdivision 6; 162.065; 162.08, subdivision 3; 162.09, subdivision 3; 162.12, subdivision 5; 162.125; 163.07, subdivision 3; 164.041; 164.05; 165.09, subdivision 5; 165.11; 165.13; 169.16; 169.835; 169.867; 173.0845; 173.085; 174.02, subdivision 7; 174.05; 174.06, subdivision 8; 174.19; 174.256, subdivision 5; 174.50, subdivisions 6a, 6b; 181.28; 181.29; 181.30; 218.021; 218.031, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, 10; 218.041, subdivisions 1, 2, 7; 219.55; 219.562, subdivisions 1, 1a, 3, 4; 219.565; 219.566; 221.123; 221.151, subdivision 1; 221.241; 221.295; 222.04; 222.06; 222.07; 222.08; 222.09; 222.10; 222.11; 222.12; 222.13; 222.141; 222.15; 222.16; 222.17; 222.18; 222.19; 222.20; 222.21; 222.22; 222.23; 222.24; 222.25; 222.28; 222.31; 222.32; 222.35; 360.013, subdivision 59; 360.015, subdivisions 11a, 17, 19; 360.55, subdivision 7; Minnesota Statutes 2013 Supplement, section 174.03, subdivision 1d.

Senator Dibble moved to amend H.F. No. 3084, as amended pursuant to Rule 45, adopted by the Senate April 24, 2014, as follows:

(The text of the amended House File is identical to S.F. No. 2616.)

Page 10, after line 12, insert:

"Sec. 16. Minnesota Statutes 2012, section 174.50, subdivision 6b, is amended to read:

Subd. 6b. **Bridge engineering and design costs in smaller cities.** ~~Until June 30, 2007, (a)~~ The commissioner may make grants from the state transportation fund to a home rule or statutory city with a population of 5,000 or less ~~and a net tax capacity of under \$200,000~~ for design and ~~preliminary~~ engineering, and construction of bridges on city streets.

(b) Grants under this subdivision are subject to the procedures and criteria established under subdivisions 5 ~~and~~ 6, and 7.

(c) Grants may be used for:

- (1) 100 percent of the design and ~~preliminary~~ engineering costs that are in excess of \$10,000;
- (2) 100 percent of the bridge approach work costs that are in excess of \$10,000; and
- (3) 100 percent of the bridge construction work costs.

~~Total grants under this subdivision to all cities may not exceed \$200,000."~~

Page 14, line 19, after "subdivision 5," insert "and"

Page 14, line 20, delete "subdivisions 6a and 6b; and 174.93, subdivision 2" and insert "subdivision 6a"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 3084 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 55 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dziedzic	Johnson	Pappas	Sheran
Benson	Eaton	Kent	Pederson, J.	Sieben
Bonoff	Eken	Kiffmeyer	Pratt	Skoe
Brown	Fischbach	Koenen	Reinert	Sparks
Carlson	Franzen	Lourey	Rest	Stumpf
Chamberlain	Gazelka	Metzen	Rosen	Thompson
Clausen	Hann	Miller	Ruud	Tomassoni
Cohen	Hawj	Nelson	Saxhaug	Torres Ray
Dahle	Hayden	Nienow	Scalze	Weber
Dahms	Hoffman	Ortman	Schmit	Wiger
Dibble	Housley	Osmeck	Senjem	Wiklund

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

SPECIAL ORDER

H.F. No. 2313: A bill for an act relating to public employment; changing the definition of a confidential employee; amending Minnesota Statutes 2012, section 179A.03, subdivision 4.

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 36 and nays 23, as follows:

Those who voted in the affirmative were:

Bakk	Dziedzic	Kent	Saxhaug	Tomassoni
Bonoff	Eaton	Koenen	Scalze	Torres Ray
Brown	Eken	Lourey	Schmit	Wiger
Carlson	Franzen	Metzen	Sheran	Wiklund
Clausen	Hawj	Pappas	Sieben	
Cohen	Hayden	Petersen, B.	Skoe	
Dahle	Hoffman	Reinert	Sparks	
Dibble	Johnson	Rest	Stumpf	

Those who voted in the negative were:

Anderson	Gazelka	Miller	Pederson, J.	Thompson
Benson	Hann	Nelson	Pratt	Weber
Chamberlain	Housley	Nienow	Rosen	Westrom
Dahms	Ingebrigtsen	Ortman	Ruud	
Fischbach	Kiffmeyer	Osmeck	Senjem	

So the bill passed and its title was agreed to.

SPECIAL ORDER

H.F. No. 2854: A bill for an act relating to commerce; removing or modifying obsolete, unnecessary, or redundant laws and rules administered by the Department of Commerce or the Public Utilities Commission; making conforming changes; amending Minnesota Statutes 2012, sections 16D.04, subdivisions 1, 4; 45.22; 45.23; 46.046, by adding a subdivision; 47.20, subdivision 7; 47.325; 47.78; 48.93, subdivisions 1, 3; 53A.06; 56.131, subdivision 1; 56.14; 58.115; 59C.10, subdivision 2; 60A.131; 72B.03; 72B.041, subdivision 1; 72B.08, subdivision 1; 72B.135, subdivision 2; 82.63, subdivision 6; 82A.03; 82A.05, subdivision 6; 82A.09, subdivision 2; 82A.10; 82A.111, subdivision 2; 82A.12, subdivision 1; 82A.14; 82A.22, subdivision 2; 82A.25; 82A.26; 82B.195, subdivisions 1, 2; 83.26, subdivision 2; 83.30, subdivision 1; 115C.113; 115C.13; 216C.03; 237.04; 237.14; 237.16, subdivisions 8, 12; 237.164; 237.17; 237.30; 237.46; 237.491; 237.69, subdivisions 1, 15, 16; 237.71; 239.011, subdivision 2; 239.06; 239.081; 239.09; 239.091; 239.44; 239.46; 239.753; 256E.25, subdivision 5a; 270B.14, subdivision 1; 325E.11; 325E.115, subdivision 2; 332.31, subdivision 1; 332.311; 332.33, subdivisions 1, 2, 3, 5, 5a, 7; 332.38; 332.39; 332.40, subdivisions 1, 2, 3; 332.42, subdivisions 1, 2; 332.44; 386.015, subdivision 5; 386.62; 386.65, subdivision 1; 386.705; 386.706; 386.73; 386.74; 386.76; Minnesota Statutes 2013 Supplement, sections 82A.13, subdivision 1; 237.036; 237.16, subdivision 9; 239.101, subdivision 3; 270.41, subdivision 5; repealing Minnesota Statutes 2012, sections 13.713, subdivision 4; 45.0111; 45.42, subdivision 1; 46.045, subdivision 2; 46.047; 48.34; 53A.081; 56.001, subdivisions 5, 6; 60A.18; 62A.319; 72A.53; 72B.02, subdivision 8; 80C.30; 81A.08; 81A.18; 82.63, subdivisions 7, 9, 10; 82A.04; 82A.07; 82A.08; 82A.11, subdivision 2; 82A.111, subdivision 5; 82A.13, subdivision 3; 82A.18, subdivision 3; 82A.22, subdivisions 1, 3; 82A.24, subdivision 5; 115C.111; 216C.14; 216C.262; 216C.263; 216C.373; 216C.38; 216C.44; 237.068; 237.16, subdivisions 10, 11, 13; 237.18; 237.33; 237.34; 237.35; 237.36; 237.37; 237.38; 237.39; 237.40; 237.44; 237.45; 237.47; 237.67; 237.711; 237.80, subdivision 1; 239.002; 239.003; 239.012; 239.101, subdivision 4; 239.28; 239.29; 239.30; 239.31; 239.35; 239.36; 239.51; 239.511; 239.53; 239.54; 332.45; 386.61, subdivisions 1, 2, 4; Minnesota Statutes 2013 Supplement, sections 82.63, subdivision 8; 82A.06, subdivision 2; Minnesota Rules, parts 2782.0200; 2782.0300; 2782.0400; 2782.0500; 2782.0600; 2782.0700; 2782.0800; 2795.2000; 2830.0010; 2830.0020; 2830.0030; 2830.0040; 2830.0050; 2830.0060; 2830.0070; 2830.0080; 2830.0090; 2830.0100; 2870.0100; 2870.1100; 2870.1200; 2870.1400; 2870.1700; 2870.1800; 2870.1900; 2870.2000; 2870.2100; 2870.2200; 2870.2300; 2870.3100; 2870.3200; 2870.3300; 2870.3400; 2870.3500; 2870.3600; 2870.3700; 2870.3800; 2870.3900; 2870.4000; 2870.4100; 2870.5100; 7601.7010; 7601.7090, subpart 3; 7602.0100; 7606.0010; 7606.0020, subparts 1, 2, 3, 4, 5, 5a, 6, 8, 9, 10; 7606.0030; 7606.0040; 7606.0050; 7606.0060; 7606.0070; 7606.0080; 7630.0110; 7630.0120; 7630.0200; 7630.0210; 7630.0220; 7630.0300; 7630.0310; 7630.0320; 7630.0330; 7630.0340; 7630.0350; 7630.0360.

Senator Carlson moved that the amendment made to H.F. No. 2854 by the Committee on Rules and Administration in the report adopted April 25, 2014, pursuant to Rule 45, be stricken. The motion prevailed. So the amendment was stricken.

Senator Carlson moved to amend H.F. No. 2854 as follows:

Page 39, after line 30, insert:

"Sec. 3. Minnesota Statutes 2012, section 45.0111, subdivision 2, is amended to read:

Subd. 2. **Nonapplication.** A temporary license as described in this section may not be issued to an applicant for licensure as a:

- (1) currency exchange regulated under chapter 53A;
- (2) collection agency regulated under sections 332.31 to ~~332.45~~ 332.44;
- (3) credit service organization regulated under sections 332.52 to 332.60; or
- (4) broker-dealer, investment advisor, or agent regulated under chapter 80A."

Page 41, after line 31, insert:

"Sec. 8. Minnesota Statutes 2013 Supplement, section 82A.06, subdivision 2, is amended to read:

Subd. 2. **Partial transactional exemptions.** The following transactions are exempt from the provisions of sections 82A.03; ~~82A.04~~; 82A.05; 82A.07; ~~82A.08~~; 82A.11, ~~subdivisions 2 and subdivision 4~~; and 82A.14: any sale which is made to a person who is not then physically present in this state, and any offer which invites an offeree to attend a sales presentation in another state if:

(1) the offeror has given at least ten days prior written notice to the commissioner of its intention to offer or sell membership camping contracts to residents of this state pursuant to this exemption and paid a fee of \$50;

(2) the offeror has demonstrated that the sales presentation will be made, and the sale will be consummated, in a state which specifically regulates the offer and sale of membership camping contracts;

(3) the offeror has demonstrated that it will deliver a disclosure statement to offerees who are residents of this state which contains substantially the same or greater disclosure as is required by section 82A.05; and

(4) the offeror has filed a consent to service of process pursuant to section 82A.22.

Sec. 9. Minnesota Statutes 2012, section 82A.08, subdivision 1, is amended to read:

Subdivision 1. **Requirement.** During the period a registration is effective, the membership camping operator shall file an annual report in a format the commissioner may reasonably prescribe. Every annual report shall be due by the 120th day following the end of the operator's fiscal year, unless extended in writing by the commissioner for good cause. The annual report shall:

(1) specify the aggregate number of membership camping contracts sold in this state pursuant to the registration or any amendment thereof;

(2) specify the number of membership camping contracts and aggregate dollar amount of all sales of membership camping contracts in this state by the membership camping operator since the date the registration became effective, or since the last annual report was filed with the commissioner, whatever date is later;

(3) specify any exemption from registration claimed for any sale described in clause (2);

(4) ~~list any changes in the information required to be filed under section 82A.04, subdivision 2, clause (4);~~

(5) (4) include an audited or unaudited financial statement consisting of a balance sheet for the membership camping operator's last fiscal year end and an income statement for the 12 months next preceding the date of the balance sheet, both prepared by an independent certified public accountant; and

(6) (5) provide such other information as the commissioner may by rule or order reasonably require to administer the provisions of this chapter, including but not limited to, audited financial statements."

Page 42, delete sections 8 and 9

Page 44, line 17, reinstate the stricken language

Page 46, delete section 15

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

H.F. No. 2854 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 57 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Dziedzic	Johnson	Pratt	Sparks
Bakk	Eaton	Kent	Reinert	Stumpf
Benson	Eken	Kiffmeyer	Rest	Thompson
Bonoff	Fischbach	Koenen	Rosen	Tomassoni
Brown	Franzen	Lourey	Ruud	Torres Ray
Carlson	Gazelka	Metzen	Saxhaug	Weber
Chamberlain	Hann	Miller	Scalze	Westrom
Clausen	Hawj	Nelson	Schmit	Wiger
Cohen	Hayden	Nienow	Senjem	Wiklund
Dahle	Hoffman	Ortman	Sheran	
Dahms	Housley	Osmek	Sieben	
Dibble	Ingebrigtsen	Pappas	Skoe	

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

SPECIAL ORDER

H.F. No. 1604: A bill for an act relating to health; requiring reporting of diverted narcotics or controlled substances; amending Minnesota Statutes 2012, section 214.33, by adding a subdivision.

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 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Brown	Champion	Dahle	Dziedzic
Benson	Carlson	Clausen	Dahms	Eken
Bonoff	Chamberlain	Cohen	Dibble	Fischbach

Franzen	Johnson	Nienow	Saxhaug	Thompson
Hall	Kent	Ortman	Scalze	Tomassoni
Hann	Kiffmeyer	Osmek	Schmit	Torres Ray
Hawj	Koenen	Pappas	Senjem	Weber
Hayden	Latz	Pederson, J.	Sheran	Westrom
Hoffman	Lourey	Pratt	Sieben	Wiger
Housley	Metzen	Reinert	Skoe	Wiklund
Ingebrigtsen	Miller	Rest	Sparks	
Jensen	Nelson	Rosen	Stumpf	

So the bill passed and its title was agreed to.

SPECIAL ORDER

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

Senator Sheran moved to amend S.F. No. 511 as follows:

Page 5, line 20, delete "and related services"

Page 6, delete section 13 and insert:

"Sec. 13. Minnesota Statutes 2012, section 148.171, subdivision 21, is amended to read:

Subd. 21. **Registered nurse anesthetist practice.** (a) "Registered nurse anesthetist practice" means the provision of anesthesia care and related services ~~within the context of collaborative management~~, including:

(1) selecting, obtaining, and administering drugs and therapeutic devices to facilitate diagnostic, therapeutic, and surgical procedures upon request, assignment, or referral by a patient's physician, dentist, or podiatrist;

(2) ordering, performing, supervising, and interpreting diagnostic studies, excluding interpreting computed tomography scans, magnetic resonance imaging scans, positron emission tomography scans, nuclear scans, and mammography;

(3) prescribing pharmacologic and nonpharmacologic therapies; and

(4) consulting with, collaborating with, or referring to other health care providers as warranted by the needs of the patient.

(b) A registered nurse anesthetist may perform nonsurgical therapies for acute and chronic pain symptoms upon referral and in collaboration with a physician licensed under chapter 147. For purposes of providing nonsurgical therapies for acute and chronic pain symptoms, the registered nurse anesthetist and one or more physicians licensed under chapter 147 must have a mutually agreed upon plan that designates the scope of collaboration necessary for providing nonsurgical

therapies to patients with acute and chronic pain. The registered nurse anesthetist must perform the nonsurgical therapies at the same licensed health care facility as the physician.

(c) Notwithstanding section 148.235, for purposes of providing nonsurgical pain therapies for chronic pain symptoms, the registered nurse anesthetist must have a written prescribing agreement with a physician licensed under chapter 147 that defines the delegated responsibilities related to prescribing drugs and therapeutic devices within the scope of the agreement and the practice of the registered nurse anesthetist."

The motion prevailed. So the amendment was adopted.

Senator Sheran moved to amend S.F. No. 511 as follows:

Page 21, delete section 37 and insert:

"Sec. 37. **[148.2841] ADVANCED PRACTICE NURSING ADVISORY COUNCIL.**

Subdivision 1. **Membership.** The Board of Nursing shall convene an Advanced Practice Nursing Advisory Council consisting of seven members with representation as follows:

(1) four Minnesota licensed advanced practice registered nurses, consisting of one nurse practitioner, one nurse-midwife, one clinical nurse specialist, and one nurse anesthetist;

(2) two Minnesota licensed physicians who work with advanced practice registered nurses; and

(3) one public member who is not a Minnesota licensed advanced practice registered nurse or a Minnesota licensed physician.

Subd. 2. **Terms.** Membership terms are as provided in section 15.059, subdivision 2, except that each member appointment shall be for a two-year term, with no member serving more than two consecutive terms.

Subd. 3. **Chair.** The chair shall rotate among the four advanced practice registered nurse members, with each member serving as chair for two years in the following order: nurse practitioner, nurse-midwife, clinical nurse specialist, nurse anesthetist.

Subd. 4. **Duties.** The advisory council shall:

(1) review prescribing trends of advanced practice registered nurses at an aggregate level;

(2) review emerging practices and overlap of advanced practice nursing and specialty medical practices in the six population foci and four categories of advanced practice registered nurse practice;

(3) provide recommendations to the Board of Nursing regarding advanced practice nursing;

(4) advise the board on advanced practice registered nurse licensure and practice standards, including emerging practice trends, aggregate prescribing trends, and overlap of advanced practice registered nursing and medical practices;

(5) advise the board on distribution of information regarding advanced practice registered nurse licensure standards; and

(6) advise the board on issues related to advanced practice registered nurse practice and regulation.

Subd. 5. **Meetings.** The chair shall convene at least one meeting every six months.

Subd. 6. **Compensation.** Members shall not be compensated but shall be reimbursed for expenses under section 15.059, subdivision 3.

Subd. 7. **Removal; vacancies.** Members may be removed and vacancies shall be filled under section 15.059, subdivision 4.

Subd. 8. **Sunset.** This section sunsets February 2, 2022."

Page 23, after line 26, insert:

"Sec. 40. **INITIAL APPOINTMENTS AND MEETING.**

The Board of Nursing must make initial appointments to the Advanced Practice Nursing Advisory Council established under Minnesota Statutes, section 148.2841, by February 1, 2015. The president of the Board of Nursing must convene the first meeting of the advisory council by March 1, 2015."

Page 23, line 28, delete "\$378,000" and insert "\$377,000"

Page 23, line 30, delete "\$232,000" and insert "\$231,000"

Page 23, line 34, after the semicolon, insert "148.243, subdivision 8;"

Page 24, line 2, delete "39" and insert "40"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

S.F. No. 511 was read the third time, as amended, and placed on its final passage.

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

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

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

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

SPECIAL ORDER

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

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 60 and nays 0, as follows:

Those who voted in the affirmative were:

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

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

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

H.F. No. 1874: A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying provisions for Legislative-Citizen Commission on Minnesota Resources; modifying requirements for land acquisition with trust fund money; amending Minnesota Statutes 2013 Supplement, section 116P.17; repealing Minnesota Statutes 2012, section 116P.05, subdivision 3.

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

Delete everything after the enacting clause and insert:

"Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the environment and natural resources trust fund and are available for the fiscal years indicated for each purpose. The figures

"2014" and "2015" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2014, or June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is fiscal year 2015. "The biennium" is fiscal years 2014 and 2015.

APPROPRIATIONS
Available for the Year
Ending June 30
2014 **2015**

Sec. 2. MINNESOTA RESOURCES

Subdivision 1. Total Appropriation \$ **-0-** \$ **28,970,000**

Appropriations by Fund

	<u>2014</u>	<u>2015</u>
<u>Environment and natural resources trust fund</u>	<u>-0-</u>	<u>28,970,000</u>

The amounts that may be spent for each purpose are specified in the following subdivisions.

Appropriations are available for two years beginning July 1, 2014, unless otherwise stated in the appropriation. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

Subd. 2. Definition

"Trust fund" means the Minnesota environment and natural resources trust fund referred to in Minnesota Statutes, section 116P.02, subdivision 6.

Subd. 3. Water Resources **-0-** **4,579,000**

(a) Solar-Driven Destruction of Pesticides, Pharmaceuticals, and Contaminants in Water

\$291,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to quantify the solar-driven destruction of contaminants reacting with dissolved organic matter to optimize water treatment methods and guide reuse. This

appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(b) Methods to Protect Beneficial Bacteria from Contaminants to Preserve Water Quality

\$279,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to research how and why bacteria that provide ecological functions humans depend on for water quality are affected by exposure to certain man-made perfluorinated chemicals entering the wastewater treatment system in order to identify methods that can be implemented to protect those bacterial functions from being degraded. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(c) Triclosan Impacts on Wastewater Treatment

\$380,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to assess the role of the commercially used antibacterial agent triclosan in creating antibiotic resistant bacteria during the municipal wastewater treatment process. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(d) Evaluation of Wastewater Nitrogen and Estrogen Treatment Options

\$500,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to examine the performance of new wastewater contaminant treatment options under Minnesota weather conditions in order to understand how to improve wastewater treatment of nitrogen and estrogenic compounds, decrease costs and energy use, and safeguard aquatic species. This appropriation is available until June

30, 2017, by which time the project must be completed and final products delivered.

(e) Antibiotics and Antibiotic-Resistant Genes in Minnesota Lakes

\$300,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to quantify the relationship between antibiotics and antibiotic-resistant bacteria in Minnesota lakes to determine if improved wastewater treatment is necessary to protect human and aquatic health. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(f) Impacts of Estrogen Exposure on Minnesota's Shallow Lake Wildlife

\$136,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the University of St. Thomas to use biological samples already gathered from shallow lakes across Minnesota to determine the environmental estrogen exposure impacts on aquatic wildlife in shallow lakes for enhanced land and lake management. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(g) Watershed-Scale Monitoring of Long-Term Best Management Practice Effectiveness

\$900,000 the second year is from the trust fund to the Science Museum of Minnesota for the St. Croix Watershed Research Station to evaluate the effectiveness of best management practices in reducing sediment and nutrient loads at watershed scales over long time periods. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(h) Protection of State's Confined Drinking Water Aquifers

\$394,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the United States Geological Survey to test methods of defining properties of confined drinking water aquifers in order to improve water management. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(i) Watershed Water Budgets for Managing Minnesota's Groundwater

\$129,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the United States Geological Survey to create a pilot study to calculate complete watershed water budgets for two counties in Minnesota for enhanced groundwater management. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(j) Identifying Causes of Exceptionally High Mercury in Fish

\$743,000 the second year is from the trust fund to the commissioner of the Pollution Control Agency to quantify the probable causes of high mercury levels in fish within the Roseau River and two tributaries of the Red River of the North by comparing mercury movements within watersheds to understand the drivers of mercury biomagnifications in the food web of rivers with similarly high mercury levels and to guide further mercury reduction initiatives. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(k) Reducing Lake Quality Impairments through Citizen Action

\$59,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Freshwater Society to

train lake associations and other stakeholder groups to develop lake management plans and to implement science-based, citizen-led water quality improvement projects on impaired lakes in west central Minnesota. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(l) Rainwater Reuse and Valuation Investigation

\$300,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to design, install, and monitor a rainwater reuse system for use in evaporative chiller systems and identify other potential applications for rainwater reuse systems.

(m) Measuring Hydrologic Benefits from Glacial Ridge Habitat Restoration

\$168,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Red Lake Watershed District and the United States Geological Survey for completion of the analysis of flooding and water-quality benefits resulting from wetland and prairie restorations at Glacial Ridge National Wildlife Refuge.

Subd. 4. Aquatic and Terrestrial Invasive Species

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2,298,000

(a) Blocking Bighead, Silver, and Other Invasive Carp by Optimizing Lock and Dams

\$854,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to collaborate with the United States Army Corps of Engineers to develop ways, including new technologies, to modify the operations of Lock and Dam Numbers 2 to 8 to optimize their ability to impede invasive carp movement into the Minnesota, St. Croix, and Mississippi Rivers. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(b) Bioacoustics to Detect, Deter, and Eliminate Silver Carp

\$262,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota-Duluth to develop bioacoustic technology for detection and early warning systems, capture and elimination methods, and deterrent systems for silver carp. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(c) Northwest Minnesota Regional Aquatic Invasive Species Prevention Pilot

\$219,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Red River Basin Commission to develop aquatic invasive species prevention strategies on a watershed scale and develop materials to sustain watershed scale decision-making and implementation. This initiative must be coordinated with the Department of Natural Resources and outdoor heritage fund activities for locally based invasive species control. Specific reporting and analysis of outcomes and findings of this alternative approach must be provided to enable duplication in other regions of the state.

(d) Biosurveillance and Biocontrol of Emerald Ash Borer - Phase 2

\$447,000 the second year is from the trust fund to the commissioner of agriculture in cooperation with the University of Minnesota to continue to monitor ash tree and emerald ash borer populations and expand the biological control implementation for emerald ash borer management. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(e) Mountain Pine Beetle Invasive Threat to Minnesota's Pines

\$175,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota and \$75,000 the second year is from the trust fund to the commissioner of agriculture to survey for the presence and characterize the potential risk of the invasive mountain pine beetle to Minnesota's pine forests to inform early detection and rapid response. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(f) Brown Marmorated Stink Bug Monitoring and Biocontrol Evaluation

\$99,000 the second year is from the trust fund to the commissioner of agriculture and \$167,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to monitor for brown marmorated stink bugs to identify problem areas, target biocontrol efforts, and evaluate the suitability of candidate biological control agents for use in Minnesota. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

Subd. 5. Foundational Natural Resource Data and Information

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4,210,000

(a) Update Statewide Land Cover Use Map

\$300,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to update Minnesota's land cover data at moderate spatial resolution statewide and at high resolution for selected areas, distribute products, and provide training. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(b) State Spring Inventory for Resource Management and Protection

\$200,000 the second year is from the trust fund to the commissioner of natural resources to develop necessary protocols, processes, and definitions of springs along with limited field testing of inventory procedures in priority areas to enable a systematic inventory of springs statewide needed to maintain spring flows and protect groundwater-dependent resources. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(c) Drainage Records Modernization and Statewide Geographic Information System Database

\$230,000 the second year is from the trust fund to the Board of Water and Soil Resources to develop a template and Web-based geographic information system (GIS) database portal to facilitate statewide modernization of public drainage records under Minnesota Statutes, chapter 103E, and integrate new specifications into existing drainage records modernization guidelines. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(d) Restoring Forest Inventory Data

\$100,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to obtain and restore statewide forest inventories of 1935, 1953, and 1966 to link with more recent data to improve understanding of historical forest trends and enhance long-term ecological monitoring.

(e) Assessing Species Vulnerability to Climate Change Using Phenology

\$175,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to compile and use historical datasets to assess change over time in the ecology of Minnesota species, identify vulnerable species, and inform

management strategies for climate change. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(f) Minnesota Breeding Bird Atlas - Final Phase

\$300,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Audubon Minnesota to complete a statewide survey of Minnesota's breeding bird distributions through final analysis, preparation, and dissemination of information collected on an ongoing basis since 2008 on breeding birds in the state. The completed atlas must be available for download from the Internet free of charge. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(g) Assessing Contaminants in Minnesota's Loons and Pelicans - Phase 2

\$260,000 the second year is from the trust fund to the commissioner of natural resources to continue to assess the potential impact of petroleum, dispersants, and heavy metal contaminants from the Deepwater Horizon oil spill in the Gulf of Mexico on the wintering habitat of Minnesota's common loons and white pelicans using radiotelemetry, geolocators, and contaminant analysis.

(h) Sandhill Crane Populations and Management in Minnesota

\$250,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to delineate population boundaries, habitat use relative to crop depredation, and migration patterns and survival of Minnesota's two populations of sandhill cranes, Mid-continent and Eastern. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(i) Wild Bee Pollinator Surveys in Prairie-Grassland Habitats

\$370,000 the second year is from the trust fund to the commissioner of natural resources to assess the current status and distribution of wild bee pollinators in prairie-grassland habitats of Minnesota.

(j) Imperiled Prairie Butterfly Conservation, Research, and Breeding Program

\$380,000 the second year is from the trust fund to the Minnesota Zoological Garden and \$245,000 the second year is from the trust fund to the commissioner of natural resources to prevent the extirpation and possible extinction of imperiled native Minnesota butterfly species through breeding, genetics and mortality research, inventory, monitoring, and public education. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(k) Conserving Minnesota's Native Freshwater Mussels

\$350,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota in cooperation with Macalester College to document native freshwater mussel abundance and distribution, quantify environmental conditions necessary to conserve Minnesota's native freshwater mussels, and conduct outreach to local organizations and the public. This appropriation is available until June 30, 2018, by which time the project must be completed and final products delivered.

(l) Impacts of Forest Quality on Declining Minnesota Moose

\$300,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota in cooperation with the Department of Natural Resources to

link regional patterns of moose abundance through time to the distribution of food and cover and determine if this distribution affects the diet and survival of individual moose. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(m) Moose Decline and Air Temperatures in Northeastern Minnesota

\$600,000 the second year is from the trust fund to the commissioner of natural resources in cooperation with the University of Minnesota to study the physiology and behavior of adult moose and effects of female condition on calf production and survival to determine the impact of air temperature on moose population performance and decline. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(n) Expansion of Minnesota Wildflowers Online Botanical Reference

\$150,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Minnesota Wildflowers Information to accelerate field work for surveying and imaging of plant species and publication of species profiles to a plant identification reference Web site available to the public and land managers. Images acquired and information compiled using these funds are for purposes of public information available on a Web site. If the organization is no longer able to maintain the Web site, the organization shall work with the state and the University of Minnesota Bell Museum of Natural History to ensure the materials remain publicly available on the Web. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

Subd. 6. Methods to Protect, Restore, and Enhance Land, Water, and Habitat

(a) Enhancing Pollinator Landscapes

\$864,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to identify sources of nectar and pollen for native pollinators and honey bees and coordinate ongoing and future efforts to enhance pollinator habitat and opportunities for pollinator nesting and foraging. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(b) Understanding Systemic Insecticides as Protection Strategy for Bees

\$326,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to continue research on how native bee and honey bee colonies are impacted by systemic, neonicotinyl insecticides in pollen and nectar of plants growing in fields and landscapes. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(c) Prairie Sustainability Through Seed Storage, Beneficial Microbes, and Adaptation

\$600,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to collect and preserve germplasm of plants throughout Minnesota's prairie region, study the microbial effects that promote plant health, analyze local adaptation, and evaluate the adaptive capacity of prairie plant populations. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(d) Northeast Minnesota White Cedar Restoration – Phase 2

\$335,000 the second year is from the trust fund to the Board of Water and Soil Resources to continue an assessment of the decline of

northern white cedar plant communities in northeast Minnesota, demonstrate restoration techniques, and provide cedar restoration training to local units of government. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(e) Southeast Minnesota Watershed Protection Plan

\$200,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with The Nature Conservancy to provide a framework and plans for the protection and stewardship of unimpaired waters in southeast Minnesota. The result will be a template for watershed protection in Minnesota. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(f) Upland and Shoreline Restoration in Greater Metropolitan Area

\$300,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Great River Greening to restore and enhance upland, shoreline, and approximately 150 acres of forests, woodlands, savanna, and prairie and to provide related educational opportunities for volunteers in the greater metropolitan area. A list of proposed restorations and enhancements must be provided as part of the required work plan. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(g) Prairie, Forest, and Savanna Restoration in Greater Metropolitan Area

\$200,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Friends of the Mississippi River to restore approximately 150 acres of prairie, forests, and oak savanna

in the greater metropolitan area. A list of proposed restorations and enhancements must be provided as part of the required work plan. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(h) Nutrient Capture through Water Management and Biomass Harvesting

\$300,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Red River Basin Commission to evaluate the potential capture of excess nutrients using cattails grown and harvested within shallow flood reservoirs for bioenergy use. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(i) Cattail Management for Wetland Wildlife and Bioenergy Potential

\$74,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Northwest Research and Outreach Center in Crookston to evaluate different management techniques for cattail control and related wildlife impacts in northwest Minnesota and to assess the use of cattails as a biofuel feedstock.

(j) Dredged Sediment for Forest Restoration on Unproductive Minelands

\$300,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota–Duluth for the Natural Resources Research Institute to restore up to 136 acres of unproductive mine stockpile while improving the treatment of municipal sewage and biosolids near Virginia using clean Erie Pier dredged sediment and managed forestry techniques. This appropriation is available until June 30, 2018, by which time the project must be completed and final products delivered.

(k) Expansion of Greenhouse Production

\$176,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the city of Silver Bay to expand and enhance a city-owned greenhouse facility to increase system production for locally grown food on a year-round basis and reduce water usage.

Subd. 7. Land Acquisition, Habitat, and Recreation-0-6,923,000**(a) Scientific and Natural Area Acquisition, Restoration, Improvement, and Citizen Engagement**

\$2,540,000 the second year is from the trust fund to the commissioner of natural resources to acquire lands with high-quality native plant communities and rare features to be established as scientific and natural areas as provided in Minnesota Statutes, section 86A.05, subdivision 5, restore and improve parts of scientific and natural areas, and provide technical assistance and outreach. A list of proposed acquisitions must be provided as part of the required work program. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards, as determined by the commissioner of natural resources. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(b) Metropolitan Regional Park System Acquisition

\$1,500,000 the second year is from the trust fund to the Metropolitan Council for grants for the acquisition of lands within the approved park unit boundaries of the metropolitan regional park system. This appropriation may not be used for the purchase of habitable residential structures. A list of proposed fee title and easement acquisitions must be provided as part of the required work program. This appropriation

must be matched by at least 40 percent of nonstate money that must be committed by December 31, 2014, or the appropriation cancels. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(c) Mesabi Trail Development – Soudan to Ely Segment

\$1,000,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with St. Louis and Lake Counties Regional Rail Authority for the right-of-way acquisition, design, and construction of segments of the Mesabi Trail totaling approximately 11 miles east of Soudan towards Ely. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(d) Shoreland Acquisition on St. Croix River

\$1,250,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Washington County to purchase 15 acres, encompassing 3,500 feet of St. Croix shoreland paralleling Brown's Creek State Trail in the city of Stillwater. The county will transfer the parcel to the city of Stillwater. This appropriation is contingent on the expenditure of at least \$2,500,000 of nonstate match.

(e) Martin County Park and Natural Area Acquisition

\$435,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Fox Lake Conservation League, Inc. and Martin County to acquire approximately 40 acres in Martin County, including a ten-acre prairie remnant to be owned and managed by Martin County as part of its park system. A vegetation management plan must be developed and implemented and public access must be

provided to the native prairie remnant. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(f) Minnesota River Water Trailhead and Landing in Morton

\$198,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the city of Morton to transform a municipal parcel from a compost site into a Minnesota River water trailhead and landing and to design and build interpretative trails around the landing complex. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

Subd. 8. Air Quality, Climate Change, and Renewable Energy

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3,360,000

(a) Solar Cell Materials from Sulfur and Common Metals

\$494,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to develop solar cell materials using nontoxic and common metals combined with sulfur. This appropriation is subject to Minnesota Statutes, section 116P.10. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(b) Innovative Groundwater-Enhanced Geothermal Heat Pump Study

\$196,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to analyze and validate a new geothermal pump method and technology that will reduce heat pump costs and improve performance and predictability. This appropriation is subject to Minnesota Statutes, section 116P.10.

(c) Demonstrating Innovative Technologies to Fully Utilize Wastewater Resources

\$1,000,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to demonstrate innovative technologies to utilize and treat wastewater streams for conversion of treatment by-products to biofuels. This appropriation is subject to Minnesota Statutes, section 116P.10. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(d) Transitioning Minnesota Farms to Local Energy

\$500,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the West Central Research and Outreach Center in Morris to develop clean energy strategies for Minnesota farms in order to reduce fossil fuel energy use and increase local energy production. Any installation of infrastructure or improvements must be at the University of Minnesota West Central Research and Outreach Center. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(e) Life Cycle Energy of Renewably Produced Nitrogen Fertilizers

\$250,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the West Central Research and Outreach Center in Morris to calculate fossil fuel energy savings and greenhouse gas reductions resulting from the use of local renewable energy technologies, including biomass gasification, anaerobic digestion, and hydroelectricity to produce fertilizer. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(f) Clean Water and Renewable Energy from Beet Processing Wastewater and Manure

\$400,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Southern Research and Outreach Center in Waseca to research the cofermentation of sugar beet processing wastewater and swine manure for hydrogen and methane production and to install and evaluate a pilot-scale system. This appropriation is subject to Minnesota Statutes, section 116P.10. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(g) Next Generation Large-Scale Septic Tank Systems

\$258,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to develop a dual utility large-scale septic tank system designed for nutrient recuperation, bioenergy generation, and environmental protection using a bio-electrochemical system. This appropriation is subject to Minnesota Statutes, section 116P.10. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(h) Solar Photovoltaic Installation at Residential Environmental Learning Centers

\$150,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Deep Portage Learning Center to coordinate with Audubon Center of the North Woods; Eagle Bluff Environmental Learning Center; Laurentian Environmental Learning Center; Long Lake Conservation Center; and Wolf Ridge Environmental Learning Center the installation of at least five kilowatt institutional solar arrays made in Minnesota at each of the six residential environmental learning centers as a teaching tool. Prior to the installation, the proposed placement of the solar arrays must be submitted to the Legislative-Citizen

Commission on Minnesota Resources office to ensure the demonstration of the maximum educational value.

(i) Itasca Community College Woody Biomass Utilization Project Design

\$112,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Itasca Community College to develop a final design for installation of a boiler heating system using woody biomass. Students at the college must be involved in the final design process.

Subd. 9. Environmental Education

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3,681,000

(a) Minnesota Conservation Apprenticeship Academy

\$392,000 the second year is from the trust fund to the Board of Water and Soil Resources in cooperation with Conservation Corps Minnesota to continue a program to train and mentor future conservation professionals by providing apprenticeship service opportunities with soil and water conservation districts. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(b) Youth-led Sustainability Initiatives in 40 Greater Minnesota Communities

\$350,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Prairie Woods Environmental Learning Center in cooperation with Laurentian Environmental Learning Center to complete over 100 youth-led sustainability action projects in 40 communities in southwest, southeast, central and northeastern Minnesota.

(c) Urban Environmental Education Engaging Students in Local Resources

\$1,093,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Wilderness Inquiry for a collaborative partnership, including the National Park Service, Minneapolis Public Schools, and St. Paul Public Schools, to establish a metrowide system providing place-based environmental education experiences using existing, but underutilized, outdoor environmental resources serving over 15,000 middle and high school students. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(d) Diversifying Involvement in the Natural Resources Community

\$416,000 the second year is from the trust fund to the commissioner of natural resources and \$84,000 is to the Board of Regents of the University of Minnesota to increase participation of under-represented communities in the natural resource professions and in outdoor recreation by means of targeted urban outreach and stronger linkages between Department of Natural Resources programs and academic offerings. This initiative must be coordinated with other environmental education appropriations in this subdivision. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(e) Educating Minnesotans about Potential Impacts of Changing Climate

\$325,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the Will Steger Foundation to plan and conduct forums, workshops, and trainings on Minnesota's changing climate and the potential impacts on ecosystems and natural resources. An accompanying television program and information spots must be produced for broadcast and use at the forums.

(f) Pollinator Education Center at the Minnesota Landscape Arboretum

\$615,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota to develop exhibits for an educational center that will offer hands-on learning experience about the role of pollinators and importance of pollinator habitat. Exhibits must utilize and integrate the best available science pertaining to all pollinator types, particularly native species. Approval of the work plan for this appropriation is contingent upon the organization addressing how it will increase access to the center by youth at no or limited cost.

(g) Minnesota Pollinator Partnership

\$100,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with Pheasants Forever to complete 40 community pollinator education and habitat projects. This appropriation must be coordinated with appropriations provided by the outdoor heritage fund. This appropriation is available until June 30, 2017, by which time the project must be completed and final products delivered.

(h) Raptor Center Integrating Online and Outdoor Learning Environments

\$186,000 the second year is from the trust fund to the Board of Regents of the University of Minnesota for the Raptor Center to develop an environmental education program on raptors for middle schools that integrates outdoor experiences with technology and scientific investigation.

(i) Wolf Management Education

\$120,000 the second year is from the trust fund to the commissioner of natural resources for an agreement with the International Wolf Center for outreach to metro area

kindergarten through grade 12 classrooms and nature centers to help children understand wolf management issues.

Subd. 10. Administration and Contract Agreement Reimbursement

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244,000

(a) Contract Agreement Reimbursement

\$135,000 the second year is from the trust fund to the commissioner of natural resources at the direction of the Legislative-Citizen Commission on Minnesota Resources for expenses incurred for contract agreement reimbursement for the agreements specified in this section. The commissioner shall provide documentation to the Legislative-Citizen Commission on Minnesota Resources on the expenditure of these funds.

(b) Legislative Coordinating Commission Legacy Web Site

\$9,000 the second year is from the trust fund to the Legislative Coordinating Commission for the Web site required in Minnesota Statutes, section 3.303, subdivision 10.

(c) Legislative-Citizen Commission on Minnesota Resources (LCCMR)

\$100,000 the second year is from the trust fund to the LCCMR for upgrade and modernization of a project records management system.

Subd. 11. Availability of Appropriations

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the work plan approved by the Legislative-Citizen Commission on Minnesota Resources. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation.

Costs that are directly related to and necessary for an appropriation, including financial services, human resources, information services, rent, and utilities, are eligible only if the costs can be clearly justified and individually documented specific to the appropriation's purpose and would not be generated by the recipient but for the receipt of the appropriation. No broad allocations for costs in either dollars or percentages are allowed. Unless otherwise provided, the amounts in this section are available until June 30, 2016, when projects must be completed and final products delivered. For acquisition of real property, the appropriations in this section are available for an additional fiscal year if a binding contract for acquisition of the real property is entered into before the original expiration date of the appropriation. If a project receives a federal grant, the time period of the appropriation is extended to equal the federal grant period.

Subd. 12. Data Availability Requirements

Data collected by the projects funded under this section must conform to guidelines and standards adopted by MN.IT Services. Spatial data also must conform to additional guidelines and standards designed to support data coordination and distribution that have been published by the Minnesota Geospatial Information Office. Descriptions of spatial data must be prepared as specified in the state's geographic metadata guideline and must be submitted to the Minnesota Geospatial Information Office. All data must be accessible and free to the public unless made private under the Data Practices Act, Minnesota Statutes, chapter 13. To the extent practicable, summary data and results of projects funded under this section should be readily accessible on the Internet and identified as having received funding from the environment and natural resources trust fund.

Subd. 13. Project Requirements

(a) As a condition of accepting an appropriation under this section, any agency or entity receiving an appropriation or a party to an agreement from an appropriation must comply with paragraphs (b) to (k) and Minnesota Statutes, chapter 116P, and must submit a work plan and semiannual progress reports in the form determined by the Legislative-Citizen Commission on Minnesota Resources for any project funded in whole or in part with funds from the appropriation. Modifications to the approved work plan and budget expenditures shall be made through the amendment process established by the Legislative-Citizen Commission on Minnesota Resources.

(b) For all restorations conducted with money appropriated under this section, a recipient must prepare an ecological restoration and management plan that, to the degree practicable, is consistent with the highest quality conservation and ecological goals for the restoration site. Consideration should be given to soil, geology, topography, and other relevant factors that would provide the best chance for long-term success of the restoration projects. The plan must include the proposed timetable for implementing the restoration, including site preparation, establishment of diverse plant species, maintenance, and additional enhancement to establish the restoration; identify long-term maintenance and management needs of the restoration and how the maintenance, management, and enhancement will be financed; and take advantage of the best available science and include innovative techniques to achieve the best restoration.

(c) Any entity receiving an appropriation in this section for restoration activities must provide an initial restoration evaluation at the completion of the appropriation and an evaluation three years beyond the completion of the expenditure. Restorations must be evaluated relative to the stated goals and standards in the restoration plan,

current science, and, when applicable, the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. The evaluation shall determine whether the restorations are meeting planned goals, identify any problems with the implementation of the restorations, and, if necessary, give recommendations on improving restorations. The evaluation shall be focused on improving future restorations.

(d) All restoration and enhancement projects funded with money appropriated in this section must be on land permanently protected by a conservation easement or public ownership.

(e) A recipient of money from an appropriation under this section must give consideration to contracting with Conservation Corps Minnesota for contract restoration and enhancement services.

(f) All conservation easements acquired with money appropriated under this section must:

(1) be perpetual;

(2) specify the parties to an easement in the easement;

(3) specify all of the provisions of an agreement that are perpetual;

(4) be sent to the Legislative-Citizen Commission on Minnesota Resources in an electronic format at least ten business days prior to closing;

(5) include a long-term monitoring and enforcement plan and funding for monitoring and enforcing the easement agreement; and

(6) include requirements in the easement document to address specific groundwater and surface water quality protection activities such as keeping water on the landscape, reducing nutrient and contaminant loading, protecting groundwater, and not permitting artificial hydrological modifications.

(g) For any acquisition of land or interest in land, a recipient of money appropriated under this section must give priority to high-quality natural resources or conservation lands that provide natural buffers to water resources.

(h) For new lands acquired with money appropriated under this section, a recipient must prepare an ecological restoration and management plan in compliance with paragraph (b), including sufficient funding for implementation unless the work plan addresses why a portion of the money is not necessary to achieve a high-quality restoration.

(i) To the extent an appropriation is used to acquire an interest in real property, a recipient of an appropriation under this section must provide to the Legislative-Citizen Commission on Minnesota Resources and the commissioner of management and budget an analysis of increased operation and maintenance costs likely to be incurred by public entities as a result of the acquisition and how these costs are to be paid.

(j) To ensure public accountability for the use of public funds, within 60 days of the transaction, a recipient of money appropriated under this section must provide to the Legislative-Citizen Commission on Minnesota Resources documentation of the selection process used to identify parcels acquired and provide documentation of all related transaction costs, including but not limited to appraisals, legal fees, recording fees, commissions, other similar costs, and donations. This information must be provided for all parties involved in the transaction. The recipient must also report to the Legislative-Citizen Commission on Minnesota Resources any difference between the acquisition amount paid to the seller and the state-certified or state-reviewed appraisal, if a state-certified or state-reviewed appraisal was conducted.

(k) A recipient of an appropriation from the trust fund under this section must acknowledge financial support from the Minnesota environment and natural resources trust fund in project publications, signage, and other public communications and outreach related to work completed using the appropriation. Acknowledgement may occur, as appropriate, through use of the trust fund logo or inclusion of language attributing support from the trust fund. Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must satisfy all reporting and other requirements incumbent upon constitutionally dedicated funding recipients as provided in Minnesota Statutes, section 3.303, subdivision 10, and chapter 116P.

Subd. 14. Payment Conditions and Capital Equipment Expenditures

(a) All agreements, grants, or contracts referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures made on or after July 1, 2014, or the date the work plan is approved, whichever is later, are eligible for reimbursement unless otherwise provided in this section. Periodic payment must be made upon receiving documentation that the deliverable items articulated in the approved work plan have been achieved, including partial achievements as evidenced by approved progress reports. Reasonable amounts may be advanced to projects to accommodate cash flow needs or match federal money. The advances must be approved as part of the work plan. No expenditures for capital equipment are allowed unless expressly authorized in the project work plan.

(b) Single source contracts as specified in the approved work plan are allowed.

Subd. 15. Purchase of Recycled and Recyclable Materials

A political subdivision, public or private corporation, or other entity that receives an appropriation under this section must use the appropriation in compliance with Minnesota Statutes, section 16B.121, regarding purchase of recycled, repairable, and durable materials; and Minnesota Statutes, section 16B.122, regarding purchase and use of paper stock and printing.

Subd. 16. Energy Conservation and Sustainable Building Guidelines

A recipient to whom an appropriation is made under this section for a capital improvement project must ensure that the project complies with the applicable energy conservation and sustainable building guidelines and standards contained in law, including Minnesota Statutes, sections 16B.325, 216C.19, and 216C.20, and rules adopted under those sections. The recipient may use the energy planning, advocacy, and State Energy Office units of the Department of Commerce to obtain information and technical assistance on energy conservation and alternative energy development relating to the planning and construction of the capital improvement project.

Subd. 17. Accessibility

Structural and nonstructural facilities must meet the design standards in the Americans with Disabilities Act (ADA) accessibility guidelines.

Subd. 18. Easement Monitoring and Enforcement Requirements

Money appropriated under this section for easement monitoring and enforcement may be spent only on activities included in an easement monitoring and enforcement plan

contained within the work plan. Money received for monitoring and enforcement, including earnings on the money received, shall be kept in a monitoring and enforcement fund held by the organization and dedicated to monitoring and enforcing conservation easements within Minnesota. Within 120 days after the close of the entity's fiscal year, an entity receiving appropriations for easement monitoring and enforcement must provide an annual financial report to the Legislative-Citizen Commission on Minnesota Resources or its successor on the easement monitoring and enforcement fund as specified in the work plan.

Money appropriated under this section for monitoring and enforcement of easements and earnings on the money appropriated shall revert to the state if: (1) the easement transfers to the state; (2) the holder of the easement fails to file an annual report and then fails to cure that default within 30 days of notification of the default by the state; or (3) the holder of the easement fails to comply with the terms of the monitoring and enforcement plan contained within the work plan and fails to cure that default within 90 days of notification of the default by the state.

Subd. 19. Carryforward

(a) The availability of the appropriations for the following projects are extended to June 30, 2015:

(1) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 3, paragraph (j), Information System for Wildlife and Aquatic Management Areas;

(2) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 4, paragraph (b), State Parks and Trails Land Acquisition;

(3) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision

4, paragraph (i), Metropolitan Conservation Corridors (MeCC) - Phase VI;

(4) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 6, paragraph (c), Evaluation of Switchgrass as Biofuel Crop;

(5) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 4, paragraph (d), Regional Park, Trail, and Connections Acquisition and Development Grants;

(6) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 4, paragraph (g), Minnesota River Valley Green Corridor Scientific and Natural Area Acquisition;

(7) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 4, paragraph (q), Restoration Strategies for Ditched Peatland and Scientific and Natural Areas;

(8) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 6, paragraph (a), Improved Detection of Harmful Microbes in Ballast Water;

(9) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 8, paragraph (b), Minnesota Junior Master Naturalist Program; and

(10) Laws 2010, chapter 362, section 2, subdivision 5, paragraph (d), Agricultural and Urban Runoff Water Quality Treatment Analysis.

(b) The availability of the appropriations for the following project is extended to June 30, 2017: Laws 2013, chapter 52, section 2, subdivision 6, paragraph (g), Controlling Terrestrial Invasive Plants with Grazing Animals.

Sec. 3. Minnesota Statutes 2013 Supplement, section 116P.17, is amended to read:

116P.17 ACQUISITION OF LANDS OR INTEREST IN LANDS; COMMISSIONER APPROVAL.

Subdivision 1. **Commissioner approval.** (a) A recipient of an appropriation from the trust fund who acquires an interest in real property must receive written approval from the commissioner of natural resources prior to the acquisition, if the interest is acquired in whole or in part with the appropriation. A recipient must request the commissioner's approval at least ten business days before the proposed acquisition. When a recipient requests approval under this subdivision, the recipient must simultaneously submit the same information to the commission. Conservation easements to be held by the Board of Water and Soil Resources and acquisitions specifically identified in appropriation laws are not subject to commissioner approval under this section.

(b) The commissioner shall approve acquisitions under this section only when the interest in real property:

- (1) is identified as a high priority by the commissioner and meets the objectives and criteria identified in the applicable acquisition plan for the intended management status of the property; or
- (2) is otherwise identified by the commissioner as a priority for state financing.

Subd. 2. **Value assessment.** At least ten business days prior to acquiring an interest in real property with an appropriation from the trust fund, a recipient of an appropriation must submit the most recent tax assessed value and most recent tax statement of the real property and the amount the recipient plans to offer for the interest in real property to the commission and the commissioner of natural resources. Conservation easements to be held by the Board of Water and Soil Resources are not subject to the requirements of this section. The board shall keep a record of the tax assessed value of the real property at the time of acquisition and the most recent tax statement.

Sec. 4. **REPEALER.**

Minnesota Statutes 2012, section 116P.05, subdivision 3, is repealed."

Amend the title numbers accordingly

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

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

S.F. No. 2186: A bill for an act relating to unemployment insurance; making policy and housekeeping changes to the unemployment insurance program; adopting recommendations of the Unemployment Insurance Advisory Council; amending Minnesota Statutes 2012, sections 268.035, subdivisions 2, 4, 11, 12, 20, 22, 29; 268.051, subdivision 4; 268.057, subdivisions 5, 7; 268.0625, subdivision 4; 268.085, subdivisions 3, 4, 6, by adding a subdivision; 268.0865, subdivisions 3, 4; 268.095, subdivision 2; 268.103, subdivision 2a; 268.105, subdivisions 1, 2, 3a, 5, 6; 268.18, subdivision 2b; 268.184, subdivisions 1, 1a; 268.186; 268.196, subdivision 1; 268.215; repealing Minnesota Statutes 2012, section 268.105, subdivision 4; Laws 2005, chapter 112, article 1, section 15; Laws 2008, chapter 363, article 10, section 30; Minnesota Rules, parts 3315.0200, subpart 1; 3315.0203; 3315.0211; 3315.0212; 3315.0213; 3315.0801; 3315.0805; 3315.0810; 3315.0815; 3315.0820; 3315.0825; 3315.0830; 3315.0835; 3315.0840; 3315.0845; 3315.0901; 3315.0905.

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

Senator Cohen from the Committee on Finance, to which was re-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; 115.551; 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 7, delete section 5 and insert:

"Sec. 5. Minnesota Statutes 2012, section 115.03, subdivision 10, is amended to read:

Subd. 10. **Nutrient Pollutant loading offset.** (a) ~~Prior to the completion of a total maximum daily load for an impaired water, The Pollution Control Agency may issue a permit for a new discharger or an expanding discharger if it results in decreased loading to an impaired water. Where a new discharger or an expanding existing discharger cannot effectively implement zero discharge options, the agency may issue a permit if the increased loading is offset by reductions or amend permits to authorize pollutant discharges to a receiving water and may authorize reductions in loading from other sources of loading to the impaired water, so that there is to the same receiving water, if together the changes achieve a net decrease in the pollutant loading of concern. The term "new discharger" is as defined in Code of Federal Regulations, title 40, section 122.2: to the receiving water. 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. The pollutant load reduction requirements in place prior to the offset must meet the requirements of this chapter and Minnesota Rules, parts 7050.0150, subpart 8; 7053.0205; and 7053.0215, including, but not limited to, requirements related to pollutant form, spatial loading, and temporal loading. The agency must require significant offset ratios for offsets between permitted sources and nonpermitted sources and must demonstrate how nonpermitted source offset credits make progress toward ensuring attainment of water quality standards. The agreement of a source to participate in an offset is voluntary. The agency shall track the pollutant offsets or "trades" implemented under this subdivision.~~

(b) The legislature intends this subdivision to confirm and clarify the authority of the Pollution Control Agency to issue the authorized permits under prior law. The subdivision must not be construed as a legislative interpretation within the meaning of section 645.16, clause (8), or otherwise as the legislature's intent that the agency did not have authority to issue such a permit under prior law."

Page 12, after line 26, insert:

"Sec. 9. Minnesota Statutes 2012, section 116.07, subdivision 4j, is amended to read:

Subd. 4j. **Permits; solid waste facilities.** (a) The agency may not issue a permit for new or additional capacity for a mixed municipal solid waste resource recovery or disposal facility as defined in section 115A.03 unless each county using or projected in the permit to use the facility has in place a solid waste management plan approved under section 115A.46 or 473.803 and

amended as required by section 115A.96, subdivision 6. The agency shall issue the permit only if the capacity of the facility is consistent with the needs for resource recovery or disposal capacity identified in the approved plan or plans. Consistency must be determined by the Pollution Control Agency. Plans approved before January 1, 1990, need not be revised if the capacity sought in the permit is consistent with the approved plan or plans.

(b) The agency shall require as part of the permit application for a waste incineration facility identification of preliminary plans for ash management and ash leachate treatment or ash utilization. The permit issued by the agency must include requirements for ash management and ash leachate treatment.

(c) Within 30 days of receipt by the agency of a permit application for a solid waste facility, the commissioner shall notify the applicant in writing whether the application is complete and if not, what items are needed to make it complete, and shall give an estimate of the time it will take to process the application. Within 180 days of receipt of a completed application, the agency shall approve, disapprove, or delay decision on the application, with reasons for the delay, in writing.

(d) The agency may not issue a permit for a new disposal facility, as defined in section 115A.03, subdivision 10, or a permit to expand an existing disposal facility until all required local approval has been granted for the new or expanded facility."

Page 12, line 30, delete the new language

Page 12, delete lines 31 to 34

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, after "permitting" insert "procedures and"

Amend the title numbers accordingly

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

SECOND READING OF SENATE BILLS

S.F. Nos. 2186 and 2193 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 1874 was read the second time.

MEMBERS EXCUSED

Senators Limmer and Newman were excused from the Session of today. Senator Hoffman was excused from the Session of today from 10:00 a.m to 12:25 p.m. Senators Dziedzic and Sieben were excused from the Session of today from 12:10 to 12:20 p.m. Senator Bakk was excused from the Session of today from 12:20 to 12:50 p.m., 1:30 to 2:15 p.m. and from 2:25 to 3:20 p.m. Senators Rosen and Torres Ray were excused from the Session of today from 12:25 to 12:30 p.m. Senator Ruud was excused from the Session of today from 12:25 to 12:30 p.m. and from 3:10 to 3:20 p.m. Senator Lourey was excused from the Session of today from 12:40 to 12:50 p.m. Senator Marty

was excused from the Session of today from 1:40 to 3:45 p.m. Senator Pappas was excused from the Session of today from 2:15 to 2:30 p.m. Senator Dahms was excused from the Session of today from 2:20 to 2:35 p.m. Senator Brown was excused from the Session of today from 2:20 to 2:35 p.m. and from 3:20 to 3:30 p.m. Senator Osmek was excused from the Session of today from 2:30 to 2:35 p.m. Senators Reinert and Westrom were excused from the Session of today from 2:35 to 2:45 p.m. Senator Pederson, J. was excused from the Session of today from 2:50 to 3:10 p.m. Senator Petersen, B. was excused from the Session of today from 2:50 to 3:20 p.m. Senator Gazelka was excused from the Session of today from 3:05 to 3:20 p.m.

ADJOURNMENT

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Friday, May 2, 2014. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

